Annual Security and Fire Safety Report
2018

Clark University Campus Police
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LETTER FROM THE CHIEF OF POLICE:

As Chief of the Clark University Police Department, it is my responsibility to provide leadership, organization, planning management and proper administration to the police department.

In addition to coordinating all safety and security services provided to the Clark University community, University Police works with local, state and federal law enforcement agencies, as well as neighborhood groups and community members.

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) requires that colleges and universities publish an Annual Security Report concerning various safety-related policies and procedures as well as campus crime and fire statistics.

As Chief of the University Police, it is my responsibility to oversee the preparation and publication of the Annual Security Report with the assistance of essential compliance-oriented staff. Each year the department compiles statistics for this report based on its own records, as well as information provided by local law enforcement and various campus security authorities. These efforts are directed at acquiring accurate information necessary to the University’s compliance with disclosing annual crime statistics to the Clark University community.

On behalf of the Clark University Police Department, I welcome your input, ideas and thoughts on how we can work together to safeguard your well-being and property. I encourage you to be an active community member with your safety as a priority. Please attend, and participate in, all safety related sessions.

Please feel free to call the Clark University Police Department at any time whenever necessary.

We wish you all the best for a safe and productive year here at Clark University.

Sincerely,

Chief Stephen P. Goulet
THE ANNUAL SECURITY REPORT

The University Police Department, together with a compliance committee comprised of representatives of Human Resources, Dean of Students, Residential Life & Housing, Athletics, Health & Wellness and the Business Office, prepares the Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Each department provides updated information on educational efforts and programs to comply with the most recent regulations.

Campus crime, arrest and referral statistics include those reported to the Clark University Campus Police, designated campus officials and local law enforcement agencies. Additionally, procedures are in place to capture anonymous crime statistics gathered confidentially either through Health Services or the University Police tip line.

Each year, an email notification is sent to all faculty, staff and enrolled students summarizing the contents of the report with a direct link to the full document. Copies of the report may also be obtained at Clark University Police department located in the basement of Bullock Hall or the Admissions Office, located at 1 Maywood Street. All prospective employees and students are given written notice of the website location of the report during initial interactions with the university.

REPORTING OF CRIMINAL OFFENSES

The Clark University Police urge witnesses or victims of a campus crime or emergency to contact University Police, located in the basement of Bullock Hall, immediately at (508) 793-7575, or any police officer. Any off-campus incidents should be reported to Worcester Police Department at (508) 799-8606.

IMPORTANT NUMBERS TO REMEMBER

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<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>University Police Chief</td>
<td>Stephen Goulet</td>
<td>(508) 793-7575</td>
</tr>
<tr>
<td>Assistant Provost and Dean of Students</td>
<td>Francy Magee</td>
<td>(508) 793-7423</td>
</tr>
<tr>
<td>Assistant Dean of Students</td>
<td>Adam Keyes</td>
<td>(508) 793-7453</td>
</tr>
<tr>
<td>Chief Officer of Diversity &amp; Inclusion</td>
<td>Sheree Marlowe</td>
<td>(508) 793-7351</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>Lynn Levey</td>
<td>(508) 793-7194</td>
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</tbody>
</table>
CAMPUS SECURITY AUTHORITIES

Federal law requires the University to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the University’s Clery geography and that are reported to campus security authorities (CSAs) or local law enforcement. Under the law, CSAs include: all Clark University Police Officers; any member of the campus community who have been designated by the university and deemed responsible for reporting any criminal actions reported to them by students, faculty, staff or visitors; and any university official who has significant responsibility for student and campus activities.

VOLUNTARY CONFIDENTIAL REPORTING

Victims of a crime who may not wish to pursue action within the University System or the criminal justice system, are encouraged to consider making a confidential report. Any Campus Security Authority can file a report on the details of an incident without revealing the victim’s identity. The purpose of a confidential report is to comply with a victim’s wish to keep the matter confidential, while taking steps to ensure the future safety of others. With this information, the University is able to accurately record the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. It is important for the reporting individual to be aware that in cases involving sexual misconduct, as outlined in the University’s Sexual Offenses Policy¹, confidentiality cannot always be assured, as the federal law demands that the University address the conduct in question in most instances. The only way that confidentiality can be assured in an instance of sexual misconduct is if the report is made to a ‘Confidential Resource’² on campus. A list of on-campus and off-campus confidential resources can be found here: https://www.clarku.edu/offices/title-ix/resources/

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

A computer card entry security system for all University residence halls keeps them locked 24 hours a day, while still giving Clark students access to campus housing. The card system, programmed through a computer at the University Police office, opens the door for a period of seconds. The door locks again immediately when it closes. An alarm will go off at University Police if one of the outside doors is kept open for a period longer than a reasonable time for entry.

Every year ID cards are activated for all returning and first-year residential students, which allows them access to their residence hall. Access is terminated at year’s end. Should a card be lost or stolen, the access assigned to the

¹ https://www.clarku.edu/offices/title-ix/sexual-offense-policies/
² https://www.clarku.edu/offices/title-ix/resources/
card can be removed. Clark University patrols pay particular attention to checking that residence hall doors have not been propped open.

The Facility Management Department's staff maintains a landscape design that largely eliminates hiding places for potential intruders. Trees and bushes that interfere with lighting and visibility are routinely cut down or trimmed. The University has installed state-of-the-art, high-illumination outdoor lighting that significantly improves visibility on campus. Studies of outside lighting throughout the campus remain ongoing, and new lights are added in areas where lighting is a concern.

In the instances of campus maintenance and construction, where outside contractors are required to have access to university property, procedures are in place whereby University Police are notified of the dates/times and nature of projects, vendor names and emergency contact information. Keys and/or special swipe access cards are signed out from the University Police Department or Facilities Management and a log is maintained.

**CAMPUS LAW ENFORCEMENT**

**THE CLARK UNIVERSITY POLICE DEPARTMENT'S ENFORCEMENT AUTHORITY**

The Clark University Police Department, headed by Chief Stephen Goulet, includes 11 full-time officers and five part-time officers who are empowered by the Commonwealth of Massachusetts. As such, Clark University police are authorized within a limited geographic area to perform the same duties as any other police officer. They have the authority to wear firearms and to make arrests.

Besides the Clark University campus, Clark officers also patrol the surrounding streets. There, they work in cooperation with the Worcester City Police to protect off-campus students and property. They patrol by foot or bicycle and by car 24 hours a day, 365 days a year. Officers are certified in CPR and other medical emergency techniques. Officers are all required by Clark University to undergo special training in such areas as crisis intervention, critical incident/active shooter, diversity sensitivity, firearms use, medical emergencies, victim awareness, sexual assault and domestic violence.

**RELATIONSHIPS WITH OTHER POLICE AGENCIES**

Although there are no memorandum of understanding between Clark University Police and other law enforcement agencies, the Clark University Police Department maintains a positive working relationship with the Worcester City Police and the Massachusetts State Police. The Worcester City Police often maintain an anti-crime team designated for the Main South neighborhood in which Clark University is located. Clark University Police and the Worcester Police share police investigative resources, when requested, on campus and in the Main South neighborhood. Worcester Police are notified of all serious crimes reported to Clark University Police to facilitate crime solving. While Clark University operates no off-campus student
organization facilities, Clark University and the Worcester Police Department collaborate to monitor any criminal activity in areas used by student organizations that may occur off-campus.

**ACCURATE AND PROMPT REPORTING**

Clark University encourages accurate and prompt reporting of all crimes to campus police when the victim of crime elects to or is unable to make such a report on their own behalf. For certain incidents occurring off-campus, and not connected to the University’s educational scope, the reporting individual may be directed to contact the Worcester Police Department at 911 or 508-799-8606.

**CLARK UNIVERSITY'S RESPONSE TO REPORTS OF CRIMES OR EMERGENCIES**

Clark University response procedures to reports of crimes or emergencies are designed to provide quick and effective service to Clark students, faculty and staff.

The following are among the key elements of the Clark University response:

- A police officer is dispatched to the scene to assess the situation and provide appropriate police action, including taking statements, pursuing evidence or caring for victims. If needed, outside services, such as fire or ambulance services, are requested.
- When a student is injured, University Police, as well as a student-run Rapid Response Squad, respond either by calling an ambulance, taking the student to Health Services or transporting the student to an off-campus health-care facility.
- When a sexual assault is reported, every effort is made to offer support and appropriate treatment to the victim/survivor. Taking into consideration the victim/survivor's wishes, a report can be made to Worcester Police, who can assign officers from its sexual assault unit to investigate in conjunction with University Police. The victim/survivor is advised to seek immediate medical attention. Support and referral to a counselor on campus or at the nearby Pathways For Change service are offered. The victim/survivor is provided with resources which outline all available options, including that of pursuing a course of action through the University's conduct process. For more information, refer to: [https://www.clarku.edu/offices/title-ix/sexual-offense-policies/](https://www.clarku.edu/offices/title-ix/sexual-offense-policies/)
- The Chief of Police routinely shares information about campus security with the Office of the Dean of Students. The chief also works closely with residential housing officials, comparing information on security concerns, evaluating effectiveness of policies and coordinating availability of educational programs. Other administrative and academic offices of the University are alerted as deemed necessary by the Chief of Police.

If the crime is considered indicative of a possible further threat to the safety of students, faculty, or staff, the Chief of Police issues a timely warning via the University's campus-wide e-mail system.
TIMELY WARNINGS

POLICY

The campus Timely Warning system is provided to give students, faculty, and staff timely notification of crimes which present an ongoing threat to the community and to heighten safety awareness. The Timely Warning also seeks information that may lead to the arrest and conviction of an offender.

