Annual Security and Fire Safety Report

2015

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 a priority. Please attend, and participate in, all safety related sessions.

Please 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.

Chief Stephen 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

<table>
<thead>
<tr>
<th>University Police</th>
<th>Chief Stephen Goulet</th>
<th>(508) 793-7575</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean of Students</td>
<td>Kevin McKenna</td>
<td>(508) 793-7423</td>
</tr>
<tr>
<td>Dir. Res. Life &amp; Housing</td>
<td>Adam Keyes</td>
<td>(508) 793-7453</td>
</tr>
<tr>
<td>Dir. Human Resources &amp; Title IX Coordinator</td>
<td>Jacqueline Capomacchio</td>
<td>(508) 793-7397</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.

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 card can be removed. Clark University patrols pay particular attention to checking that residence hall doors have not been propped open.

The Physical Plant 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 Physical Plant and a log is maintained.

**CAMPUSES 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 3 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**

The Clark University Police Department maintains a close 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 work closely to monitor any criminal activity in areas used by student organizations that may occur off-campus. There are no memorandum of understanding between Clark University Police and other law enforcement agencies.

**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 his/her own behalf. Any off-campus incidents should be reported to Worcester Police Department at 911 or 508-799-8606. This message is articulated clearly in
department publications and at presentations by the University's Crime Prevention Unit during orientation and at periodic residence hall meetings.

**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 Emergency Medical 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. Taking into consideration the victim'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 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 is provided with resources which outline all available options, including that of pursuing a course of action through the University's judicial process.
- 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.

Clark University Police is responsible for the issuance of a Timely Warning when a crime is reported to or brought to the attention of the Clark University Police Department and that crime represents an ongoing threat to the safety of members of the campus community.

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 be:

- 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 Business Manager, is responsible for issuing mass notification messages at the request of persons authorized to initiate such notices. The team meets on a 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 - Paul Wykes
- Vice President Marketing & Communications - Paula David
- Asst Vice President of News and Editorial Services - James Keogh
- University Police Office Manager/Clery Compliance Coordinator – Melissa Tula
- 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, Safety Updates and Clark Alerts.

**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.

**Students, faculty & staff members must register/update cell phone information to receive Clark Alerts.**
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.

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 a 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 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 (run, hide, fight) 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 Emergency Medical Services (EMS) 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 violence 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 at clarku.edu/offices/dos/pdfs/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 her/his consent is an act of sexual violence.

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

- She/he is intoxicated.
- She/he is unconscious.
- She/he is mentally incompetent.
- She/he is under age.

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
is not necessarily consent. 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 by The Commonwealth of Massachusetts defines as almost any criminal act of abuse committed by one "family or household member" against another. "Abuse" is defined as:

(a) attempting to cause or causing physical harm;
(b) placing another in fear of imminent serious physical harm; or
(c) causing another to engage involuntarily in sexual relations by force, threat, or duress.

**Dating Violence** is defined as violence committed by a person:

a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
b. where the existence of such a relationship will be determined based on a consideration of the following factors:
   i. The length of the relationship.
   ii. The type of relationship.
   iii. The frequency of interaction between the persons involved in the relationship.

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 his or her 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.

**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, domestic violence, 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.

**Risk Reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for community members in order to promote safety and to help individuals and communities address conditions that facilitate violence

**Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

**Result:** Any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

**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.

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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<tr>
<td>*Agent of Change</td>
<td>Summer</td>
<td>Online Module</td>
<td>First Year Undergrad</td>
<td>SA, Stalking, Abusive Relationships, Sexual Harassment</td>
</tr>
<tr>
<td>*Bringing in the Bystander</td>
<td>Fall</td>
<td>Campus Classroom</td>
<td>First Year Undergrad</td>
<td>Primary Prevention, Bystander Intervention for Rape, Acquaintance Rape, Domestic Violence, Dating Violence, Sexual Assault &amp; Stalking</td>
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<tr>
<td>*Consenting Communities</td>
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<td>University Police Safety</td>
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<td>Residential Advisors</td>
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<td>University Police Safety</td>
<td>Week One</td>
<td>Kneller Athl. Ctr.</td>
<td>Athletic Staff</td>
<td>Crime Prevention</td>
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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>
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Clark University offers the following on-going awareness & prevention programs:

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<th>Pillow Talk</th>
<th>Ongoing</th>
<th>Red Square</th>
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<th>Consent, Communication in Romantic Encounters</th>
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<tr>
<td>White Ribbon Campaign</td>
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<td>Consenting Communities Poster</td>
<td>Ongoing</td>
<td>Campus-wide</td>
<td>Campus Community</td>
<td>Consent</td>
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<tr>
<td>CAVE Community Task Force</td>
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<td>Undergrads</td>
<td>Sexual Misconduct, Healthy Relationships &amp; Bystander Intervention</td>
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<td>RA’s, Athletics, Fac. Advisors, Escort Svcs.</td>
<td>Campus Security Authority Informational</td>
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* The Clark Anti-Violence Education (CAVE) program provides comprehensive education to the Clark community on issues related to dating violence, sexual assault, consent, stalking, harassment and being an active bystander. This is done through a variety of mandatory educational programs. Additional information may be found at: http://www.clarku.edu/offices/cave/
PROCEDURES TO FOLLOW WHEN A SEX OFFENSE OCCURS

For a person subjected to an act of 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 violence 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 Hospital is on call 24 hours a day, 7 days a week (call the Emergency Department at 508-334-6481, if you first want to speak to the nurse). 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 violence and are listed below:

**On-Campus Confidential**

*The following on-campus resources are available to provide assistance or counseling on a fully 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
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

On-Campus Non-Confidential

The following on-campus resources are available to assist you. By law, Clark staff and faculty cannot ensure confidentiality.

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 – 151 Woodland Street, first floor; (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 violence.

Dean of Students Office – 155 Woodland Street, first 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 violence, may be handled by the Dean of Students Office, the Dean’s designee, the Sexual Misconduct Hearing Board, or the University Judicial 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 violence 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.

Clark Anti-Violence Education Program – (508) 421-3724; CAVE@clarku.edu
Provide information about sexual assault and relationship abuse, including referrals and a list of potential options that survivors have legally, medically, and psychologically.

Title IX Coordinator - The Title IX Coordinator is the University official designated to receive and investigate complaints related to sexual violence on campus.

Jacqueline Capomacchio (508) 793-7294
Davis Baird (Deputy) (508) 793-7673
Trish Cronin (Deputy) (508) 793-7305
Paul Wykes (Deputy) (508) 793-7385
Sergeant Lauren Misale (Deputy) (508) 793-7575
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.

<table>
<thead>
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<th>Service</th>
<th>Phone Number</th>
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<tr>
<td>UMass Memorial Hospital Emergency Room/SANE Nurse</td>
<td>(508) 334-1000</td>
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<tr>
<td>UMass Memorial University Campus/SANE Nurse</td>
<td>(508) 334-1000</td>
</tr>
<tr>
<td>St. Vincent’s Hospital Emergency Room/SANE Nurse</td>
<td>(508) 363-5000</td>
</tr>
<tr>
<td>Planned Parenthood</td>
<td>(800) 258-4448</td>
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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.

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
Survivor 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.
SURVIVOR RIGHTS AND PROTECTION
A 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 and 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 judicial system, the criminal justice system, or both concurrently.
- 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.
- 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. If you want the accused to move, and believe that you have been the victim of Sexual Harassment/Misconduct/Assault/Exploitation, you must be willing to pursue formal University conduct action. If the information is clear and convincing, the University may place the alleged perpetrator on "interim suspension", which would require him/her to leave campus. If the information is unclear, the University will move forward with judicial 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.
Sexual Assault, Domestic Violence, Dating Violence & Stalking Procedures

In the event of a report of sexual assault, domestic violence, dating violence or stalking:

1. Clark University will assess immediate safety needs of complainant and other appropriately involved persons.
2. Clark University will provide complainant access to medical care when report is immediate and/or if deemed necessary.
3. Clark University will assist complainant with contacting local police if complainant requests and provide complainant contact information for local police department.
4. Clark University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to victims, both within the institution and in the community.
5. Clark University will provide written notification to victims about available options and assistance in the following, including how to request these changes and who to contact at the institution:
   a. Academic situations
   b. Living situations
   c. Transportation situations
   d. Working situations
   e. Protective measures
6. Clark University will provide assistance in the process of applying for a protective order.
7. Clark University will provide a “No Contact” and/or “No Trespass” directive to accused party if appropriate.
8. Clark University will provide the student or employee, whether the offense occurred on or off campus, a written explanation of the student or employee’s rights and options.
9. Reports of alleged dating violence, domestic violence, sexual assault, and stalking will be considered for disciplinary action through the University Sexual Offense Hearing Board on a case by case basis.
10. Reports of alleged dating violence, domestic violence, sexual assault, and stalking by students will be considered for disciplinary action through the University Sexual Offense Hearing Board as appropriate. Reports of these offenses by faculty or staff will be handled in accordance with the university’s Harassment and Discrimination Policy and related grievance procedures.
CONFIDENTIALITY

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.

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 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 chooses not to file a formal complaint and/or participate in the investigation.

