

CLARK UNIVERSITY



CHALLENGE CONVENTION. CHANGE OUR WORLD.



2025 Campus Security and Fire Safety Report

FOR THE 2025/2026 ACADEMIC YEAR, CONTAINING CRIME STATISTICS FOR CALENDAR YEARS 2024, 2023, & 2022

Clark University 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 Campus Safety Act (The Clery Act) requires that colleges and universities publish an Annual Security Report concerning various safety-related policies and procedures as well as campus crime and fire statistics.

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

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

Please feel free to call the Clark University Police Department with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Ford".

Chief Lauren L. Ford

THE ANNUAL SAFETY AND SECURITY REPORT

The University Police Department, together with a compliance committee comprised of representatives from 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 Campus Safety 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 garden level of Bullock Hall. 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 garden level 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

University Police Chief	Lauren Ford	508-793-7575
Associate Dean for Student Success	Kamaro Abubakar	508-793-7510
Assistant Provost of Student Success and Dean of Students	Danielle Morgan Acosta	508-793-7487
Assistant Dean/Director Community Living	Jess Ahrens Montecalvo	508-421-3810
Title IX Coordinator	Brittany Brickman	508-793-7194

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. CSAs are classified as (i) campus police or security department personnel; (ii) individuals with security-related responsibilities; and (iii) individuals or organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offenses. A CSA also includes an official who has significant responsibility for student and campus activities, including, but limited to, student housing, student discipline, and campus judicial proceedings. In this role, a CSA is responsible for reporting crimes that occur in or on campus buildings and grounds, and on public property adjacent to and accessible to campus. The Clery Act requires all persons in this role be administered training.



*See something?
Say something!*

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 CSA 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 crime statistics for the institution. It is important for the reporting individual to be aware that in cases involving sexual misconduct, as outlined in the [University's Sexual Offenses Policy](#), confidentiality cannot always be assured, as the federal law demands that the University address the conduct in question in most instances. The way that confidentiality can be assured in an instance of sexual misconduct is if the report is made to a ['Confidential Resource'](#) on campus. A list of on campus and off-campus confidential resources can be found [here](#).

Campus "Pastoral Counselors" and "Professional Counselors," when acting as such, are not considered to be a CSA for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at Clark University may deem it appropriate to inform persons being counseled of the crime reporting procedures on a voluntary confidential basis to Clark University Police.

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

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

During normal business hours the administrative and academic facilities at CU are open and accessible to students, staff, faculty, and visitors of the University. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. CUPD officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances. The officers are not assigned to fixed posts except for special assignments and extra duty details.

Security Access and Maintenance

All University residence halls are locked 24 hours a day, while still giving Clark students access to campus housing by providing them with a magnetic strip card which is tied to a campus-wide security system. The card system, programmed at the University Police station, unlocks the door for a period of seconds, allowing the student to open it. The door locks again immediately when it closes. An alarm will go off at the University Police station if one of the outside doors is kept open for a period longer than a reasonable time for entry.

Every year, the OneCards 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. A lost or stolen OneCard should be reported to University Police, at which time the access assigned to the card will be removed. Clark University Police Officers pay particular attention to ensuring residence hall doors have not been propped open.

In addition to residence halls, Clark University also utilizes several smaller residence houses as lodging houses. Students residing in the residence houses are assigned keys for the building exterior as well as apartment, suite or room interior. These non-duplicatable keys are issued at the time of room assignment and collected at the termination of room assignment.

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

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

THE CAMPUS SEX CRIMES PREVENTION ACT & SEX OFFENDER REGISTRY BOARD (SORB)

The Campus Sex Crimes Prevention Act went into effect in October 2002. This act requires all campuses to keep a registry of convicted sex offenders who enroll in classes or work on campus. This list must be publicly accessible and will be kept in the University Police station. The purpose of keeping such a record is to provide full transparency to campus members to guard against past offenders. The university is responsible for obtaining necessary information from its students and employees.

Sex offenders are required to register with the Sex Offender Registry Board (SORB) within two days of their release from prison or when they move into the state in the Commonwealth of Massachusetts. They must also update their information with the university at such time. University Police is responsible for using this information as a tool to deter crimes and assist in investigations. They must also assist the university in collecting the information required for the creation of a publicly accessible database of offenders.

The following, and other pertinent information may be found on the [Sex Offender Registry Board \(SORB\) Public Website](#)

- Sex offender registration information shall not be used to commit a crime against an offender or engage in illegal discrimination or harassment of an offender. Any person who uses sex offender registration information for such purpose shall be punished by not more than two and one-half (2 ½) years in a house of correction or by fine of not more than \$1000.00 or both. M.G.L. c. 6, § 178N.
- Any person who uses sex offender registration information to threaten to commit a crime may be punished by a fine of not more than \$100.00 or by imprisonment for not more than six months. M.G.L. c. 275, § 4.

CAMPUS LAW ENFORCEMENT

The Clark University Police Department's Enforcement Authority

The Clark University Police Department, headed by Chief Lauren Ford, includes 12 full-time officers and three part-time officer 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. Clark University Police officers have the authority to enforce state, local and federal laws and University Policies per Massachusetts General Law, chapter 22c section 63. Clark University Police officers have jurisdiction to operate on Clark University owned or controlled property, besides the Clark University campus, Clark officers also patrol the surrounding streets where they continue their



work to protect off-campus students and property per Commonwealth v. Smeaton. Officers 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 areas such as crisis intervention, critical incident/active shooter, diversity sensitivity, firearms use, medical emergencies, victim awareness, sexual assault and domestic violence.

Accurate and Prompt Reporting

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

Reporting to Meet Disclosure Requirements

Members of the community are helpful when they immediately report crimes or emergencies to the Clark University Police Department and/or for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning notice when deemed necessary. These individuals include:

- Associate Vice President Facilities Management – 508-793-7566
- Athletic Director - 508-793-8869
- Residential and Housing Staff Director– 508-793-7453
- Campus Police Officers and Dispatchers – 508-793-7575
- Dean of Students – 508-793-7423
- Director of Human Resources – 508-793-7294
- Director of Strategic Planning & Initiatives and Risk Management – 508-793-7162
- Title IX Coordinator – 508-793-7194

Clark University's Response to Reports of Crimes or Emergencies

Clark University's 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 respond either by calling an ambulance, escorting the student to Health Services or transporting the student to an off-campus health-care facility.
- When a sexual assault is reported, every effort is made to offer support and appropriate treatment to the victim/survivor. Taking into consideration the victim/survivor's wishes, a report can be made to Worcester Police, who can assign officers from its sexual assault unit to investigate in conjunction with University Police. The victim/survivor is advised to seek immediate medical attention. Support and referral to a counselor on campus or at the nearby Pathways for Change service are offered. The victim/survivor is provided with resources which outline all available options, including that of pursuing a course of action through the University's Title IX process. For more information, refer to: <https://www.clarku.edu/title-ix/title-ix-policy-and-sexual-misconduct-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 may issue a timely warning via the University's campus-wide e-mail system. See page 9 for detailed information regarding timely warnings.

Local Law Enforcement Agencies

Clark University currently has a memorandum of understanding with the Worcester Police Department regarding sexual misconduct investigations in accordance to M.G.L. c.6, § 168E (c) and 610 – CMR 14.00. The Clark University Police Department maintains a strong working and communicative relationship with state and local police agencies, including Massachusetts State Police.