Members of the Clark University community are trained to alert Clark University Police if they suspect any behavior that could constitute an ongoing threat to the community as set forth in the procedure below. The decision to issue a timely warning is made by University Police in coordination with the Business Office and Government and Community Affairs.

Timely warnings are issued as soon as all relevant information is gathered. Warnings are distributed to all students, faculty and staff members via email.

PROCEDURE

The Clark University Police Department will prepare a Timely Warning whenever a report is received of a violent crime against a person or a particularly threatening crime against property that represents an ongoing threat to the safety of students, faculty or staff. Timely Warnings are sequentially numbered, starting January 1 of each year, and provide details of the crime, a description of the suspect(s) if known, information on whom to contact about the investigation and crime prevention tips.

Whenever the City of Worcester Police Department issues a news release about an off-campus crime that represents an ongoing threat to the safety of students, faculty and staff, the University Police Department will assist in publicizing the information on campus.

Information included in Timely Warnings will generally include:

- A succinct statement of the incident.
- Possible connection to previous incidents, if applicable.
- Physical description of suspect(s).
- Safety Tips.
- Date and time the Timely Warning is released.

EMERGENCY NOTIFICATION

When the University has determined that an emergency situation exists, the University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The Emergency Communications Team (ECT), chaired by the Emergency Plan Coordinator, is responsible for issuing mass notification messages at the request of persons authorized to initiate such notices. The team meets on a
Students, faculty & staff members must register/update cell phone information to receive Clark Alerts.

regular basis to review the communications process and to schedule test messages for training and testing purposes.

The Emergency Communications Team is comprised of:

- Police Chief - Stephen Goulet
- Business Manager/Emergency Plan Coordinator – Anthony Penny
- Vice President Marketing & Communications - Paula David
- Asst. Vice President of News and Editorial Services - James Keogh
- ITS Enterprise Systems Engineer – Dan Meyer

The University utilizes three means of community notification, dependent upon the nature of the situation and as decided by members of the Emergency Communications Team; Timely Warnings, Clark Alerts and Safety and Community Updates.

CLARK ALERTS

The primary means for notifying the Clark community of an emergency situation is through the University’s emergency notification system called Clark Alerts. Clark Alerts enables the University to communicate with students, faculty, and staff through a variety of methods including:

- Text messages (SMS) to mobile devices
- Voice calls to mobile phones and off-campus phone numbers
- Email messages to Clark and non-Clark addresses
- Posts to social media such as Twitter and Facebook

During an urgent emergency situation, the Clark Alerts system will be used to send a message with information and/or instructions concerning the emergency situation.

The following have the authority to issue or authorize a Clark Alert:

- The Incident Commander in the event the Emergency Response Plan has been activated.
- The University Police Chief in the event of an incident that poses an immediate threat to the Clark Community (tornado warning, active shooter, etc.)
- The President
- The Executive Vice President
- Vice President of Government and Community Affairs and Campus Services
- The Business Manager in consultation with any of the above

Other Senior University officials and Clark University Police Officers who are directly involved with an emergency situation may authorize an initial Clark Alert in response to an incident in cases in which a delay could compromise the safety and security of the Clark campus.
Contact Information

It is the responsibility of each student, staff or faculty member to maintain their Clark Alerts contact information to be sure it is accurate and complete. Clark Alerts data can be reviewed and updated through the “Clark Alerts Updater” channel located in the ClarkYOU portal (you.clarku.edu). Onsite contractors or others without Clark credentials needing to be notified via Clark Alerts should contact the Business Manager for instructions on setting up an account. Two of the contact fields are designated as Parent/Family. Depending on the nature of the emergency, these contacts may be used to provide updates to parents or other family members.

For more information on Clark Alerts, please visit clarku.edu/alerts

WEB COMMUNICATIONS

In addition to Clark Alerts, the University will also utilize its website in the event of an emergency situation. An emergency alert header, providing a brief description of the emergency, may be triggered to appear at the top of each page on the Clark website. Additional information will be posted to Clark’s emergency website (Clarku.edu/safety). The Emergency Communications Team has access to post updates to both of these locations. Marketing and Communications and/or ITS staff may also be called upon as needed in an emergency situation to provide assistance with web-based communications.

TESTING

The "Clark Alerts" system is tested at a minimum of two times per year - once each semester. All students, staff and faculty are notified in advance of the testing. Detailed reports are generated from the notification system regarding the number of constituents reached and the time it took to notify them.

SAFETY AND COMMUNITY UPDATES

In addition to Timely Warnings, Safety and Community Updates serve to keep the Clark community informed about issues of personal and property safety on the campus and in the community, as well as events and activities in the community. Safety and Community Updates may address such issues as parking bans, snow removal processes and upcoming events which may impact campus routine. This update is distributed via email several times over the course of the semester so as to communicate important and helpful information.

EMERGENCY DRILLS, TESTING & EVACUATION PROCEDURES

EMERGENCY RESPONSE

The University has developed an Emergency Response Plan which details the steps that will be taken in the event of an emergency situation. In addition, the University maintains several protocols to be followed in the event of specific emergencies (hurricane, blizzard, water outage, etc.)

The Plan describes the roles and responsibilities of the various departments and personnel during an emergency situation. Personnel with specific responsibilities to be carried out during an emergency at both a department and University level are expected to understand the procedures for which they are responsible.
This Emergency Response Plan is invoked whenever an emergency effecting the campus cannot be managed through normal channels. Response to an emergency will be conducted within the framework of the Plan whenever possible. The Emergency Response Plan is designed to protect lives and property through effective use of University and community resources. The Plan identifies specific departments and individuals that are responsible for emergency response with critical support services and it provides a management structure for coordinating and deploying essential resources. The full text of the plan is available online at http://www2.clarku.edu/offices/campussafety/documents.cfm.

Staff, faculty and students are instructed to contact the Clark University Police Department (CUPD) regarding any situation or incident that may present an immediate or ongoing threat to the health and safety of the Clark community. CUPD is responsible for responding to, investigating, documenting, and mitigating any situation that may result in a significant emergency or dangerous situation. CUPD may also call upon additional resources (Worcester Police, Fire, State Police, etc.) as necessary. If CUPD determines that the situation poses a threat to the Clark Community, they will initiate steps to notify the community following Clark’s Safety and Emergency Communications Plan.

Emergency notification messages may provide specific instructions including “shelter in place” or “evacuate your building”. Please familiarize yourself with the following procedures so you will be prepared in the event of an emergency situation:

**SHELTER IN PLACE/EVACUATION PROCEDURES**

**Shelter in Place**

Depending on the nature of the incident, instructions may be issued to “Shelter in Place” (see Special Note below for Active Shooter-specific instruction). During such incidents, it is usually safer to stay indoors since leaving the building may expose you to greater danger. Incidents that may result in “Shelter in Place” instructions include:

- Extreme weather events such as tornado warnings, hurricanes, etc.
- Active threat (shooter, etc.) or potentially dangerous person on campus.
- Chemical spill or release of hazardous materials outside of the building.

When directed to “Shelter in Place”:

- Move into or stay inside the nearest building.
- Go into an interior room or office with few windows, if possible.
- Close all windows and doors and, if possible, turn off ventilation systems (including air conditioning and heat, bathroom and kitchen exhaust fans).
- Stay away from windows and doors.
- Monitor your email and/or the Clark Safety web page (clarku.edu/Safety) if it is safe to do so.
- Remain in place until notified by Clark Alerts or University officials.
Evacuation

In situations where “Shelter in Place” is not appropriate, you may be told to evacuate (leave) the building. Evacuation is also appropriate when a fire alarm sounds. In such situations, you will need to evacuate quickly and orderly to ensure your safety. Incidents that may result in evacuation orders include:

- Building fire
- Bomb threat
- Natural disaster (earthquake)
- Building collapse
- Chemical spill within the building

Please follow these procedures when evacuating:

- Do not use elevators.
- Leave the building through the closest exit.
- Take necessary items such as keys, glasses and wallets since you may not be able to return to your location for some time.
- If instructed, proceed to the designated assembly area.
- Do not return to the building until you are notified that it is safe to do so.

While Clark is committed to getting accurate emergency alerts and information to members of the community as soon as possible, in the first minutes of an emergency, you may need to make an immediate decision to “shelter in place” or move to a safer location (evacuate). You should understand and plan for both possibilities. Use common sense and available information, including information provided here to determine if there is immediate danger.

**Special note in the event of an active shooter situation** – In the event there is a shooting in process on campus, the Clark Alert you receive may tell you to shelter in place. In accordance with Clark’s active shooter training program, if the shooter is in the same building as you and you have a clear way to exit the building, you should do so and find shelter in an alternate location.

**General Safety Guidelines**

- Be aware of your surroundings and note locations of emergency exits.
- In any emergency, the first step is to take care of yourself.
- The Clark “Emergency Guide” is posted in most classroom and meeting places. Familiarize yourself with the guide and utilize it in the event of an emergency. Additional guides may be ordered from the Business Manager.