File a formal complaint with the University – Survivors 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 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 or as public safety requires. The University does not publish the names or other identifiable information of survivors in the University Police department’s Daily Crime Log, in any Timely Warnings issued or online.

File 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.

Report the incident without filing a complaint – Clark University encourages all community members to report any criminal incident about which they are aware which occurs on Clark University property or involves a member of the Clark community to the Clark University Police Department, so that the Department can
investigate the incident and be of assistance to those involved in the matter. However, if an individual does not wish to report a crime to the Department, the University urges the person to at least disclose the occurrence of the incident to a campus security authority so it may be counted, as appropriate, in the University’s annual Clery report.

**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 JUDICIAL PROCEDURES

The University judicial 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 judicial 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. Students wishing to bring forth a complaint against a faculty or staff member should refer to the University’s Title IX Policy.

Invocation of Judicial Action

Any member of the Clark community may initiate the University’s judicial 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 judicial process on its own behalf or on behalf of other persons based on the information that is shared.

Administrative Disposition and the University Judicial 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 Judicial Board (UJB), 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 judicial system.

The University’s judicial process is as follows:

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

B. If judicial 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 judicial proceeding if they are also facing criminal/civil charges for the same incident. In these cases, the Chair of the University Judicial Board will meet with the student to discuss the appropriate course of action. The University reserves the right to continue with its internal judicial 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 judicial process.
D. In non-sexual offense or university judicial 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 judicial 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 UJB. 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 UJB or Sexual Offense Hearing Board appeals are heard by the Dean of Students, Dean of Graduate Studies or their designee.

F. The judicial staff member may choose to refer the matter to the UJB 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 UJB 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 Judicial Board Membership

The entire membership of the UJB 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 Judicial 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 UJB. 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 UJB 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 UJB will interview undergraduate candidates for positions on the UJB. The committee will attempt to ensure diversity of membership. Student UJB 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 UJB 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 UJB will interview graduate candidates for positions on the UJB. The committee will attempt to ensure diversity of
membership. Student UJB 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 UJB. 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 UJB by the UJB Chair, for cause.

**University Judicial Board Procedure**

1. Upon receiving a referral of a case for resolution, the UJB 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 UJB 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 UJB cases, the respondent does have the option to accept responsibility and sanctions imposed by the prehearing officer. This option does not apply for 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 UJB 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 UJB procedures will still be followed and sanctions, if appropriate, will be imposed.

11. The Chair may remove any individual who impedes the judicial 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 UJB 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 violations(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 judicial 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.

**Sexual Offense Hearing Board**

The University recognizes that cases that involve alleged violations of sexual misconduct are some of the most challenging and confidential hearings to resolve. As such, the University has formed a hearing Board that will only hear cases that allege a violation of sexual assault, sexual misconduct, sexual exploitation, and/or harassment or stalking that includes elements of sexual misconduct. The Sexual Offense Hearing Board is comprised of the University Judicial Board Chair or their designee, and three non-student 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. Hearings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes
accountability. The University reserves the right to amend or modify this process. This includes modifying the process in unusual circumstances including, but not limited to, when a complainant withdraws a complaint or a respondent admits responsibility.

**Sexual Offense Hearing Board Procedure**

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.

1. Upon receiving a report of sexual violence, the UJB Chair will designate a Hearing Board Chair and select three neutral, non-student members to serve on the Sexual Offense Hearing Board.

2. The Hearing Board Chair will notify the complainant and the respondent of the scheduled hearing.

3. The Hearing Board Chair will schedule individual meetings with the complainant and the respondent. The Hearing Board Chair does not have a vote in determining responsibility, and therefore, serves as a procedural coordinator and advisor responsible for ensuring the judicial process follows procedures. During the individual meeting, the Chair will explain the judicial process from investigation to conclusion. Additionally, the complainant and the respondent will be shown the location where the hearing will take place and given the option of having a police officer at the hearing. The complainant also has the opportunity to have a physical divider placed in the hearing room to separate parties from each other.

4. Evidence cannot be removed from the space.

5. The respondent is given an opportunity to provide a written statement that is entered into the case file. All statements included in the case file must be submitted to the Chair of the Board at least 48 business hours prior to the hearing. Should a respondent choose not to submit a written statement prior to the hearing but bring a statement to the hearing, the Chair will call for a recess allowing all involved parties’ time to review the new information.

6. 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.

7. Both the complainant and the respondent may request the assistance of an advisor throughout the process. An advisor is an individual of the student’s choosing and in cases brought to the Sexual Offense Hearing Board may be individuals who are not a part of the Clark community. If the advisor will be attending this 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.