Monitoring and Recording of Criminal Activity by Students at Non-campus locations of Recognized Student Organizations

Clark University does not have officially recognized student organizations that own or control housing facilities outside of the Clark core campus. Therefore, Worcester Police Department is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

CAMPUS MAP

For a comprehensive map of the Clark University Campus, please visit <https://www.clarku.edu/map/?type=academic-buildings> to search for specific campus buildings.

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 X, Instagram, and Facebook
- Notifications to the Clark Safety App (Rave Guardian)

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

In the event of an emergency, Clark University will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

If the Chief of Police, or designee, in conjunction with other university administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Clark community, the Clark University Police Department and the Core Assessment Team (CAT) will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Clark Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The following have the authority to initiate then 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
- The Director of Strategic Initiatives and Risk Management

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

All members of the Clark community are strongly encouraged to download the Rave Guardian app, which will display pop-up notifications of the emergency situation on their smart phone in the event of an immediate threat to the health or safety of students or employees occurring on campus. These notifications contain a succinct description of the emergency and will instruct the individual to check their email for a more detailed description, including adequate follow-up information as needed.

The Clark University website (<https://www.clarku.edu>) and/or social media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties.

An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, it is the responsibility of each student, staff, or faculty member to maintain their Clark Alerts contact information to ensure its accuracy. 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 Director of Strategic Initiatives and Risk Management for instructions on setting up an account. Two of the contact fields are designated as Parent/Family. Depending on the nature of the emergency, these contacts may be used to provide updates to parents or other family members.

For more information on Clark Alerts, please click [here](#).

Web Communications

In addition to Clark Alerts, the University will also utilize its website in the event of an emergency situation. An emergency alert banner, providing a brief description of the emergency, may be triggered to appear at the top of each page on the Clark website. This banner will link out to additional information where up-to-date information will be posted. The Core Assessment Team has access to post updates to both of these locations.

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.

Policy

The Clark Alerts system provides campus-wide timely notifications of crimes, determined by the Chief of Police or designee that present an ongoing or serious threat to the community and to heighten safety awareness, that is reported within the Clark University Clery Geography (On Campus, Public Property and Non-campus property). The timely warning also seeks to provide information that may lead to the arrest and conviction of an offender.

Through yearly Campus Security Authority (CSA) trainings, members of the Clark University community are required to alert Clark University Police if they suspect any behavior that could constitute an ongoing or serious threat to the community as set forth in the procedure below. The decision to issue a timely warning is made by University Police in coordination with the Executive Vice President.

Timely warnings are issued as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Timely warnings are distributed to all students, faculty, and staff members electronically via email.

Procedure

When it is determined that an emergency situation exists, and considering the safety of the community, the Chief of Police or designee, along with the Executive Vice President and Vice President of Marketing and Communications will, without delay, prepare a timely warning (unless doing so, in the professional judgment of responsible authorities, would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency). This will occur whenever a report is received of a Clery-reportable violent crime against a person or when a particularly threatening crime against property that represents an ongoing or serious threat to the safety of students, faculty, and staff has taken place. The Core Assessment Team (CAT) meets on a regular basis to review the communications process and to schedule test messages for training and testing purposes.

The Core Assessment Team is comprised of:

- Jill Friedman – Vice President of Marketing Communications
- Danielle Morgan Acosta – Dean of Students
- Dan Hitchell - Executive Vice President
- Lamara Burgess – Director of Strategic Initiatives and Risk Management
- Lauren Ford – Chief of Police
- Dan Roderick – Associate Vice President of Facilities Management

Timely warnings will generally include:

- A succinct statement of the incident
- Possible connection to previous incidents, if applicable
- A physical description of the suspect(s) if known
- Information regarding who to contact about the investigation
- Crime prevention tips/Safety tips.
- Date and time of release

Timely warnings are typically issued for the following Uniform Crime Reporting Program (UCR) classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger CU community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a timely warning, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Chief of Police, or designee. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a timely warning to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a timely warning.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Chief of Police, or designee in his or her absence.

Timely warnings may be issued for other crime categories and/or off-campus crimes at the University's sole discretion when deemed necessary.

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, at Clark, the University Police Department will assist in publicizing the information on campus.

The University is not required to issue a timely warning with respect to crimes reported to a pastoral or professional counselor.

Clark Safety Bulletins

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

EMERGENCY DRILLS, TESTING, & EVACUATION PROCEDURES

Emergency Response

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

The plan describes the roles and responsibilities of the various departments and personnel during an emergency situation. Personnel with specific responsibilities to be carried out during an emergency at both a departmental and University level are expected to understand the procedures for which they are responsible.

This Emergency Response Plan is invoked whenever an emergency affecting 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.

Staff, faculty, and students are instructed to contact the Clark University Police Department (CUPD) at 508-793-7575 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 Emergency Communication Protocol.

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

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.
- If instructed, proceed to the designated assembly area.
- Do not return to the building until you are notified that it is safe to do so.

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

Special note in the event of an active shooter situation

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

General Safety Guidelines

- Be aware of your surroundings and note locations of emergency exits.
- In any emergency, the first step is to take care of yourself.
- The Clark “Emergency Guide” can be viewed by scanning a QR code posted in various locations around campus. Familiarize yourself with the guide and utilize it in the event of an emergency.

Emergency Response Testing

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

Response Testing and Education include any of the following, either individually or in combination:

- Tabletop exercises. These exercises are generally conducted by the Core Assessment 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, 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. Clark University Police conducts an annual mass casualty incident drill in conjunction with 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.

JEANNE CLERY CAMPUS SAFETY ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Clark University takes all forms of sexual misconduct very seriously. Acts of sexual violence carried out by and/or against university community members will not be tolerated and are punishable under university policies and Massachusetts laws. Clark University prohibits the crimes of dating violence, domestic violence, sexual assault, stalking, and sex-based harassment (see definitions below). Toward that end, Clark University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, stalking, sex-based harassment as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, stalking, or sex-based harassment which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Definitions

While these definitions convey the legal standard under Massachusetts law, the University has also developed its own community standards and through that effort has thoroughly defined consent, sex-based 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 Title IX Policy found at <https://www.clarku.edu/title-ix/title-ix-policy-and-sexual-misconduct-process/>

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

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

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

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

The University’s definition of clear consent is defined as a freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions.

The University prohibits the crimes of sexual assault, domestic violence, dating violence, stalking, and sex-based harassment, as defined by the Clery Act.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
 - **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

In addition to the definitions set for above, which are used for Clery reporting purposes, the State of Massachusetts has adopted the following statutes which define certain conduct as criminal:

- **Rape** – Massachusetts General Law, chapter 265, section 22 "Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury..."
 - Section 22A - **Rape of a child**: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury..."
 - Section 22B - **Rape of a child during commission of certain offenses or by use of force**: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury and..."
 - Section 22C - **Rape of a child through use of force by certain previously convicted offenders**: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury, and has been previously convicted of or adjudicated delinquent or as a youthful offender for..."
 - Section 23 - **Rape and abuse of child**: "Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age..."