**Emergency Response Testing**

Clark University utilizes several methods for testing its emergency response procedures. Methods may include any of the following, either individually or in combination:
- Tabletop exercises. These exercises are generally conducted by the Emergency Response Team to test the effectiveness of Clark’s emergency response plans. In cases where the exercises reveal deficiencies in the plan, the plan will be modified accordingly.
- Building evacuation drills. These may be announced or unannounced exercises to test building evacuation plans. Drills may coincide with testing of fire alarm system components. These drills are designed to both test the effectiveness of evacuation procedures and to help prepare building occupants in the event they need to evacuate during an emergency situation.
- Emergency notification tests. At least once per semester, the Clark’s emergency notification systems are tested, including the effectiveness of the Clark Alerts mass notification system. Detailed reports of the test are available to measure its effectiveness.
- Mass casualty drills. The Clark University Rapid Response (CURR) squad annually conducts a mass casualty incident drill in conjunction with University Police and outside emergency response organizations.
- Active Shooter Training. Four times per year, the University Police Department trains its officers in response tactics to an active shooter/critical incident.

**SEX CRIME PREVENTION PROGRAMS**

Clark University takes all forms of sexual misconduct very seriously. Acts of sexual violence carried out by and/or against University community members will not be tolerated and are punishable under University policies and Massachusetts laws. Clark University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking (see definitions below).

**DEFINITIONS**

While these definitions convey the legal standard under Massachusetts law, the College has also developed its own community standards and through that effort has thoroughly defined consent, sexual harassment, sexual assault, inappropriate sexual contact, sexual exploitation, the act of inducing incapacitation, media based sexual misconduct, relationship violence (including domestic violence and dating violence), and stalking in its Student Handbook found [http://www.clarku.edu/sites/default/files/clark-university-student-handbook.pdf](http://www.clarku.edu/sites/default/files/clark-university-student-handbook.pdf)

**Consent** is defined, by Massachusetts law, as an agreement reached by both partners to engage in a specific activity. Engaging in sexual activity with a person who has not given or cannot give their consent is an act of sexual violence.

In Massachusetts, it is illegal to have sex with someone who is incapable of giving consent because:

- They are intoxicated.
- They are unconscious.
- They are mentally incompetent.
- They are under the age of 16 years old.

Consent cannot be given by someone who is not of sound mind and body. Someone who is intoxicated (drugs and/or alcohol), unconscious, or mentally incompetent may not be able to give consent to a sexual act. Submission
Having sex with someone who reasonably believes there is threat of force meets the legal definition of rape in Massachusetts.

**Sexual Assault** is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. In Massachusetts, there are two categories of sexual assault—indecent assault and battery, and rape. Both are crimes. Both forms of sexual assault involve sexual contact that is manipulated, forced, or coerced, whether the assault is initiated by a friend, acquaintance, or stranger.

**Rape** is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This includes the offenses of Rape, Sodomy, and Sexual Assault with an Object.

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

- by a current or former spouse or intimate partner of the victim/survivor.
- by a person with whom the victim/survivor shares a child in common.
- by a person who is cohabitating with, or has cohabitated with, the victim/survivor as a spouse or intimate partner.
- by a person similarly situated to a spouse of the victim/survivor 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/survivor who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

- 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.

Clark uses the broader term “relationship abuse” and defines it as follows:

*Relationship abuse is a pattern of coercive behaviors that serves to exercise control and power in an intimate relationship. The coercive and abusive behaviors can be physical, sexual, psychological, verbal and/or emotional. Relationship abuse can occur between current or former intimate partners who have dated, lived together, currently reside together on or off campus, or who otherwise are connected through a past or existing relationship.*

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

Massachusetts law defines a stalker as one who:

a. willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and
b. makes a threat with the intent to place the person in imminent fear of death or bodily injury.

EDUCATIONAL PROGRAMS

Clark University strives to provide a safe campus community. Acts of sexual violence by and/or against University community members will not be tolerated. Sexual violence includes rape, sexual assault, stalking and “intimate partner violence” such as dating violence or domestic violence.

Clark University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines what behavior and actions constitute consent to sexual activity in the State of Massachusetts;
d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

Awareness Programs: Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking including; a) recognizing situations of potential harm and b) understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking actions to intervene.
**Ongoing Prevention and Awareness Campaigns:** Programming, initiatives and strategies that are sustained over time and focus on increasing understanding and awareness of topics relevant to dating violence, domestic violence, consent, sexual assault, and stalking, using a range of collaborative strategies with audiences throughout the institution.

**Primary Prevention Programs:** Programming, initiatives and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

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### Clark University offers the following primary prevention and awareness programs for all incoming students:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location</th>
<th>Audience</th>
<th>Topics</th>
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<td>Kneller Athl. Ctr.</td>
<td>Athletic Staff</td>
<td>Crime Prevention</td>
</tr>
</tbody>
</table>

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### Clark University offers the following primary prevention and awareness programs for all new employees:

<table>
<thead>
<tr>
<th>Harassment/Discrimination/Compliance Training</th>
<th>Year Round</th>
<th>Campus Conf. Rm.</th>
<th>New Employees &amp; Existing Faculty/Staff</th>
<th>Discrimination, Harassment &amp; Retaliation Prevention</th>
</tr>
</thead>
</table>

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### Clark University offers the following on-going awareness & prevention programs:

<table>
<thead>
<tr>
<th>Program</th>
<th>Ongoing</th>
<th>Location</th>
<th>Community</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pillow Talk</td>
<td></td>
<td>Red Square</td>
<td>Campus Community</td>
<td>Consent, Communication in Romantic Encounters</td>
</tr>
<tr>
<td>Consenting Communities Poster</td>
<td></td>
<td>Campus-wide</td>
<td>Campus Community</td>
<td>Consent</td>
</tr>
<tr>
<td>PAVE Community Task Force</td>
<td></td>
<td>Campus-wide</td>
<td>Undergrad/Grad</td>
<td>Sexual Misconduct, Healthy Relationships, Bystander Intervention, Wellness</td>
</tr>
<tr>
<td>OneLove</td>
<td></td>
<td>Athletic Department</td>
<td>Athletes</td>
<td>Dating Violence Prevention</td>
</tr>
</tbody>
</table>
PROCEDURES TO FOLLOW WHEN A SEX OFFENSE OCCURS

For a person subjected to an act of sexual misconduct, including sexual violence, there can be time-sensitive decisions to make about sexually transmitted infections, pregnancy, and collecting physical evidence in the event of prosecution. Therefore, survivors of sexual misconduct are advised to:

**PROTECT YOURSELF** - Find a safe place as soon as possible.

**CONTACT SOMEONE YOU TRUST** – You may wish to ask a trusted friend or family member to assist and support you.

**GET MEDICAL ATTENTION** – Seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and collect important evidence. It is recommended that a physical exam be conducted within 72 hours of the incident in order to adequately preserve evidence. Survivors of a sexual assault are encouraged to go to the UMass Memorial Hospital Emergency Department (119 Belmont Street, Worcester, MA 01605), before washing yourself or your clothing. A Sexual Assault Nurse Examiner (a specially trained nurse) at UMass Memorial Campus Hospital and UMass University Campus Hospital is on call 24 hours a day, 7 days a week (call the Emergency Department at 508-334-6481). Sexual Assault Nurse Examiners are on duty 24/7 at St. Vincent’s Hospital (123 Summer Street, Worcester) A representative from the University and/or a support person can also accompany you to the hospital and University Police can provide transportation if necessary. If you go to the hospital, local police will be called, but you are not obligated to talk to the police or to prosecute. The exam will help to keep that option open for you, should you decide later to exercise it. The hospital staff will collect evidence, check for injuries, and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence.

**TRY TO PRESERVE PHYSICAL EVIDENCE** - It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event criminal prosecution is pursued. If possible, a survivor should not to wash, eat, drink, shower, use the bathroom, or change clothes. If clothes are changed, all clothes that were worn at the time of the incident should not be cleaned and should be placed into a clean **paper bag**. Do not disturb the crime scene. Leave all sheets, towels, etc. that may bear evidence for the police to collect.

**HEALTH AND SUPPORT SERVICES** - Various health and support services are available on and off campus for survivors of sexual misconduct and are listed below.
Clark University is committed to protecting the privacy of individuals who report criminal incidents, to the extent that doing so is permitted by law and consistent with the University’s need to protect the safety of the community. In some cases, confidentiality cannot be maintained based on several factors, including the severity of the alleged incident, the nature of the parties involved (e.g. professor or student), and if this complaint falls within a pattern of behavior warranting intervention or action on behalf of the University.

**ON-CAMPUS CONFIDENTIAL RESOURCES**

The following on-campus resources are available to provide assistance or counseling on a confidential basis:

**Counseling/Psychological Services** - Confidential and free individual therapy is available to students, including education regarding normal reactions to sexual assault and relationship abuse and how to cope with distress.

Center for Counseling & Personal Growth (508) 793-7678 114 Woodland Street

**Confidential Faculty Members** - If you would like to speak confidentially about an experience, the following faculty members are confidential resources

Professor James Cordova jvc.confidential@clarku.edu
Professor Kathy Palm Reed kpr.confidential@Clarku.edu
Professor Andrew Stewart als.confidential@clarku.edu

**Medical Services** - Confidential physical health services are available, including physical exams and testing for sexually transmitted infections (STIs) and pregnancy.

Health Services (508) 793-7467 501 Park Avenue

**ON-CAMPUS NON-CONFIDENTIAL**

By law, Clark staff and faculty cannot ensure confidentiality and are mandated to report sexual misconduct to the Title IX Coordinator. The following on-campus resources are available to assist you.

**UNIVERSITY POLICE** – Basement of Bullock Hall; (508) 793-7575
University Police will investigate the allegation/incident and can assist in filing criminal and/or internal charges if desired.

**RESIDENTIAL LIFE AND HOUSING** – Asher Suite 3rd Floor of the Higgins University Center; (508)-793-7453
Can assist with room change requests or discuss other housing options. In addition, Administrators, Professional Live-in Staff, and Student Residential Advisors (RAs) are trained to assist survivors of sexual misconduct.