8. During the hearing, only the complainant, the respondent, Board Chair, Board members, approved witnesses, and advisors may be present. Witnesses shall only be present when sharing information with the Board, except at the discretion of the Chair.
9. 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.

10. 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 at least 48 business hours prior to the hearing. Witnesses called into the room will be asked to read their statements. They will not be permitted to ask questions of either the Board or the complainant and respondent. A witness who is not present when their name is called to be invited into the hearing room will not be permitted to participate in the hearing. No additional attempts will be made to contact witnesses as all have been notified and their attendance has been confirmed.

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

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

13. If the respondent chooses not to speak at or attend the hearing the Sexual Offense Hearing Board procedures will still be followed and sanctions, if appropriate, will be imposed.

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

15. Questions from either the respondent or the complainant 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 at one another.

16. 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.

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

18. 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, Dean of the Graduate Studies, or their designee who shall have the right to adopt the Board’s recommendation or impose a different sanction. The Hearing Board Chair will be responsible for communicating the Board’s decision and recommended sanction in writing to the Dean of Students, Dean of Graduate Studies, or their designee.
19. The seriousness of Sexual Harassment/Misconduct/Exploitation 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 Harassment/Misconduct/Exploitation. 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.

20. At the conclusion of the judicial proceeding, the Dean of Students, Dean of Graduate Studies, or their designee will simultaneously deliver the Sexual Offense Hearing Board’s decision and impose sanction(s) via campus e-mail, in the name of the University, to both the respondent and the complainant.

21. Both the complainant and the respondent will have the right to appeal any decision made by a hearing Board.

**Disclosure of Results of Disciplinary Proceedings**

At the conclusion of the judicial proceeding, the Dean of Students, or his/her designee shall share the final decision with the respondent, delivered by campus mail and in writing, in the name of the University. The Dean of Students, or his/her 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, 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.


**Judicial 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 UJB/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 Judicial 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 judicial 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.

PROCEDURES FOR DISCIPLINARY ACTION AGAINST FACULTY OR STAFF

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s Harassment and Discrimination Prevention Policy and related grievance procedures.

The full policy can be found at clarku.edu/offices/hr/pdfs/HarassmentDiscriminationPrevention.pdf and the grievance procedures are located at clarku.edu/offices/hr/documentsandforms.cfm
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 Emergency Medical 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 Emergency Medical Squad also functions during academic sessions. The squad 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 is developing a unisex self-defense course for faculty and staff, which will be available in the Spring of 2016.

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

Always shut and lock your room door, even when just going down the hall for a few minutes.

Do not leave valuable items unattended in public places.

Secure your mailbox every time you check your mail.

It only takes seconds for somebody to take your belongings.
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, or the Office of the Dean of Students, (508) 793-7423, 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, under personal information/address, a designated contact person at any time by updating their emergency contact information through CUWeb.

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 Dean of Students Office and University Police. 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 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. Murder and Non-negligent Manslaughter. The willful killing of one human being by another.
2. Negligent Manslaughter. The killing of another person through gross negligence.
3. Forcible Sexual Offense. Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.
   a. Forcible Rape. The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
   b. Forcible Sodomy. Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
   c. Sexual Assault With an Object. The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
   d. Forcible Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
   a. Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
b. **Statutory Rape.** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

5. **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.

6. **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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

7. **Burglary.** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

8. **Motor Vehicle Theft.** The theft or attempted theft of a motor vehicle. Includes all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

9. **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.

10. **Liquor Law Violations.** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit an of the aforementioned. Drunkenness and driving under the influence are not included in this definition.

11. **Drug Abuse Violations.** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbituates, benzedrine).

12. **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.

13. **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. Includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Does not include acts covered under the definition of domestic violence.

14. **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.

15. **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.

16. **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, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

17. **Unfounded Crimes:** After a thorough investigation, a reported offense can be cleared as unfounded “if the investigation shows that no offense occurred nor was attempted. These cases remain as official crime reports and are included in the departmental statistics however, they are explicitly labeled as “unfounded” cases.

**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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### Hate Crimes

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**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. Additional guidelines regarding cooking safety can be found at clarku.edu/offices/police/policies/firesafetypolicy.cfm.

**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. Judicial 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 judicial 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...

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**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
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)

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. 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 Judicial 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 Judicial 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>
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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 2014

Calendar Years 2012 - 2014

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 2011, 2012 and 2013

2012

There were no fires to report in 2012.

2013

There were no fires to report in 2013.

2014

There was one fire was reported at 157 Woodland Street on September 26, 2014. Damage totaling $20,000.00 was repaired and all students effected were moved temporarily and then returned to their original assignment after completion of repairs.