- Section 23A - **Rape and abuse of child aggravated by age difference between defendant and victim or when committed by mandated reporters:** “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and...”
 - Section 23B - **Rape and abuse of a child by certain previously convicted offenders:** “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse and abuses a child under 16 years of age and has been previously convicted of or adjudicated delinquent or as a youthful offender for...”.
 - Assault with intent to commit rape is a crime under Massachusetts General Law, chapter 265, section 24. “Assault with intent to commit rape” is not defined by statute.”
 - **Indecent Assault and Battery** – Massachusetts General Law, chapter 265, section 13H – “An intentional and unjustified touching of a private area, including, but not limited to, the breast, abdomen, thigh, buttocks, genital or pubic areas of a female or the buttocks, genital or pubic areas of a male.”
 - **Incest** – Massachusetts General Law, chapter 272, section 17 – “Law and punishment related to sex between individuals that are related or so closely related that they are not allowed to get married to one another.”
 - **Statutory rape** - MGL c. 265, § 23 as when an individual unlawfully has sexual intercourse or unnatural sexual intercourse and abuses a child under 16 years of age.
- **Domestic Violence (Relationship Violence – Domestic Dating and Intimate Partner)**

Domestic Violence is violent or controlling behavior by a person who is currently or was previously in a social relationship of a romantic or intimate nature with the Complainant. Examples of relationship violence include, but are not limited to, actual or threatened physical injury, sexual assault, psychological abuse, economic control, controlling/possessive behavior and/or progressive social isolation, threatening self-harm if the other partner leaves the relationship; destroying property, or monitoring a partner’s calls and emails in order to manipulate or isolate.

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The Commonwealth of Massachusetts defines domestic violence as almost any criminal act of abuse committed by one "family or household member" against another. "Abuse" is defined as:

- attempting to cause or causing physical harm
- placing another in fear of imminent serious physical harm
- causing another to engage involuntarily in sexual relations by force, threat, or duress.

Domestic violence abuse can be physical, emotional, or sexual in nature or can also involve economic control, and neglect. Examples of crimes associated with domestic abuse include assault and battery, violating a protective order, and witness intimidation.

- **Dating Violence** as defined by the University, is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
 - i. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- The Commonwealth of Massachusetts does not have a definition of dating violence.

Clark also 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

Stalking is engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to a) fear for their safety or the safety of others and/or b) suffer substantial emotional distress. Stalking under this Policy is prohibited if it is based on sex, gender, sexual orientation, gender identity, or expression. Stalking behaviors include, but are not limited to, non-consensual communication (including in-person communication, telephone calls, voice/text/email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, or any other communications that are undesired and/or place another person in fear); following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a person; surveillance and other types of observation, whether by physical proximity or electronic means; vandalism; trespassing; direct physical or verbal threats against a person and/or their loved ones; gathering of information about a person from family friends, co-workers, and/or classmates; manipulative and controlling behaviors such as threats to harm oneself or threats to harm someone close to that person; and defamation or slander against a person.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The Commonwealth of Massachusetts defines stalking as a clear, repetitive pattern of intentional unwanted, harassing, or threatening behavior directed toward another person that causes fear of personal safety or that of immediate family members according to Massachusetts General Law, chapter 265, section 43

The Commonwealth of 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

Sex-Based Harassment is defined, by the University as:

A Protected class, which is limited to sex, gender, sexual orientation, gender identity or expression. Sex-based harassment consists of any verbal or physical conduct against a person or persons based on their actual or perceived protected class that includes:

- (1) Conduct that is based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access the University's education program or activity; (ii) the type, frequency, and duration of the conduct; (iii) the location of the conduct and the context in which the conduct occurred; and (iv) other harassment in the University's education program or activity; or
- (2) An employee, agent, or any other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on an individual's participation in unwelcome such conduct.

Quid Pro Quo Harassment: an employee, agent, or other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or implicitly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct

Hostile Environment Harassment: unwelcome sex-based conduct that, based on the totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the complainant's ability to access the University's education program or activity.
- The type, frequency, and duration of the conduct.
- The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct.
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the University's education program or activity.

How to Be an Active Bystander

Bystanders are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Below is a list² of some ways to be an active bystander.

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

If at any time, you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Risk Reduction

The following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. **Try to avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don’t know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have money for ride shares.
7. **Do not allow yourself to be isolated** with someone you do not trust or know.
8. **Avoid putting headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact University Police at 508-793-7575.
11. **Do not leave your drink unattended** while talking, dancing, using the restroom, or making a

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

phone call. If you've left your drink alone, do not drink it, and get a new one.

12. **Do not accept drinks from people you do not know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from punch bowls or other large, common open containers.
13. **Watch out for your friends.** If a friend is acting out of character and/or seems far too intoxicated for the amount of alcohol they have consumed, get him or her to a safe place immediately and notify University Police at 508-793-7575.
14. **If you suspect you or a friend has been drugged, contact University Police at 508-793-7575,** who will connect you to proper medical personnel. Be explicit with medical personnel so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Make an excuse.** If you do not want to hurt the person's feelings it is better to make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Educational Programs

Clark University's policy strives to continue 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.

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

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

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 according to, but not limited to any applicable jurisdictional definitions of these terms.
- c. Defines what behavior and actions constitute consent to sexual activity at Clark University in the State of Massachusetts;
 - The University defines consent as a freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions. This definition of clear consent may be utilized in any University process.
- 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.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act. Information regarding:
 - i. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” can be found in upcoming pages).
 - ii. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Protective Options” in upcoming pages).
 - iii. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Protective Options” in upcoming pages); and
 - iv. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Protective Options” upcoming pages);
 - v. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

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

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking including a) recognizing situations of potential harm and b) understanding institutional structures and cultural

conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking actions to intervene.

Ongoing Prevention and Awareness Campaigns: Programming, initiatives and strategies that are sustained over time and focus on increasing understanding and awareness of topics relevant to dating violence, domestic violence, consent, sexual assault, and stalking, using a range of collaborative strategies with audiences throughout the institution.

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

Clark University offers the following primary prevention and awareness programs for all incoming students:				
Name of Program	Date Held	Location	Audience	Topics
Sexual Assault Prevention for Undergraduates	Summer	Online Module	First Year Undergrad and Transfer Students	Sexual Assault, Stalking, Abusive Relationships, Sexual Harassment
Bystander Intervention	Fall	Online Module	First Year Undergrad and Transfer Students	Primary Prevention, Bystander Intervention for Rape, Acquaintance Rape, Domestic Violence, Dating Violence, Sexual Assault & Stalking
Consenting Communities	Week One	Campus Classroom	First Year Undergrad and Transfer Students	Consent, Community Standards, Sexual Assault, Healthy Relationships, Dating Violence, Sexual Harassment & Stalking
Sexual Assault Prevention for Graduates	Summer	Online Module	Incoming Grad	Rape, Acquaintance Rape, Domestic Violence, Dating Violence, Sexual Assault, Sexual Harassment & Stalking
University Police Safety	Week One	Campus Classroom	First Year Grad/Undergrad & Parents	Safety Tips
University Police Safety	Week One	Resident Halls	Residential Advisors	Crime Prevention, Sexual Assault
University Police Safety	Week One	Kneller Athletic Center	Athletic Staff	Crime Prevention

Clark University offers the following primary prevention and awareness programs for all new employees:				
Harassment/Discrimination/Compliance Training	Year Round	Campus Conference Room	New Employees & Existing Faculty/Staff	Discrimination, Harassment & Retaliation Prevention

Clark University offers the following on-going awareness & prevention programs for all students and employees:

Stalking Awareness	Ongoing	Campus Conf. Rm.	Campus Community	Consent and Stalking
Consenting Communities Poster	Ongoing	Campus-wide	Campus Community	Consent
OneLove	Ongoing	Title IX	Athletes	Dating Violence Prevention
Active Shooter/Critical Incident	Fall/Spring	Campus Conf. Rm.	Campus Community	Survival Techniques
R.A.D.	Fall/Spring	Kneller Athletic Center	Campus Community	Self-Defense
Can I Kiss You	Spring	Jefferson 320	Campus Community	Consent, Bystander, Sexual Violence Prevention
CSA Training	Ongoing	Campus Conference Room/Online	RA's, Athletics, Fac. Advisors	Campus Security Authority Informational

PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING OCCURS

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible (see location below) evidence may be collected even if you chose not to make a report to law enforcement³. Massachusetts General Law, Chapter 41, Section 97D states: All reports of rape and sexual assault or attempts to commit such offenses and all conversations between police officers and victims of said offenses shall not be public reports and shall be maintained by the police departments in a manner which will assure their confidentiality. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to university adjudicators/investigators or police.

³ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

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

Protect Yourself - Find a safe place as soon as possible.

Contact Someone You Trust – You may wish to ask a trusted friend or family member to assist and support you.

Get Medical Attention – Seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and collect important evidence. It is recommended that a physical exam be conducted within 120 hours of the incident in order to adequately preserve evidence. Survivors of a sexual assault are encouraged to go to the UMass Memorial Hospital Emergency Department (119 Belmont Street, Worcester, MA 01605), before washing yourself or your clothing. A Sexual Assault Nurse Examiner (a specially trained nurse) at UMass Memorial Campus Hospital and UMass University Campus Hospital is on call 24 hours a day, 7 days a week (call the Emergency Department at 508-334-6481). Sexual Assault Nurse Examiners are on duty 24/7 at St. Vincent’s Hospital (123 Summer Street, Worcester) A representative from the University and/or a support person can also accompany you to the hospital and University Police can provide transportation if necessary. If you go to the hospital, local police will be called, but you are not obligated to talk to the police or to prosecute. The exam will help to keep that option open for you, should you decide later to exercise it. The hospital staff will collect evidence, check for injuries, and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence.

Try to Preserve Physical Evidence - It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event criminal prosecution is pursued. If possible, a survivor should not 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. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with University Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Health and Support Services - Various health and support services are available on and off campus for survivors of sexual misconduct and are listed below.

Clark University is committed to protecting the privacy of individuals who report criminal incidents, to the extent that doing so is permitted by law and consistent with the University’s need to protect the safety of the community. In some cases, confidentiality cannot be maintained based on several factors, including the severity of the alleged incident, the nature of the parties involved (e.g. professor or student), and if this complaint falls within a pattern of behavior warranting intervention or action on behalf of the University.

On-Campus Confidential Resources

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

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

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

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

Professor James Cordova jvc.confidential@clarku.edu

Professor Kathy Palm Reed kpr.confidential@clarku.edu

Professor Andrew Stewart als.confidential@clarku.edu

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

Health Services, 501 Park Avenue - 508-793-7467

On-Campus Non-Confidential

Any employee of Clark University, including part-time employees and student workers, who have the authority to institute corrective measures on behalf of the University, or who have the responsibility for administrative leadership, teaching, or advising cannot ensure confidentiality and are mandated to report sexual misconduct to the Title IX Coordinator. The following on-campus resources are available to assist.

University Police – Garden Level 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 – Wright Hall, ground 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 misconduct.

Dean of Students Office – Alumni Student Engagement Center, 2nd Floor - 508-793-7423

Provides support, assistance, and guidance to students. Complaints that involve possible violations of the Student Code of Conduct, including sexual misconduct will go through the Title IX process. The Title IX office has the authority to conduct hearings related to the student code of conduct.

International Students and Scholars Office – International Center (corner of Charlotte and Woodland St) - (508) 793-7362 Survivors involved in an investigation/adjudication of a sexual misconduct case may have questions about how the case may affect their visa or travel status. This office can assist international students with visa or immigration related issues.

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

Brittany Brickman, Title IX Coordinator	508-793-7194
Kirsten Clark, Deputy Title IX Coordinator	508-793-3772
Samantha Weaver, Deputy Title IX Coordinator	508-793-7385
Eden Edwards Harris, Deputy Title IX Coordinator	508-798-4303

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	On-site counseling service	Clark University Center for Personal Growth (CPG)	508-793-7678
Health	On-site medical service	Clark University (UMASS) Health Services	508-793-7467
Mental Health	On-site counseling service	Clark University Center for Personal Growth (CPG)	508-793-7678
Legal Assistance	Limited legal guidance	Clark University Dean of Students	508-793-7423
Visa and Immigration Assistance	On-site assistance with visa or immigration-related issues	Clark University International Students and Scholars Office	508-793-7362
Student Financial Aid	On-site assistance	Clark University Office of Financial Assistance	508-793-7478

Off-Campus Resources and Services

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

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

Planned Parenthood 800-258-4448

Counseling/Advocacy Services - These providers can offer **confidential** counseling, advocacy, and other services.

Sexual Assault:

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

Relationship Abuse:

Daybreak Domestic Violence Services 508-767-2505 (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) 508-767-2505

Survivor Witness Program (advocate from DA's office) 508-755-8601

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

Law Enforcement - Police will investigate the allegation/incident. Criminal charges may result. **Confidentiality not guaranteed.**

Worcester Police 508-799-8606

Daybreak / Worcester Intervention Network (WIN) 508-767-2505

Legal Assistance - These **confidential** services offer legal advice and provide direct legal representation to survivors of relationship abuse and sexual assault.

Community Legal Aid 800-649-3718

Victim Rights Law Center 617-399-6720

Massachusetts Justice Project (legal advice and referrals) 508-831-9888

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

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

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

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<https://www.ed.gov/about/ed-offices/ocr> - Department of Education, Office for Civil Rights

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Counseling, advocacy, and other services.	Pathways for Change for Sexual Assault	800-870-5905 (24-hr hotline)
		Daybreak Domestic Violence Services for relationship abuse	508-767-2505 (24-hr hotline)
Health	Physical exams and provide sexual and reproductive health services (e.g., STI and pregnancy testing)	UMass Memorial Hospital Emergency Room/SANE Nurse on-call 24/7	508-421-1750
		UMass Memorial University Campus/SANE Nurse on-call 24/7	508-334-6481
		St. Vincent's Hospital Emergency Room /SANE Nurse on-duty 24/7	508-363-5000
		Planned Parenthood	800-258-4448
Mental Health	Suicide Prevention Hotline	Suicide Prevention Hotline	800-273-8255 or 911
Victim Advocacy	Confidential services	Victim Rights Law Center	617-399-6720
Legal Assistance	Legal advice and direct legal representation to survivors of relationship abuse and sexual assault.	Community Legal Aid	800-649-3718
		Victim Rights Law Center	617-399-6720
		Massachusetts Justice Project	508-831-9888
Visa and Immigration Assistance	Assistance with visa or immigration-related issues	US Customs and Border Protection	508-793-0293

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement. Students and employees should contact the Title IX Office at 508-793-7194.

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

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

<p>Stalking (continued)</p>	<ol style="list-style-type: none"> 4. Institution will assess need to implement interim or long-term protective measures, if appropriate 5. Institution will provide the victim with a written explanation of the victim’s rights and options 6. Institution will provide a “no trespass” (PNG) directive to accused party if deemed appropriate 7. Institution will provide a copy of the policy applicable to stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution 8. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing 9. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or assisting in the investigation
<p>Dating Violence</p>	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 4. Institution will provide the victim with a written explanation of the victim’s rights and options 5. Institution will provide a “no trespass” (PNG) directive to accused party if deemed appropriate 6. Institution will provide a copy of the policy applicable to dating violence to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution 7. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing 8. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or assisting in the investigation
<p>Domestic Violence</p>	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 4. Institution will provide the victim with a written explanation of the victim’s rights and options 5. Institution will provide a “no trespass” (PNG) directive to accused party if deemed appropriate

**Domestic Violence
(continued)**

6. Institution will provide a copy of the policy applicable to domestic violence to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution
7. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing
8. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties the retaliate against a person for complaining of sex-based discrimination or assisting in the investigation

ASSISTANCE FOR VICTIMS: RIGHTS AND PROTECTIVE OPTIONS

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

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred.
- information about how the institution will protect the confidentiality of victims and other necessary parties.
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community.
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

A victim/survivor of sexual violence shall have the following rights and protections:

- The right to, or not to seek assistance from university administration and/or University law enforcement;
- Not to be discouraged by university officials from reporting an incident to either on campus or off-campus authorities.
- To be aided in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of campus personnel should a civil and/or criminal complaint be pursued.
- To be treated with dignity and be free from any suggestion that they somehow contributed to or had a shared responsibility in the violent act.
- To choose whether or not to have the case adjudicated through the University's conduct system (or the Title IX office if it falls within policy), the criminal justice system, all of the above concurrently, or not participate in any formal process.