**DEAN OF STUDENTS OFFICE** – Alumni Student Engagement Center, 2nd Floor; (508) 793-7423
Provides support, assistance, and guidance to students. Complaints that involve possible violations of the Student Code of Conduct, including complaints related to sexual misconduct, may be handled by the Dean of Students Office, the Dean’s designee, the Sexual Misconduct Hearing Board, or the University Conduct Board.
INTERNATIONAL STUDENTS AND SCHOLARS OFFICE – Corner House (corner of Charlotte and Woodland St); (508) 793-7362 Survivors involved in an investigation/adjudication of a sexual misconduct case may have questions about how the case may affect their visa or travel status. This office can assist international students with visa or immigration related issues.

TITLE IX OFFICE - The Title IX Office is the University office designated to receive and investigate complaints related to sexual violence on campus.

- Lynn Levey, Title IX Coordinator (508) 793-7351
- Elyana Kadish, Title IX/Wellness Program Manager (508) 793-7708
- Holly Dolan, Deputy Title IX Coordinator (508) 793-3772
- David Everitt, Deputy Title IX Coordinator (508) 793-7295
- Adam Keyes, Deputy Title IX Coordinator (508) 793-7423

OFF-CAMPUS RESOURCES AND SERVICES

MEDICAL SERVICES - These providers can offer physical exams and provide sexual and reproductive health services (e.g., STI and pregnancy testing). Additionally, Sexual Assault Nurse Examiners (SANEs) are available to collect evidence in case an individual would like to pursue criminal charges. These resources are confidential.

- UMass Memorial Hospital Emergency Room/SANE Nurse on-call 24/7 (508) 421-1750
- UMass Memorial University Campus/SANE Nurse on-call 24/7 (508) 334-6481
- St. Vincent’s Hospital Emergency Room/SANE Nurse on-duty 24/7 (508) 363-5000
- Planned Parenthood (800) 258-4448

COUNSELING/ADVOCACY SERVICES - These providers can offer confidential counseling, advocacy, and other services.

Sexual Assault:
Pathways for Change (800) 870-5905 (24-hr hotline)

Relationship Abuse:
Daybreak Domestic Violence Services (508) 755-9030 (24-hr hotline)

COURT ADVOCACY - These services provide confidential support, help with access to, and explanation of, the legal process and court procedures for survivors of crime.

- Daybreak / SAFEPLAN (assistance with restraining orders) (508) 831-2168
- Survivor Witness Program (advocate from DA’s office) (508) 755-8601

LAW ENFORCEMENT - Police will investigate the allegation/incident. Criminal charges may result. Confidentiality not guaranteed.

- Worcester Police (508) 799-8606
- Daybreak / Worcester Intervention Network (WIN) (508) 799-8610
LEGAL ASSISTANCE - These confidential services offer legal advice and provide direct legal representation to survivors of relationship abuse and sexual assault.

- Community Legal Aid (508) 752-3722
- Victim Rights Law Center (617) 399-6720
- Massachusetts Justice Project (legal advice and referrals) (508) 831-9888

FINANCIAL ASSISTANCE - Confidential financial assistance may be available for costs related to medical care, mental health counseling, and other expenses through the Victims of Violent Crime Compensation Program, which operates out of the Attorney General’s Office. Please call (508) 755-8601 for more information.

VICTIM RIGHTS AND PROTECTION
A victim/survivor of sexual violence shall have the following rights and protections:

- The right to, or not to, seek assistance from University administration and/or University law enforcement;
- Not to be discouraged by University officials from reporting an incident to either on-campus or off-campus authorities;
- To be provided assistance in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of campus personnel should a civil and/or criminal complaint be pursued;
- To be treated with dignity and be free from any suggestion that they somehow contributed to or had a shared responsibility in the violent act;
- To choose whether or not to have the case adjudicated through the University’s conduct system, the criminal justice system, both concurrently or not participate in any formal process.
- To have the same opportunities for representation as the accused, and to have others present in campus proceedings;
- To be informed about the outcome of any University investigation, including any disciplinary action against the accused that effects the victim/survivor’s educational experience.
- To receive full and prompt cooperation from University personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings;
- To be informed of, and have access to, University counseling and medical professionals, survivor support services, and to obtain referrals to off-campus counseling and support services if desired;
- To be permitted to attend classes, live in on-campus housing, work and participate in University activities free from unwanted contact or proximity with the accused individual(s) insofar as the University is permitted and able;
- To be informed of any no-contact or no-trespass orders issued to the accused by the University and the University’s commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

CHANGES IN ACADEMIC AND LIVING SITUATIONS
Victims of sexual assault who live on campus and would like to move from their room as a result of the assault, may request a room change from the Dean of Students Office or a Residential Life and Housing official.
Accommodations or protective measures are available if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Room changes under these circumstances are considered emergencies. It is the University's policy that in emergency room changes, the student is moved to the first available suitable room. At its discretion, the University may place the alleged perpetrator on "interim suspension", which would require them to leave campus. If the information is unclear, the University will move forward with conduct action, but may not force the perpetrator to move simply based upon the accusing student's request. Other accommodations available to you might include:

- Assistance from University support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Exam (paper, assignment) rescheduling;
- Taking an incomplete in a class;
- Transferring class sections;
- Temporary withdrawal;
- Medical leave;
- Alternative course completion options.

REPORTING OPTIONS

TO REPORT CONFIDENTIALLY

If you desire that details of the incident be kept completely confidential, you should speak with on-campus counselors, campus health service providers, or off-campus rape crisis resources, who will maintain confidentiality. Counselors at the Center for Counseling and Personal Growth are available to help you free of charge, and can be seen during their normal operating hours.

NON-CONFIDENTIAL REPORTING OPTIONS

You are encouraged to speak to officials of the institution to make formal reports of incidents (Deans, Vice Presidents, or other administrators with supervisory responsibilities, University police, and Human Resources). You have the right and can expect to have incidents of Sexual Harassment/Misconduct/Assault/Exploitation to be taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through administrative procedures.

A survivor/victim of sexual violence has several options available regarding reporting the incident and filing a complaint. The University is obligated to investigate allegations of sexual violence, even if the alleged survivor/victim chooses not to file a formal complaint and/or participate in the investigation.

FILING A FORMAL COMPLAINT WITH THE UNIVERSITY – Survivors/victims of sexual violence have the right to file (or right not to file) a formal complaint with the University. Incidents formally reported to the University will be promptly and thoroughly investigated. A person found to have committed an act of sexual violence shall be subject to disciplinary action, up to and including suspension, expulsion or termination from the University. For
assistance with filing a formal complaint, contact University Police, the Dean of Students, or the Title IX Coordinator.

Personal identifiable information about a survivor/victim will only be shared with persons with a specific need to know and/or who are investigating and/or adjudicating the complaint, delivering resources or support services to the survivor/victim or as public safety requires. The University does not publish the names or other identifiable information of the survivors/victims in the University Police department’s Daily Crime Log, or in any Timely Warnings issued or online.

**FILING A CRIMINAL COMPLAINT** – A criminal complaint can be filed instead of, or in addition to, a formal complaint with the University. The filing of a criminal complaint will not delay or impact the University’s own investigation. Criminal complaints may be filed directly with the Worcester Police Department or assistance can be provided by University Police or the Title IX Coordinator.

**REPORTING AN INCIDENT WITHOUT FILING A COMPLAINT** – Clark University encourages all community members to report any crimes which occur on Clark University property or involving a member of the Clark community to the Clark University Police Department. However, if an individual does not wish to report a crime to the University Police, they are urged to disclose the incident to a campus security authority (CSA) so that it may be included in the University’s daily crime log and annual Clery report.
**Daily Crime Log**

The Clark University Police Department maintains a record of every criminal incident that is reported to the Department. The Department’s daily log summarizes each reported criminal incident, and includes, when available, the nature of the crime reported, the date and time the crime occurred, the location of the crime, and the disposition of the complaint, if known. Each day’s log is available for inspection by the public at the Clark University Police Department.

**Federal Statistical Reporting Obligations**

Federal law requires Clark University to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the college’s Clery geography and that are reported to campus security authorities or local law enforcement. For purposes of reporting, all personally identifiable information is kept confidential, but statistical information must be obtained for publication in the annual Campus Security Report. This Report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities.

**Federal Timely Warning Reporting Obligations**

Victims of crimes should also be aware that University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

*See Timely Warning policy on page 8.*

**Sex Offender Registry Information**

The most recent Sex Offender Registry information and State-approved forms to request information may be obtained at www.mass.gov/eopss/agencies/sorb. In addition, current information may also be obtained at Worcester Police Headquarters, 9-11 Lincoln Square, and (508)799-8600. You may also write them at: Commonwealth of Massachusetts Sex Offender Registry Board PO Box 4547 Salem, MA 01970

**University Conduct Procedures**

The University conduct system shall respond to complaints concerning the infringement of student’s rights and alleged violations of the Code of Student Conduct by students or student groups. Students who do not wish to bring a complaint to the University conduct system may attempt to resolve the matter informally with the
assistance of the Affirmative Action Officer, a member of the Dean of Students staff, a member of the Dean of Graduate Studies, a faculty member, a counselor, a peer, a member of the University Police.

**INVOCATION OF CONDUCT ACTION**

Any member of the Clark community may initiate the University’s conduct process. For this to occur, a formal complaint must be submitted to the Dean of Students Office or the Dean of Graduate Studies, in writing, alleging that a student was responsible for one or more specific violations of the Code of Student Conduct. Community members submitting a complaint should also include the names of any members who have witnessed the alleged events so that they can be contacted to submit personal statements. The University may, at its discretion, initiate the University’s conduct process on its own behalf or on behalf of other persons based on the information that is shared.

**ADMINISTRATIVE DISPOSITION AND THE UNIVERSITY CONDUCT BOARD**

A complaint that involves a possible violation of the Code of Student Conduct may be handled by the Dean of Students, the Dean’s designee, the Dean of Graduate Studies, the Graduate Dean’s designee, Residential Life and Housing professional staff members, or the University conduct Board (UCB), except in sexual violence cases. The University reserves the right to refer cases to civil or criminal authorities for action, rather than resolve the case through the University conduct system.

The University’s conduct process is as follows:

A. A member of the conduct staff will determine if conduct action is warranted based on a review and/or investigation of all information provided by the complainant.

B. If conduct action is warranted the case will be handled by either a Hearing Officer or a Board. In cases where a case is heard by a Hearing Officer, the Hearing Officer will consult with the respondent in a meeting to hear about the alleged incident from their perspective. During the meeting the respondent will determine whether they wish to accept responsibility for the alleged violation(s) of the Code of Student Conduct.

C. A student may elect to suspend their on-campus conduct proceeding if they are also facing criminal/civil charges for the same incident. In these cases, the Chair of the University conduct Board will meet with the student to discuss the appropriate course of action. The University reserves the right to continue with its internal conduct process at any time, whether the responding student elects to participate or not. A student who is determined to represent a threat to any member of the campus community, or whose actions are determined to be a significant violation of the Code of Student Conduct, may be placed on interim suspension until they participate in the University conduct process.

D. In non-sexual offense or university conduct board cases when the student accepts responsibility for the alleged violation(s), the staff member may, when appropriate, discuss a range of appropriate sanction(s) that will be recommended for approval by the Dean of Students or Dean of Graduate Studies. The Dean, or Dean’s designee, may approve the recommendation(s) or impose a different sanction(s) if one is deemed appropriate. The final decision will be shared in writing and delivered to the student via email.
E. In non-sexual offense or university conduct board cases, when the student denies responsibility for the alleged violation(s) the staff member will determine if there is sufficient information available to find the student responsible for the violation(s) regardless of the denial. If so, the staff member will make the decision and discuss a range of appropriate sanction(s) that will be recommended for approval by the Dean of Students or the Dean of Graduate Studies. Under this circumstance the student will have the opportunity to appeal the decision to the Chair of the UCB. The student has three (3) business days to send a written appeal to the Chair stating that the processes outlined in the Code of Student Conduct were not followed, or that there is new information that was not available at the time of the original meeting. Cases that are referred to the UCB or Sexual Offense Hearing Board appeals are heard by the Dean of Students, Dean of Graduate Studies or their designee.

F. The conduct staff member may choose to refer the matter to the UCB for resolution by a Board hearing. Students who are documented for the same alleged violation(s) on multiple occasions will have their hearings referred to the UCB for a Board hearing. For cases in which a sanction of removal from University housing, suspension, dismissal or expulsion is a possibility, a resolution generally will be made by a full Board hearing. A student named in a complaint may request a Board hearing, which the University will make every possible effort to grant. Students involved in sexual violence cases will automatically have their hearing referred to the Sexual Offense Hearing Board.

**UNIVERSITY CONDUCT BOARD MEMBERSHIP**

The entire membership of the UCB includes students, faculty members, administrators, and the Chair of the Board who is appointed by the Dean of Students or the Dean of Graduate Studies. In the event of a hearing where removal from University housing, suspension, dismissal or expulsion are possible outcomes the Board will consist of students, faculty and staff and is known as a full Board hearing. All other University conduct Board hearings will include two students and one administrator and is known as a simplified Board hearing.

1. The faculty steering committee will appoint faculty members to serve on the UCB. The faculty members will rotate their participation at hearings, with one member generally sitting at each full Board hearing.

2. The undergraduate student members of the UCB shall typically be selected in the spring semester. A committee consisting of at least one administrator appointed by the Dean and one current Undergraduate member of the UCB will interview undergraduate candidates for positions on the UCB. The committee will attempt to ensure diversity of membership. Student UCB members must be in good academic and disciplinary standing and remain so during the duration of their service.

3. The graduate student members of the UCB shall typically be selected in the spring semester. A committee consisting of at least one administrator appointed by the Dean and one current Graduate member of the UCB will interview graduate candidates for positions on the UCB. The committee will attempt to ensure diversity of membership. Student UCB members must be in good academic and disciplinary standing and remain so during the duration of their service.

4. The Dean of Students, Dean of Graduate Studies, or their designee(s), shall appoint administrators to serve on the UCB. The administrators will rotate their participation at hearings, with one member generally sitting at each hearing. Faculty members serving on the board are appointed the Faculty Steering Committee.
5. A Board member may resign by notifying the Chair in writing.

6. A Board member may withdraw from hearing a specific case by notifying the Chair in writing. A member shall withdraw from a case if there is a conflict of interest involved as determined by the Chair.

7. A Board member may be removed from the UCB by the UCB Chair, for cause.

**UNIVERSITY CONDUCT BOARD PROCEDURE**

1. Upon receiving a referral of a case for resolution, the UCB Chair will determine that the case be referred to either a full Board or simplified Board. In either case, the Chair will notify all involved students and the Board members of the scheduled hearing.

2. All cases referred to the UCB will be handled as soon as is practical. Typically, cases will be heard within a two-week period after a complaint is filed. Exceptions may be made by the Board as deemed necessary. Proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result.

3. Both the complainant and the respondent will have a prehearing meeting scheduled for them with the Chair of the Board. During this meeting the Chair will review Board procedure and both parties will have the opportunity to be read the written complaint. In UCB cases, the respondent does have the option to accept responsibility and sanctions imposed by the prehearing officer. This option does not apply to Sexual Offense Hearing Board cases.

4. Both parties will have access to review the full case file prior to the hearing. A time will be scheduled by the Chair in advance and the students will be notified during the prehearing of their scheduled time.

5. Both the complainant and the respondent may request the assistance of an advisor, an individual of the student’s choosing from within the Clark community. If the advisor will attend the hearing, their name must be shared with the Chair at least 24 hours in advance of the hearing. During the hearing, the advisor’s role will be limited to consultation with the advisee.

6. During the hearing, normally only the complainant, the respondent, Board members, approved witnesses, and the advisors will be present. Witnesses shall only be present when sharing information with the Board, except at the discretion of the Chair. Once a witness has presented their information to the Board they must leave the vicinity of the hearing.

7. The UCB may require the cooperation of any member of the Clark community in providing information during the hearing. However, no member of the University staff with whom the respondent has entered into a confidential relationship can be required to give information arising from that role without the permission of the respondent.

8. During a hearing, the Board will allow the complainant and the respondent to share information, to allow witnesses to share information, and to ask questions of each other directly or through the Chair. Names of witnesses being called by either party must be shared with the Chair at least 48 business hours in advance of the hearing. All witnesses must provide the Chair with their written statements 48 business hours prior to the hearing.

9. All information shared at the hearing is recorded, the Board’s deliberation is not recorded.
10. If the respondent chooses not to speak at or attend the hearing, the UCB procedures will still be followed and sanctions, if appropriate, will be imposed.

11. The Chair may remove any individual who impedes the conduct process. The Chair will act to promote a civil and respectful proceeding.

12. At any point in time, either the respondent, complainant or members of the Board may request a short recess. The Chair will determine whether to grant that request and for how long the Board will recess. If a recess is granted, the hearing will begin at the announced time without delay.

13. The UCB invokes an evidentiary standard of “preponderance of the evidence” when determining whether a violation has occurred.

14. Following the completion of the hearing, the Board members shall decide by majority vote whether the respondent was responsible for the violation(s) of the Code of Student Conduct. If the decision is affirmative, the Board members will, by a separate vote, determine the sanction, if one is deemed appropriate, that will be recommended to the Dean of Students, the Dean of Graduate Studies, or their designee shall have the right to adopt the Board’s recommendation or impose a different sanction.

15. If, in the course of a hearing, information arises indicating a possible violation of another provision of the Code of Student Conduct, the University reserves the right to pursue that in a separate hearing process.

16. At the conclusion of the conduct proceeding, the Dean of Students, the Dean of Graduate Studies or their designee shall share the final decision with the respondent, delivered by email to the respondent’s Clark email account, in the name of the University.

17. The Dean of Students, the Dean of Graduate Studies, or their designee, will notify the complainant of the decision and any portion of a sanction that limits contact between the complainant and the respondent.

**Title IX Process and Procedures**

This process is designed to address the University’s responsibilities under Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013 (VAWA) and its implementing regulations. Title IX prohibits discrimination on the basis of sex in educational programs and activities that receive federal financial assistance. This process will be relied on to respond to the following violations of conduct: Sexual Harassment, Sexual Assault, Sexual Misconduct, Intimate Partner Violence (domestic violence and dating violence), Sexual Exploitation and Stalking. This process will also be used to address complaints of retaliation/intimidation and violations of University or Court-Ordered Directives related to the aforementioned conduct. This process addresses all instances in which a member of the Clark University student community is impacted, whether on or off campus.

In accordance with the Title IX and the Office of Civil Rights’ Dear Colleague Letter of 2011, Clark University must take immediate and appropriate action to investigate reports of sexual misconduct, and take prompt and
effective steps to end the sexual violence, prevent its recurrence, and address its effects, whether or not the sexual violence is the subject of a criminal investigation.