- To have the same opportunities for representation as the accused, and to have others present in campus proceedings.
- To be informed about the outcome of any University investigation, including any disciplinary action against the accused that effects the victim/survivor's educational experience.
- To receive full and prompt cooperation from university personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings.
- To be informed of, and have access to, University counseling and medical professionals, survivor support services, and to obtain referrals to off-campus counseling and support services if desired.
- To be permitted to attend classes, live in on campus housing, work and participate in university activities free from unwanted contact or proximity with the accused individual(s) insofar as the University is permitted and able.
- To be informed of any no-contact or no-trespass orders issued to the accused by the University and the University's commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

Protective Measures Available for Victims

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

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Title IX Office, who in conjunction with other support offices, will explore available resources, accommodations, and services to support them. A staff member will work directly with key partners on campus to address the student's individual needs or work one-on-one with the student to help them identify specific areas of need and connect them to the appropriate resource.

Students can also contact the Office of Title IX, if they have questions about Title IX Policies, our campus process or resources, how to get involved with prevention education programs, or if they would like to make a report of a possible Title IX violation.

REPORTING OPTIONS

To Report Confidentially

If you desire the details of the incident be kept completely confidential, you should speak with on-campus counselors, campus health service providers, confidential resource 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, Human Resources, and Title IX). You have the right and can expect to have incidents of Sex-based Harassment/Misconduct/Assault/Exploitation to be taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through administrative procedures.

A survivor/victim of sexual violence has several options available regarding reporting the incident and filing a complaint. The Title IX Coordinator shall have the discretion to sign a Formal Complaint and initiate an investigation when a Complainant's allegations involve violence, use of weapons, serial predation, or similar factors impacting the safety of the broader University community. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become the "Complainant" for purposes of this Appendix A.

Filing a formal complaint with the University

Survivors/victims of domestic violence, dating violence, sexual assault, or stalking 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, if desired by the complainant. A person found to have committed an act of domestic violence, dating violence, sexual assault, or stalking shall be subject to disciplinary action, up to and including suspension, expulsion or termination from the University.

Individuals can report incidents to the Title IX Coordinator, by contacting the Title IX coordinator by email or phone, or by coming into the Title IX Office, which is located in the Shaich Family Alumni and Student Engagement Center, 3rd floor. Reports of all domestic violence, dating violence, sexual assault and stalking made to University Police will automatically be referred to the Title IX Coordinator for review regardless of if the complainant chooses to pursue criminal charges.

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

Filing a criminal complaint

A criminal complaint can be filed instead of, or in addition to, a formal complaint with the University. The filing of a criminal complaint will not delay or impact the University's own investigation. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement

(including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. Criminal complaints may be filed directly with the Worcester Police Department or assistance can be provided by University Police or the Title IX Coordinator. In addition to report incidents to the University Police department at 508-793-7575, Worcester Police Department may also be reached directly by calling 508-799-8606, in person at 9-11 Lincoln Square, Worcester. Additional information about the Worcester Police department may be found online at: <http://www.worcesterma.gov/police>.

Reporting an incident without filing a complaint

Clark University encourages all community members to report any crimes which occur on Clark University property or involving a member of the Clark community to the Clark University Police Department. However, if an individual does not wish to report a crime to the University Police, they are urged to disclose the incident to a campus security authority (CSA) so that it may be included in the University's daily crime log and annual Clery report.

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

Clark University complies with Massachusetts General law in recognizing orders of protection, and harassment protective orders. Please refer to pages 32 through 34 for instructions on what the University does to comply with protective orders and how they assist victims. It is important to know that any person who obtains an order of protection from the Commonwealth of Massachusetts or any reciprocal state should provide a copy to University Police and the Office of Title IX. A complainant may then meet with University Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

The victim is required to apply directly for these services in conjunction with University Police. Protection from abuse orders are available by contacting University Police and/or the Worcester District Attorney's Office and Worcester Police.

SAMPLE CHART DEMONSTRATING TYPES OF ORDERS AVAILABLE IN JURISDICTION

Type of Order:	Who Can File for One:	Court:	Based On:
Domestic Violence Civil Protection Order – up to 5 years, can be renewed**	Family or household members including: <ul style="list-style-type: none"> • Spouses, former spouses • Parent, child, foster parent • People who have kids together • Intimate partners who lived together in the last 5 years • Same sex couples are eligible 	Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
Stalking Protection Order - up to 5 years, can be renewed**	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm
Sexually Oriented Offense Protection Order - up to 5 years, can be renewed**	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
Juvenile Protection Order – until abuser reaches age 19	Victim of abuse by a person who is under the age of 18, or the victim’s parent or other household member, or other parties the Court approves.	Juvenile Court – where victim lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

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

Confidentiality

Victims may request that directory information on file with the University be withheld by submitting a request to the Office of the Registrar at 508-793-7426 (students) or Office of Human Resources at 508-793-7294 (faculty and staff).

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the

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

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

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 located in the garden level of Bullock Hall, 950 Main Street, Worcester, MA.

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 University'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 Security Report. 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 safe 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 10.*

POLICY ON HAZING

Section 1. PURPOSE AND SCOPE

Clark University complies with the federal [Stop Campus Hazing Act](#) (SCHA) and Massachusetts laws related to hazing. Clark prohibits all hazing that meets either the federal definition of hazing under the SCHA or the Massachusetts definition of hazing. Hazing violates this policy and may also violate Massachusetts state law.

Students, faculty, and staff should review this policy so that they can identify possible hazing and understand the consequences of such behavior. If you suspect someone is being hazed, you are encouraged to report such a hazing incident to the resources in Section 3 below.

Clark University discloses and information about hazing violations in its Campus Hazing Transparency Report.

Section 2. DEFINITIONS

Federal Definition of Hazing under the Stop Campus Hazing Act

Hazing is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate, that

- i. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- ii. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including –
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Massachusetts Definition of Hazing

Hazing is any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Student Organization

A student organization is an organization at Clark University, such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government, in which two or more of the members are students enrolled at Clark University, whether or not the organization is established or recognized by Clark University.

Section 3. REPORTING HAZING

All members of the Clark University community are responsible for reporting hazing incidents.

Reporting a hazing incident is a crucial step in preventing future occurrences and ensuring the safety of our community. Failure to report hazing is a violation of Massachusetts law:

Chapter 269: Section 18. Failure to report hazing.

Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to themselves or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. (Amended by 1987, 665.)

At Clark University, suspected hazing can be reported anonymously or directly through the following channels:

- **University Police:** 508-793-7575
- **Division of Student Success:** success@clarku.edu
- **Anonymous Reporting [Form](#)**

Section 4. INVESTIGATION AND ADJUDICATION OF HAZING

Students and Student Organizations accused of hazing will be investigated and adjudicated through the conduct process under the Student Code of Conduct.