The following information is a brief overview of our Title IX process where both the reporting party (complainant) and the accused (respondent) are Students. To review the process in its entirety see our [Student Sexual Offense Policy](#). For cases where the Respondent is a Faculty member see our Faculty Sexual Offense Policy. For cases where the Respondent is a Staff member see our [Staff Sexual Offense Policy](#).

The Title IX Coordinator or their designee will oversee any pre-hearing and/or preliminary investigation phase. If it is believed that a violation of the Sexual Offense Policy may have occurred, the Title IX Coordinator will assign an investigator who is charged with conducting an investigation. This phase may consist of any combination of the following: interviewing complainant(s), respondent(s) and any witnesses; gathering evidence, preparing an investigative report and making a determination as to whether or not sufficient information exists to recommend a referral to the Sexual Offense Hearing Board, which will determine responsibility for violations based on the preponderance of the evidence standard.

During this preliminary phase, both the complainant and the respondent are advised both in person and in writing that they may request the assistance of an adviser throughout the process. An adviser is an individual of the student’s choosing and may be individuals who are not a part of the Clark community. If the adviser will be attending the investigation and/or hearing board process, their name must be shared with the Deputy Title IX Coordinator or Sexual Offense Hearing Board chair at least 24 hours prior to the scheduled interview or board hearing.

Investigations can lead to “informal resolution” where responsibility of charge(s) are accepted by the respondent and the complainant agrees to this course of action. Sanctions would be imposed by the Title IX Coordinator and/or their designee.

The University reserves the right to amend or modify this process. This includes modifying the process in special circumstances including, but not limited to, when a complainant withdraws a complaint or a respondent admits responsibility.

For more information please visit the Title IX Office Website: [https://www.clarku.edu/offices/title-ix/](https://www.clarku.edu/offices/title-ix/)

**SEXUAL OFFENSE HEARING BOARD**

The University recognizes that cases involving alleged violations of sexual offense are some of the most challenging and confidential hearings to resolve. As such, the University has formed a hearing Board that will hear cases that allege a violation of Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship Violence (domestic violence and dating violence), Sexual Exploitation and Stalking. The Sexual Offense Hearing Board is comprised of a chair, as well as three nonstudent members of the campus community (faculty, staff, administrators) who have been trained to understand the complexities and legal implications associated with these specific policy violations.

The Sexual Offense Hearing Board employs an evidentiary standard of “preponderance of the evidence” when determining whether a violation has occurred.
**PROCEDURE**

1. The Investigator will submit their investigative report (including any evidence gathered) and recommendation to convene the Sexual Offense Hearing Board to the Hearing Board Chair or designee.

2. The Chair will convene the board and determine a date and time for the hearing at which time both the complainant and the respondent will be informed of the hearing date, hearing time, and will receive an optional invitation to participate in the proceedings.

3. Both the complainant and the respondent will be provided with independent dates and times to review the Investigative Report by the Board Chair.

4. All board members will be provided with a date and time to review the Investigative Report by the Board Chair.

5. The Board will convene and proceed with the following process:
   a. The Hearing Board Chair will provide instructions on the Hearing Board proceedings.
   b. The Hearing Board will call the Investigator for questioning.

   Any combination of the following options may then occur:
   i. The Board will request to directly interview witnesses
   ii. The Board will request that the Investigator re-interview the respondent and/or the complainant
   iii. If voluntary participation is agreed to by the complainant and/or respondent, the Board will call the complainant and/or respondent to provide a statement(s) and be questioned.

6. All information shared at the hearing is recorded; the digital recording will not be available as a part of any participant’s educational or conduct record. Note that the Board’s deliberation will not be recorded.

7. During the hearing, only the complainant, the respondent, Board Chair, Board members, approved witnesses, and advisers may be present. Witnesses shall only be present when sharing information with the Board, except at the discretion of the Chair.

8. The Sexual Offense Hearing Board may require the cooperation of any member of the Clark community in providing information during the hearing. No member of the University staff with whom the complainant or the respondent has entered into a confidential relationship can share information arising from the role without the permission of the complainant or the respondent. All members of the Sexual Offense Hearing Board are bound by confidentiality, no other accommodations for confidentiality can be guaranteed.

9. If the hearing board determines that witnesses should be interviewed directly by the board, the board chair will request their presence at least 24 hours in advance. Both the complainant and the respondent will be informed of any witnesses being called to the hearing board. Witnesses will only be permitted to answer...
questions from the hearing board. Witnesses are not permitted to ask questions of the board or provide rhetoric not responsive to the questions asked.

10. If at any time during the hearing, a question or response is deemed inappropriate or irrelevant to these proceedings, the Chair will interject and ask that either a participant not respond to the question that was asked or ask that the response given be excluded from the formal proceedings.

11. If a complainant and/or respondent chooses to participate in the hearing board process, questions should be directed to the Chair. The Chair will then ask the question and solicit a response. At no time should the complainant or respondent address questions directly to one another.

12. The Chair may remove any individual who impedes the hearing process. The Chair will act to promote a civil and respectful proceeding.

13. At any point in time, either the participants or members of the Board may request a short recess. The Chair will determine whether to grant that request and for how long the Board will recess. If a recess is granted, the hearing will begin at the announced time without delay.

14. Following the completion of the hearing, the Board members shall decide by majority vote whether the respondent was responsible for the violations(s) of the Code of Student Conduct. If the decision is affirmative, the Board members will, by a separate vote and in consultation with the Title IX Coordinator if necessary, determine the sanction, if one is deemed appropriate. The Hearing Board Chair will be responsible for communicating the Board’s decision and any accompanying sanction to both the respondent and the complainant.

15. The seriousness of Sexual Offenses is a major concern and the University does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of Sexual Offenses. If, in the course of a hearing, information arises indicating a possible violation of another provision of the Code of Student Conduct, the University reserves the right to pursue that in a separate hearing process.

16. At the conclusion of the hearing, the Chair will simultaneously deliver the Sexual Offense Hearing Board’s decision and imposed sanction(s) to the complainant and respondent via campus email, in the name of the University.

17. Both the complainant and the respondent will have the right to appeal any decision made by a hearing Board on the following grounds:

   a. New information, which was not available in the original hearing, is being introduced. In cases where new information is introduced, the Appellate Officer or their designee may refer the case back to the Board.

   b. Material failure to follow due process.

18. Dissatisfaction with the conduct decision or sanction is not grounds for an appeal.

19. If an appeal is filed, the Appellate Officer or their designee, or an ad hoc committee will review appeals submitted.
20. In order to request a review, the respondent or complainant must email the Appellate Officer or their designee a written request and the reasons on which the appeal is based within five (5) business days after receipt of the Board’s decision.

21. The Appellate Officer or their designee shall have access to the case file when a review has been requested.

22. The Appellate Officer or their designee may, at their discretion, meet with the respondent and complainant. They shall have the sole discretion in accepting or rejecting a case for review based on the grounds for appeal stated above, obtaining additional information relative to the case, and upholding, reversing, or amending the sanction or decision of the Board.

While the decision of the Appellate Officer or their designee will be considered to be final, the President of the University reserves the right to amend or alter all administrative and conduct decisions of the University.

23. For an abbreviated look at the Title IX Process visit https://www.clarku.edu/offices/title-ix/title-ix-process/

**DISCLOSURE OF RESULTS OF DISCIPLINARY PROCEEDINGS**

At the conclusion of the conduct proceeding, the Chair of the Sexual Offense Hearing Board, or their designee shall share the final decision with the respondent, delivered by campus mail and in writing, in the name of the University. The Chair of the Sexual Offense Hearing Board, or their designee, will notify the complainant of the decision and any portion of a sanction that limits contact between the complainant and the respondent. In sexual assault, sexual misconduct and sexual exploitation hearings, the complainant is entitled to the hearing board's disposition and summary of all imposed sanctions. Complainants in non-consensual sexual assault, sexual misconduct, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed of the outcome and sanctions of the hearing, in writing, without condition or limitation. Upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (statutory rape, incest) to:

a. The alleged victim.

b. Or next of kin, if the victim is deceased.

CONDUCT SANCTIONS

The student conduct process at Clark University approaches violations from an educational perspective. The Code of Student Conduct encourages personal responsibility and accountability, always being mindful of an individual’s or group’s impact on the community. The sanctioning process provides an opportunity for students to reflect on their choices, the consequences of those actions and make amends to the community.

1. Verbal Warning: A verbal warning is typically used in cases where a formal written warning is not necessary due to the severity of the violation. These warnings are documented so that the UCB/hearing officer has a record it took place.

2. Written Warning: A letter to a student indicating that they are being held responsible for a violation of policy in the Code of Student Conduct. Typically written warnings are for first time violations and serve as a formal reminder of community expectations. Future violations may result in more severe sanctions.

3. Disciplinary Warning: A letter to a student indicating that they are being held responsible for a violation of policy in the Code of Student Conduct. This sanction will be in effect for a specified period. Should the student again be found in violation of the Code of Student Conduct during this period of sanction, the Dean or Dean’s designee may impose an additional sanction to reflect a repeated offense.

4. Disciplinary Probation: Formal notice that a student’s status at the University is in jeopardy due to one or more violations of the Code of Student Conduct. This sanction will be in effect for a specified period. Should a student on this sanction be found in violation of another policy during the period of this sanction, the Dean or Dean’s designee may impose a sanction that may include “removal from University housing,” “suspension from the University,” or “expulsion from the University.” While on probation, a student is not permitted to serve as a member of the Student Council, or a standing University committee; as an executive Board member of a student organization; or on the residential life or orientation staffs. Students should be aware that disciplinary probation may affect their eligibility to study abroad.

5. Suspension from the University: Temporary separation from the University, without financial reimbursement, for a specified period, after which the student may resume their studies without application for readmission. A suspended student may not engage in University activities nor use any University facilities.

6. Dismissal from the University: Temporary separation from the University, without financial reimbursement, for a specified period, after which the student may resume their studies after an interview with the Dean of Students, Dean of Graduate Studies and their designee. A dismissed student may not engage in University activities nor use any University facilities.

7. Expulsion from the University: Permanent dismissal from the University, without financial reimbursement and without the right to return. An expelled student no longer has the privileges of matriculated students and may not engage in University activities nor use any University facilities.

8. Family Notification: When appropriate please be aware that a student’s parent(s)/guardian(s) may be notified of their participation in the University conduct System. Students are encouraged to discuss their violations with their parent(s)/guardian(s) prior to their receipt of a letter from the dean or their designee.
9. **Banned from Campus:** For a definite or indefinite period of time the student is restricted from all or a portion of any University premises or University-sponsored activity.

10. **Individualized Sanctions:** Special sanctions directly related to individual cases. These may be imposed in place of, or in addition to, other imposed sanctions. Examples include, but are not limited to:
   - Substance abuse counseling and/or education (which may involve a fee for service)
   - Restitution (payment for property loss of damage)
   - Community service
   - Relocation to another campus residence
   - Removal from University housing without financial reimbursing and/or loss of visitation rights
   - Loss of guest privileges
   - Educational project or essay

11. **Disciplinary Hold:** An administrative hold placed on a student’s record if the student has not completed a disciplinary sanction, or has withdrawn from the University prior to the resolution of an informal conference or formal disciplinary hearing.

**Sanction Statement**

When an allegation of sexual violence is brought to the administration, and a respondent is found to have violated this policy, serious sanctions will be used to ensure that such actions are never repeated. All members of the community are expected to conduct themselves in a manner that does not infringe on the rights of others. Clark University’s Sexual Violence Policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. Students at Clark University are responsible for being familiar with and abiding by the standards of conduct set forth herein. Any student found responsible for violating the policy on Sexual Misconduct (where no intercourse has occurred) will likely receive a sanction ranging from warning to expulsion, depending upon the severity of the incident, and taking into account any previous campus conduct code violations.*

Any student found responsible for violating the policy on Sexual Assault will likely face a recommended sanction of suspension or expulsion.*

Any student found responsible for violating the policy on Sexual Exploitation or Sexual Harassment will likely receive a recommended sanction ranging from warning to expulsion, depending upon the severity of the incident, and taking into account any previous campus conduct code violations.*

*The conduct board reserves the right to broaden or lessen any range of recommended sanctions in the complaint of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.
SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

SECURITY SERVICES

Two student groups work closely with University Police to strengthen security on campus, including the Safety Escort Service and the Rapid Response Squad. The Escort Service functions to alert University Police to security issues in the University's residence facilities and in its neighborhood. The Escort Service, using four vehicles, provides all members of the Clark community with escort services from 4 p.m. to 4 a.m. during the academic year within a quarter mile of the Clark campus. The Escort Service averages about 250 escorts per night to Clark University students, faculty and staff.

The Rapid Response Squad also functions during academic sessions. The team provides emergency medical response to our community.

Clark students, faculty and staff are encouraged to exercise caution appropriate to contemporary living, including using the Escort Service and avoiding walking alone at night.

CRIME PREVENTION

Clark's programs for students begin at orientation and continue throughout the year in a range of sessions sponsored by the residential housing staff, University Police and student groups. All first-year and transfer students are required to attend a session on safety and security, led by a crime prevention team of University Police officers. The sessions cover the kinds of precautions students should take in a city environment, reminders of common sense measures they should follow regularly, information on sexual assault awareness and an introduction to security services that Clark provides.

University Police, working in conjunction with other campus offices, offer Critical Incident/Active Shooter Survival Training and Bomb Threat Procedural Training to faculty, staff and students each semester (see table on page 16). Additionally, University Police has developed a unisex self-defense course for faculty and staff.

POLICIES REGARDING ALCOHOL AND DRUGS

In accordance with the laws of the Commonwealth of Massachusetts, Clark University has mandated that it is illegal for any student under the age of 21 to purchase, consume or possess alcoholic beverages. Those students who are of legal age may consume alcohol in private residence areas and at functions where approval for alcohol consumption has been obtained. Through The Undergraduate Student Handbook, the University communicates to students, who are legally able to consume alcohol, it is a violation of state law to serve alcohol to students who are under the legal age, or to purchase or obtain alcohol for them.
The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited in or on any University property. The University is committed to providing a drug-free environment for all members of the Clark community and is in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1986. Students who violate University policy will be subject to disciplinary action. The University's disciplinary procedures are described in The Student Handbook. Policies for administrative and staff members are outlined in the Employee Handbook for Administration and Staff.

The Office of Wellness and Prevention Education, located in the Dean of Student’s Office offers resources and support services for those students recovering from or seeking to break dependence to alcohol or drugs. The services include alcohol and drug assessment and education sessions, consultations and referrals for students needing more intensive therapy or treatment. Residence hall awareness programs, training for residence advisors in recognizing signs of substance abuse, substance-free housing alternatives and referrals for students needing counseling are also offered.

Clark University is committed to promoting and retaining a capable and healthy workforce. The Clark University Employee Assistance Program was created to provide Clark employees and their families with an opportunity to identify potential problems and prevent them from becoming major obstacles in their work and personal lives. The program enables Clark employees and their families to obtain, at no cost, confidential assessment and referral services for problems such as alcoholism or drug abuse.

**POLICIES FOR CAMPUS SOCIAL EVENTS WHERE ALCOHOL IS BEING SERVED**

Social events where alcohol is served are subject to specific regulations. An alcohol beverage permit is required for any function at which alcohol is sold.

University Police must be hired by event organizers to be on duty at on-campus, non-residential social events where alcohol is served. These social functions are open only to members of the Clark community and their invited guests.

At these events, alcoholic beverages are served under the direction of the University. Alcoholic beverages are available only in a separate area designated for the serving and consumption of alcohol. Only those persons who are of legal drinking age and who have appropriate identification are permitted into this area. A driver's license, liquor purchasing card or passport constitute appropriate identification. Alcoholic beverages may not be removed from the designated area. Regardless of a person's age, alcoholic beverages may not be consumed in public areas as defined by state law. Hosts must serve food and non-alcoholic beverages at all functions at which alcohol is served. Non-alcoholic beverages must be featured as prominently as the alcoholic beverages.

Advertisements for any University event where alcoholic beverages are served must mention the availability of non-alcoholic beverages as prominently as alcohol. Alcohol cannot be used as an inducement to participate in a campus event. Promotional material must not make reference to the amount or price of alcoholic beverages available.

Violation of the University Alcohol Policy may result in disciplinary sanctions. A full description of policies for campus social events is outlined in The Undergraduate Student Handbook.
MISSING STUDENT NOTIFICATION PROCEDURE

In compliance with the Higher Education Reauthorization Act of 2008, the purpose of this policy is to provide the procedures for reporting, investigating and making emergency notifications regarding any resident student of Clark University who is reported and believed to be missing. A Clark resident student is presumed to be "missing" when the student's absence is inconsistent with the student's established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine whether or not the person is at their home or campus residence and whether or not anyone familiar with the person has seen or heard from the person recently or is aware of where they may be.

Any member of the Clark University community, including both employees and students, who is concerned that a member of the University community is missing should contact University Police, (508) 793-7575 as soon as it is determined that the individual is missing as defined above. The University will then determine the next appropriate course of action within the federal guidelines in place.

EMERGENCY CONTACTS

Every student (resident and non-resident) has their own student account and may enter or change their designated emergency contact person at any time by updating their emergency contact through CUWweb, under personal information/address.

Additionally, students have the option to register a confidential contact person who will be notified within 24 hours if a student is determined to be missing. This information is accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

REPORTING AND INVESTIGATING MISSING PERSONS

Any report of a missing student will be fully investigated by appropriate University personnel under the joint coordination of the University Police and Dean of Students Office. Further, the assistance of the Worcester Police Department, Massachusetts State Police, or other appropriate law enforcement agency will be sought if such assistance is indicated and deemed necessary by the initial campus investigation.

When a student is reported missing, Clark University will immediately notify the University Police Department. Subsequent actions will/may include to:

- Involve the Dean of Students Office in the report and share all relevant information.
- Initiate an investigation to determine where the student might be and if the student can be located.
- Make reasonable efforts to contact that student via phone, cell phone, email, and in person in a visit to the student's residence or room.
- Contact faculty, peers, roommates and other University members as deemed necessary to determine the potential whereabouts of the student.
- If the student cannot be located and remains missing, Clark University will, according to the law, contact Worcester and/or Massachusetts State Police within 24 hours of the initial internal report.
- Notify the emergency contact or legal guardian (for students under the age of 18, unless emancipated) of the status of the investigation within 24 hours of the determination that the student is missing.

In situations that may indicate a serious threat to a student's well-being, Clark University may notify law enforcement agencies and emergency contact(s) immediately. Contact information will be kept confidential to the extent allowed by law.

Clark University is required by law to inform the designated contact person of a missing student who resides on University property—or the custodial parent or guardian in the case of a minor—within 24 hours of receiving a missing person report.