Individuals found responsible for hazing are subject to disciplinary action, up to and including suspension or expulsion from the university.

Student Organizations found responsible for hazing are subject to discipline, up to and including:

- Loss of recognition or funding.
- Restrictions on activities, recruitment, or campus privileges.
- Educational or restorative sanctions.

Section 5. HAZING PREVENTION AND AWARENESS PROGRAMS

Clark University provides research-based and evidence-informed education and training on hazing to students, faculty, and staff, including:

- Yearly distribution of this policy to all students, student organizations, teams, and clubs, as well as faculty and staff.
- Training during the student onboarding process.
- Training for registered student clubs and organizations.
- Training for athletic teams and student-athletes.

Section 6. RESOURCES

Links to applicable laws:

- [Stop Campus Hazing Act](#)
- Massachusetts Law
 - Section 17 – [Hazing defined](#)
 - Section 18 – [Failure to report hazing](#)
 - Section 19 - [Issuance to students](#)

Other Resources:

- [Hazing Prevention Network](#)
- [Stop Hazing](#)
- [Clery Center](#)
- [We Don't Haze: A Clery Center Documentary](#)

SEX OFFENDER REGISTRY INFORMATION

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

UNIVERSITY CONDUCT PROCEDURES

The University's conduct process is the disciplinary process Clark employs to respond to reports concerning the alleged infringement of students' rights and violations of the Code by students or student groups or organizations. This process exists to uphold community standards, safeguard students' rights, and maintain the integrity of the Clark community.

The Dean of Students, members of the Office of Community Standards (OCS), and other designated staff have broad authority to act in the best interests of students, the Clark community, and the University. OCS includes individuals who serve in the capacity of conduct hearing officers as part of the conduct process.

OCS receives reports of alleged violation(s) of the Code. If, upon review of a report, OCS determines it warrants formal conduct proceedings, it may be resolved through an Administrative Hearing or through a University Conduct Board (UCB) Hearing. If a student is found responsible for alleged violation(s) of the Code, the hearing officers or OCS may impose appropriate sanction(s). In cases heard by a University Conduct Board, the Board will review the case and provide a recommendation to OCS regarding both the determination of responsibility and any proposed sanctions, and OCS will assign sanctions. For all student conduct cases, the Dean of Students or their designee(s) reserves the right to review the determination of responsibility before a final decision is made.

OCS may refer cases that do not rise to the level of a student conduct case, but which require some type of resolution or action, to another academic or administrative office or department.

Filing a Report

Any member of the Clark community may file a written report with OCS alleging that a student or a student group or organization violated one or more specific policies of the Code. Clark community members submitting a report should also include the names of any witnesses to the alleged conduct so they can be contacted, at the discretion of OCS, to submit personal statements or participate in the conduct process. OCS may, at its discretion, initiate the University's conduct process based on the information shared in any report.

Administrative Disposition and the University Conduct Board

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

The University's conduct process is as follows:

The University's conduct process is the disciplinary process Clark employs to respond to reports concerning the alleged infringement of students' rights and violations of the Code by students or student groups or organizations. This process exists to uphold community standards, safeguard students' rights, and maintain the integrity of the Clark community.

The Dean of Students, members of the Office of Community Standards (OCS), and other designated staff have broad authority to act in the best interests of students, the Clark community, and the University. OCS includes individuals who serve in the capacity of conduct hearing officers as part of the conduct process.

OCS receives reports of alleged violation(s) of the Code. If, upon review of a report, OCS determines it warrants formal conduct proceedings, it may be resolved through an Administrative Hearing or through a University Conduct Board (UCB) Hearing. If a student is found responsible for alleged violation(s) of the Code, the hearing officers or OCS may impose appropriate sanction(s). In cases heard by a University Conduct Board, the Board will review the case and provide a recommendation to OCS regarding both the determination of responsibility and any proposed sanctions, and OCS will assign sanctions. For all student conduct cases, the Dean of Students or their designee(s) reserves the right to review the determination of responsibility before a final decision is made.

OCS may refer cases that do not rise to the level of a student conduct case, but which require some type of resolution or action, to another academic or administrative office or department.

Evidentiary Standard

The University uses the preponderance of the evidence standard in determining responsibility under the Code. This means a hearing officer or hearing panel, as applicable, will weigh the available evidence and determine whether it is more likely than not that the student is responsible for the alleged violation(s) of the Code with which they have been charged.

Filing a Report

A report that involves a student or student group or organization's alleged violation of the Code will be handled by the Office of Community Standards, except sexual misconduct cases, which will be referred to the Title IX Coordinator in the Clark University Title IX Office, where the Sex-Based Harassment and Discrimination Policy and Procedures will apply.

Any member of the Clark community may file a written report with OCS alleging that a student or a student group or organization violated one or more specific policies of the Code. Clark community members submitting a report should also include the names of any witnesses to the alleged conduct so they can be contacted, at the discretion of OCS, to submit personal statements or participate in the conduct process. OCS may, at its discretion, initiate the University's conduct process based on the information shared in any report.

Initiation of the Conduct Process

Upon receiving a report, OCS, under the rights of the Dean of Students, will assess the report and will determine whether to initiate the conduct process based on a review of all information provided by the complainant or detailed in the incident report. OCS has the discretion not to pursue the conduct process based on the circumstances of a particular report.

During the conduct process, OCS aims to contact students during regular business hours and schedule meetings when students are not in class, unless there are health, safety, or welfare concerns that require immediate attention. If OCS contacts a student, they will do so from an email address or phone number associated with the University, identify themselves, and clearly explain the nature of the communication. All official communication with students regarding the conduct process will be sent to the student's Clark University email address. In the event that a student's Clark email account is deactivated, the University may use an alternative method of communication (e.g., the personal email address on file or a physical mailing address) to ensure essential information is delivered.

Notification and Charge Letter

Upon the initiation of the Conduct Process, a student alleged to have violated the Code will receive notice via their University email. The notification and charge letter will inform them that a report has been filed, and the University is initiating the conduct process. The notification and charge letter will contain the following information:

- The date and time of the alleged incident
- The conduct charges being brought against the student under the Code
- A copy of the Student Code of Conduct
- The date and time for an initial meeting with an OCS staff member or their designee
- Notice that the student will receive a redacted copy of the report at least two business days prior to their meeting with the OCS staff member; however, they can affirmatively request a copy of such report prior to that time by emailing OCS.
- The name of the designated hearing officer, if a hearing officer has been assigned at that time.

Any meetings related to the case, including the initial meeting, will be scheduled when the student has no classes.

If, during the conduct process, OCS decides to charge a student with new violation(s) of the Code, OCS will send the student an updated notification and charge letter via email with all the information listed above. This updated letter will be sent at least two business days before a scheduled conduct meeting.

Initial Meeting

During the initial meeting, the OCS staff member or their designee will explain the conduct process and inform the student of the alleged violation(s). The student will be provided the opportunity to accept responsibility for the alleged violation(s) during the initial meeting, but is not required to do so.

A single initial meeting will be held for an incident involving multiple students, unless otherwise determined by OCS. For incidents involving multiple students charged with the same violation(s), OCS may choose to hold a group meeting or individual meetings, based on the circumstances of the case and at the discretion of OCS.

If the student denies responsibility at the initial meeting, then OCS will schedule an Administrative Hearing or a University Conduct Board Hearing, where a determination of responsibility will be made. If the student accepts responsibility during the initial meeting, the conduct process will move directly to sanctioning.