**CRIME STATISTICS**

**DEFINITIONS OF REPORTABLE CRIMES**

1. **Criminal Homicide.** These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.
   a. **Murder and Non-negligent Manslaughter.** The willful (non-negligent) killing of one human being by another.
   b. **Negligent Manslaughter.** The killing of another person through gross negligence.

2. **Sexual Assault (Sex Offenses).** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent including:
   a. **Rape.** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
   b. **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
   c. **Incest.** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
   d. **Statutory Rape.** Sexual intercourse with a person who is under the statutory age of consent.

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

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

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

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

7. **Arson.** Any willful or malicious burning or attempt to burn, with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property or another, etc.
8. **Liquor Law Violations.** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

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

10. **Weapons: Carrying, Possessing, etc.** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

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

12. **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, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

13. **Stalking.** Engaging in a course of conduct (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) 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.

14. **Hate Crimes.** Crimes reported which manifest evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Reportable categories of bias include the victim’s actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

15. **Unfounded Crimes:** A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

**NOTE:** Crime statistics are based on reported offenses, not the findings of a court, coroner, jury or the decision of a prosecutor.
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</table>

### Hate Crimes

- **2017:** Zero hate crimes to report
- **2016:** One on-campus destruction of public poster characterized by religious bias.
- **2015:** One public property vandalism/property damage characterized by religious bias.

### Unfounded Crimes

- **2017:** Zero unfounded crimes.
- **2016:** Zero unfounded crimes.
- **2015:** Zero unfounded crimes.
FIRE SAFETY REPORT & STATISTICS

The following policies deal directly or indirectly with fire safety. Students are given these policies annually in The Undergraduate Student Handbook, and the policies are presented to them specifically during First-Year Orientation.

COOKING APPLIANCES

For health and safety reasons, the Worcester Health Department prohibits the use of cooking appliances such as hot pots, electric frying pans, microwave ovens (except for MicroFridge units), popcorn poppers, toasters and toaster ovens in residence hall/house rooms. All University houses and residence halls have kitchen facilities where students may use these types of appliances.

DRILLS

Fire drills are held periodically each year, and all residents and guests are expected to leave the building during these drills. You should be aware of the quickest and safest ways out of the building in the event of an emergency. The residential life staff will provide this information at the beginning of each semester.

FIRE DOORS

Fire doors may not be propped open. Moreover, it is a violation of federal law to tamper with fire alarms, sprinklers, extinguishers and other fire equipment. Conduct action may be pursued in cases where students fail to evacuate a building during an active fire alarm. Any violation of the Fire Safety policy will result in a $100 fine in addition to any Conduct action.

FIRE HAZARDS

Hanging items from the smoke detector, sprinkler pipes and/or ceiling is prohibited. No additional dividers or partitions that block entrances or exits will be permitted. Removal of batteries or disconnecting the smoke detector is prohibited. Fire laws forbid the storage of gasoline-containing vehicles (e.g., motorcycles) in or near residence halls. Halogen lamps, lava lamps, candles, incense and oil lamps are prohibited in residential areas. Possession, manufacture or use of fireworks or explosives on University property is expressly forbidden. All residence halls are smoke-free. Fire safety violations are subject to a $100 fine and conduct action.

Prohibited Items

Prohibited items that are found in any room/suite are subject to confiscation by University staff or University Police. The following materials are not permitted in the residence halls:

- Candles
- Hot plates
- Space heaters
- Incense
- Fireworks
- Traffic signs
- Halogen lamps
- Lava lamps
- Oil lamps
- Weapons
- Air conditioners
- Fuels
- Automotive parts
- Any item deemed unsafe by University staff

Prohibited Items that are found in any room/suite are subject to confiscation by University staff or University Police. The following materials are not permitted in the residence halls:
SMOKING

All University housing is smoke free. Smoking is not permitted anywhere inside any University Building. Smoking immediately outside the entrance doors to residence halls is also prohibited. Smoking outside a residence hall/ house must occur at least 20 feet from the building and away from all entrances, windows and exits. Clark respects the rights of non-smokers to live free of environmental tobacco smoke.

PROCEDURES FOR STUDENT HOUSING EVACUATIONS

RAs (residence hall advisors) are trained on the following protocol on how to respond to a fire alarm. Students are informed of this during floor meetings in the Fall, and through posters in the halls, etc. We do not have evacuation cards on the doors with a route on them.

Designated Meeting Areas

The following are designated meeting areas for each building:

- **Bullock Hall** - In front of Bullock on the walkway
- **Dana Hall** - In front of Dana behind the brick wall
- **Dodd Hall** - In front of Dodd in the Fuller Quad
- **Hughes Hall** - In front of Hughes against the wall
- **Johnson Hall** - In front of Johnson in the Fuller Quad
- **Maywood Hall** - In front of Maywood/behind Carlson Hall
- **Sanford Hall** - In front of Sanford on Fuller Quad walkway
- **Wright Hall** - Goddard Library side of Woodland Street
- **Blackstone Hall** - In front of Maywood Place (1) and (3)
FIRE ALARMS

The information below uses language to describe the process or procedure that should be followed during a fire alarm, but the same holds true for any circumstance involving a building evacuation through a fire alarm.

DURING A FIRE ALARM OR FIRE ALARM TESTING

When the fire alarm is activated all individuals should exit the building and proceed to their designated meeting area.

The University Police and the Worcester Fire Department will respond to investigate and insure all individuals have been evacuated and determine the cause of the alarm.

The RA staff (who are present) will meet in front of the residence hall to determine who will complete the following tasks:

1. Walk around the outside of the building to check exit doors and direct students to the assigned meeting area and secure any propped open doors.
2. Make sure that residents remain in the designated meeting area until University Police grants permission to re-enter the building.
3. Introduce themselves to University Police Officers and ask if they need assistance.
4. One RA should remain at the front door of the building to assist the University Police or Worcester Fire Department with access or directions during the fire alarm.

University Police Officers will grant permission to re-enter the building once the fire alarm has been reset or testing has concluded. NO ONE should re-enter the building until such permission is granted (just because the alarm has stopped sounding, does not make the building safe for re-entry).

Please note: In Blackstone Hall, students with limited mobility on the second floor or higher (anyone requiring an elevator to get out of the building) are instructed to stay in their personal rooms during a fire alarm. University Police will instruct Worcester FD to locate these students and help them from the building if necessary.

AFTER A FIRE ALARM OR FIRE ALARM TESTING

1. RA will submit an evacuation report on the Admin Site.
2. Members of the Residential Life and Housing staff will meet with students who chose not to exit their buildings during the fire alarm or fire alarm testing, and those students may be referred to the University conduct System. RAs will submit these names on an Incident Report.
3. Members of the Residential Life and Housing staff will also meet with any student who is caught tampering with fire evacuation/safety equipment, and those students may be referred to the University conduct System. RAs will submit these names on an Incident Report.
If a fire alarm is activated, all persons are to call University Police at 508-793-7575.

**Evacuation Procedures from Non-Housing Buildings**

Before faced with a fire, familiarize yourself with building exits, fire extinguisher locations, and building fire alarms/pull stations. Smoke is the greatest danger in a fire. As you evacuate, or if you are trapped, always stay near to the floor, where the air is likely to be less toxic.

- Do Not Panic.
- Activate the closest building fire alarm for emergency response.
- When the building fire alarm is sounded, always assume an emergency exists, EXIT the building immediately, UNLESS prior to the alarm gunshots have been heard or a Clark Alert has been received advising you to stay in place. Use common sense.
- If a fire appears controllable, discharge a fire extinguisher toward the base of the flame.
- As you exit the building, notice any individuals not responding to the emergency alarm and call out to them to leave the building.
- Assist persons with disabilities to exit.
- Close but do not lock doors to confine fire.
- Do not use elevators.
- Use alternate evacuation routes if the normal route is blocked.
- Feel closed doors from top to bottom, in the evacuation route, IF COLD open the door, IF HOT, DO NOT OPEN the door and use an alternative evacuation route (hot doors may be an indication of fire on the other side of the door).
- Avoid smoke filled areas. If the room or evacuation route is filling with smoke, crouch down as you exit. Smoke rises, pushing available air to the floor.
- Should your clothing catch on fire-STOP DROP and ROLL to smother flame.

**If Trapped During a Fire:**

- Shout at regular intervals to alert emergency crews of your location.
- Find a window and place an article of clothing outside of it and/or write the word (HELP) on anything available and place in outside windows as a marker for rescue crews.

Wait for the ‘All Clear’ announcement from university officials before reentry of the building/area.
<table>
<thead>
<tr>
<th>Building Name</th>
<th>Address</th>
<th>Fire Alarms*</th>
<th>Full Sprinkler</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher</th>
<th>Evacuation Plans</th>
<th># of Annual Drills</th>
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*All fire alarms are monitored on-site by University Police and off-site by the Worcester Fire Department.*
ANNUAL FIRE SAFETY REPORT 2017

Calendar Years 2015 - 2017

A public fire log, consisting of chronologically recorded fire information, is maintained at the University Police department's office and can be viewed during regular business hours. It includes:

1. Nature of the fire
2. Date
3. Time
4. General location

DEFINITION OF A FIRE

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

REPORTED FIRES: CALENDAR YEARS 2015, 2016 AND 2017

2015

There were no fires to report in 2015.

2016

There was one accidental fire reported at the Johnson Sanford Center on April 14, 2016. Damaged property included party decorations totaling $100.00.

2017

There was one accidental fire reported in an on-campus apartment in March resulting in $0.00 in monetary damage.

There was one kitchen fire reported in Dodd Hall on November 6, 2017 resulting in $5,000 in monetary damage.