Evidence Gathering

In certain cases, OCS may gather additional evidence after a report is received and the notification and charge letter has been issued. Such evidence may be gathered in cooperation with the University Police, academic departments, Residential Life and Housing, and other relevant offices, agencies, and departments. Evidence gathering may also include interviewing witnesses. The parties involved in the conduct process will have the right to review evidence prior to any hearing. If new evidence is discovered, such evidence will be made available to the parties no more than three business days prior to any hearing.

Items Confiscated

Items confiscated from students in connection with the conduct process or other University policy violations may not be returned.

Hearings

There are two types of hearings for student conduct cases:

- (1) Administrative Hearings facilitated by OCS or other designated staff
- (2) University Conduct Board (“UCB”) Hearings

OCS may designate staff members as hearing officers for student conduct matters. OCS refers alleged violations to the appropriate type of hearing. Hearings are not open to the public, including other members of the University community, parents, family members, or legal counsel, unless an individual is serving in an approved role, such as an advisor, in accordance with the conduct process.

Administrative Hearings During an Administrative Hearing, one to two trained hearing officers designated by OCS will review and discuss the case with the respondent. The Administrative Hearing will review the report, examine all gathered evidence, and hear from witnesses, if applicable. After the Administrative Hearing, the hearing officer(s)

will evaluate the evidence gathered to determine if the respondent is responsible for the alleged violation(s) of the Code using the preponderance of the evidence standard.

If the student is found responsible for the alleged violation(s), the hearing officer(s) may impose appropriate sanction(s). The hearing officer's or officers' decision and the Office of Community Standards will assign sanctions to the student within seven business days, unless the student has otherwise been informed by the University.

The student may appeal the decision and sanctions. For further information on the appeals process, please see the appeals process on this page.

University Conduct Board (UCB) Hearings

University Conduct Board (UCB) is composed of five members appointed by OCS or their designee for each UCB Hearing: one faculty member, one faculty or staff member, one university administrator (dean, VP, associate dean, or director), and two students. Together, these five members are referred to as the "Board." Faculty members eligible to serve on the Board are drawn from a pool of three faculty representatives appointed by the Faculty Assembly.

OCS will select a chair of the University Conduct Board. The chair presides over the UCB Hearing, determines all procedural matters, and, along with other Board members selected for the hearing, determines the relevance of the testimony and evidence available.

During the UCB Hearing, the Board reviews relevant reports, documents, and evidence. The Office of Community Standards will appoint a student conduct administrator, who may be the Chair of the UCB or a member of OCS staff. The student conduct administrator presents the alleged violation(s) of the Code, and the respondent enters a plea of "responsible" or "not responsible" for each alleged violation. The Board then questions the respondent, followed by individuals appearing as witnesses (if any), which may include the complainant.

After the UCB Hearing, the Board deliberates in a closed session and evaluates the evidence gathered to determine if the respondent is responsible for the alleged violation(s) of the Code. The student conduct administrator is available during the deliberations to offer any assistance as requested by the Board. The determination that the respondent is responsible or not responsible requires a simple majority of votes.

The Board will recommend a finding of either "responsible" or "not responsible" for each alleged violation, as well as recommended sanctions if the respondent is found to be responsible. These recommendations are submitted to the OCS, which reviews and makes the final decision on both the findings and any sanctions imposed.

Within seven business days of the Board's decision, the Office of Community Standards will notify the respondent via email of the outcome of the hearing and any sanctions imposed, unless the student has otherwise been informed by the University.

Board members are required to maintain the privacy of information shared during the student conduct process and shall not discuss student conduct records, votes taken, or hearing proceedings outside of deliberations and in communicating their decision to the OCS.

APPEALS PROCESS

Students found responsible for violating the Code may appeal the decision and/or the sanction(s). Note: A student who accepted responsibility and accepted the sanction(s) may not appeal after the sanction(s) become effective.

Grounds for Appeal

An appeal will be considered based only on the respondent's and complainant's (as applicable) substantiated claim of one or more of the following:

- (1) A procedural error materially impacted the outcome (e.g., substantiated bias, material deviation from established procedures). This procedural error must be described in the request for appeal. Minor or harmless deviations from the process will not invalidate the proceedings.
- (2) The discovery of relevant additional evidence that was unavailable during the original conduct process but has since become available and could materially impact the outcome. A summary of this new evidence, why it was previously unavailable, and its potential impact must be included in the request for appeal.
- (3) The severity of the sanction imposed is not appropriate for the violation(s).

Appeals Process

Appeal requests must be submitted in writing, via email, to the Dean of Students or their designee within seven business days of the date of the determination on responsibility and sanctions. Failure to request an appeal within the allotted time will render the original decision final.

Student Status Pending an Appeal

An appeal does not postpone the imposition of sanctions.

Appeal Outcome

The outcome of the appeal will be communicated via email to the respondent within five business days after the Dean of Students or designee concludes their appeal deliberations. The Dean of Students or designee may grant an appeal and refer the matter to the original decision-making body (Administrative Hearing or UCB Hearing) for a reopening of the proceedings and a reconsideration of the original determination, or the Dean of Students or designee may alter any determination and/or sanction directly. If an appeal is denied, the original determination stands. The appeal decision of the Dean of Students or designee is final.

University Conduct Board Membership

The entire membership of the UCB includes students, faculty members, administrators, and the Chair of the Board who is appointed by the Associate Provost/Dean of Student Success. 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 University Conduct Board of hearing officers.

- (1) The faculty steering committee will appoint faculty members to serve on the UCB. The faculty members will rotate their participation at hearings, with one member generally sitting at each University Conduct Board hearing.
- (2) The undergraduate student members of the UCB shall typically be selected in the spring semester. A committee consisting of at least one administrator appointed by the Associate Dean of Student Success and one current undergraduate member of the UCB will interview undergraduate candidates for positions on the UCB. The committee will attempt to ensure diversity of membership. Student UCB members must be in good academic and disciplinary standing and remain so during the duration of their service.
- (3) The graduate student members of the UCB shall typically be selected in the spring semester. A committee consisting of at least one administrator appointed by the Associate Dean and one current Graduate member of the UCB will interview graduate candidates for positions on the UCB. The committee will attempt to ensure diversity of membership. Student UCB members must be in good academic and disciplinary standing and remain so during the duration of their service.
- (4) The Dean of Students, Dean of Graduate Studies, or their designee(s), shall appoint administrators to serve on the UCB. The administrators will rotate their participation at hearings, with one member generally sitting at each hearing. Faculty members serving on the board are appointed through 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. A Board member may be removed from the UCB by the UCB Chair, for cause.
- (7) A Board member may be removed from the UCB by the UCB Chair, for cause.

Title IX Sexual Offenses Process:

The most up to date Sex-Based Harassment and Discrimination Policy and Procedures can be found at <https://www.clarku.edu/title-ix/title-ix-policy-and-sexual-misconduct-process/>

Methods of Resolution

There are two different methods that may be used to address a report of alleged prohibited conduct: (1) agreement-based resolution, or (2) an investigation.

When appropriate, the Title IX Coordinator will incorporate the wishes of the Complainant into the decision of which resolution method to use.

There may be times when the Title IX Coordinator must move forward with the investigation method against the wishes of a Complainant, such as when the alleged prohibited conduct information that risks the physical health or safety of an individual or the University community.

Before making a determination to move forward against the wishes of a Complainant, the Title IX Coordinator shall consider:

- whether there have been other reports of prohibited conduct about the same Respondent;
- whether the Respondent has a record indicating a history of violence;
- whether the Respondent threatened further prohibited conduct against the Complainant or others;
- whether the prohibited conduct was committed by multiple Respondents;
- whether the prohibited conduct was committed with a weapon;
- whether the Complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the prohibited conduct (e.g., security cameras or personnel, physical evidence);
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) by the Respondent at a given location or by a particular group.

Agreement-Based Resolution

An Agreement-Based Resolution is a process where the Complainant and Respondent each voluntarily agree to resolve the report of alleged prohibited conduct by mutually agreeable terms, approved by the Title IX Coordinator or designee. An Agreement-Based Resolution does not involve any determination as to whether the Respondent violated this Policy, and therefore the University does not impose any discipline or sanction. An Agreement-Based Resolution will not be used if the Complainant is a student and the Respondent is an employee, or if significant power differentials exist between employee parties.

When appropriate, the Title IX Coordinator will take the Complainant's suggestions for resolution into consideration. If both the Complainant and the Title IX Coordinator agree to using an Agreement-Based Resolution, the Title IX Coordinator will inform the Respondent of the alleged prohibited conduct, that the Complainant wishes to resolve the report of alleged prohibited conduct via an Agreement-Based Resolution, and the process for arriving at a resolution.

When the Complainant and Respondent agree to use the Agreement-Based Resolution process, the Title IX Coordinator will provide the Complainant and Respondent written notice that includes:

- The specific allegation(s) of prohibited conduct;
- The requirements of the Agreement-Based Resolution process, including the circumstances under which a successful Agreement-Based Resolution process precludes the parties from an Investigation arising from the same allegations;
- Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared;
- A statement indicating that the decision to engage in the Agreement-Based Resolution process does not presume that the alleged prohibited conduct has occurred, and that the Respondent is presumed not responsible for the alleged prohibited conduct;
- An explanation that each party may be accompanied by an Advisor and/or Support Person of their choice, who may be a parent, legal guardian, friend, or attorney;
- Information regarding Supportive Measures, which are available equally to the Respondent and to the Complainant.

Both the Complainant and Respondent may propose steps or actions throughout the Agreement-Based Resolution process until a final agreement is arrived at and agreed to by all parties and approved by the Title IX

Coordinator. Both the Complainant and Respondent may be accompanied by an advisor and/or support person during the course of the Agreement-Based Resolution process. At any time prior to the conclusion of the Agreement-Based Resolution process, the Complainant, Respondent or Title IX Coordinator may decide that the reported prohibited conduct will instead be addressed by Investigation.

Agreement-Based Resolutions may include but are not limited to:

- work, academic, or program reassignment
- an agreement that the Complainant and Respondent will engage with one another only in limited and specific circumstances
- an agreement that the Complainant and Respondent will not contact one another
- completion of an educational project by the Respondent
- completion of a community service project by the Respondent
- targeted prevention education and training
- a written apology by the Respondent
- any other method agreed upon by the Complainant, Respondent and the Title IX Coordinator that is designed to address the reported prohibited conduct. If at any time either party does not wish to continue with the Agreement-Based Resolution process, or if the Title IX Coordinator determines that the Agreement-Based Resolution process is no longer appropriate, the Title IX Coordinator will promptly inform the Complainant and Respondent in writing that the report of prohibited conduct will proceed through the Investigation process.

Once a final agreement is arrived at and agreed to by all parties and approved by the Title IX Coordinator, in writing, the matter shall be considered closed, and no investigation or further action will be taken under this Policy. Violations of the terms of an Agreement-Based Resolution may lead to an Investigation and, if substantiated, to discipline or sanction.

The Agreement-Based Resolution process is generally expected to be completed within thirty (30) business days from the date the process is initiated and it may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension and the reason for the extension.

Records of any Agreement-Based Resolution will be maintained by the Title IX Coordinator and can be shared by the Title IX Coordinator with other offices as appropriate.

Investigation

An Investigation is the method the University uses to establish whether the allegations of prohibited conduct contained in a report can be substantiated, and, if so, to help determine the appropriate discipline for the Respondent. The Title IX Coordinator is responsible for overseeing the Investigation process and ensuring that a trained investigator is assigned to conduct a fair, neutral investigation. Throughout the Investigation process, both the Complainant and Respondent will be treated with respect and without prejudice regarding the allegations and their involvement in the investigation process.

Evidentiary Standard

The standard used in Investigation process under this Policy is preponderance of evidence, meaning, when the evidence shows that it is “more likely than not” that the alleged conduct occurred. A Respondent is presumed not

to have violated this Policy until and unless the Investigation process has concluded and a preponderance of the evidence establishes it is more likely than not that the Respondent is responsible for a policy violation.

Communicating the Initiation of an Investigation

The Title IX Coordinator will communicate in writing to the Complainant and Respondent the initiation of the Investigation process prior to the start of the Investigation.

Such notification will include:

- The name of the Complainant(s);
- The name of the Respondent(s);
- The allegations under investigation;
- The date and location of the alleged prohibited conduct if known;
- The applicable Policy and process;
- A description of the Investigation process;
- Information regarding the University's prohibition against retaliation;
- Your rights as a party during the Investigation.

Note that if a report is anonymous, the name of the Complainant may not be readily available. The name might also be initially withheld if it is determined that a health, safety, or other compelling reason exists. However, no sanctions will be imposed without providing the Respondent with the opportunity to know the available name of any Complainant(s).

The investigation may uncover additional allegations or conduct relevant to the initial allegations and should they be relevant will be covered under the scope of the investigation. Should additional allegations of prohibited conduct be made part of the same Investigation, the Title IX Coordinator will communicate in writing to the Complainant and Respondent any additional allegations under investigation.

Investigation Process

The Title IX Coordinator will assign a trained investigator (who may be an external investigator), who will gather relevant information, including interviews of the Complainant, Respondent and any relevant witnesses, and any relevant documents, materials or information. Information about an individual's character is generally not considered relevant evidence and will rarely be gathered or considered by the investigator. It may be necessary to interview the Complainant, Respondent or witnesses more than once during the course of the investigation as new information is learned and gathered. Interviews may take place in person or virtually using appropriate technology. During the Investigation process, both the Complainant and Respondent may be accompanied by an advisor and/or a support person of their choosing, and will be offered an opportunity to meet with the investigator, provide information and evidence pertaining to the allegations, suggest witness to be included in the investigation, and suggest questions to be posed of witnesses and the other Party.

All individuals are expected to participate truthfully in the investigation process, whether as a Complainant, Respondent, or a witness. All employees who are witnesses in an investigation are required to participate.

Evidence Review

Once all of the evidence has been gathered and the interviews have been conducted, the investigator will share the evidence directly-related to the allegations (and not otherwise impermissible) with the Complainant and Respondent. At the direction of the Complainant and Respondent, this evidence may also be shared with their

respective Advisor. The Complainant and Respondent may respond to the evidence if they choose to do so by providing written comments or requests that additional information be gathered, or by providing additional relevant evidence to the investigator. The Complainant and Respondent will be provided 10 business days to provide their written response. The Title IX Coordinator can extend this timeframe for good cause shown. Neither the Complainant and Respondent nor their Advisors shall be permitted to copy, disseminate or alter the evidence gathered by the investigator.

After receiving any responses from the Complainant and/or Respondent, the investigator may gather more information or ask additional questions of the Complainant, Respondent and witnesses as needed, and will again share new evidence directly-related to the allegations with the Complainant and Respondent for their review.

Sexual History

In cases involving sex-based or sexual conduct: evidence that relates to the Complainant's sexual predisposition or prior sexual behavior will not be disclosed, even if otherwise relevant, unless evidence about the Complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the alleged conduct or evidence about specific incidents of the Complainant's prior sexual behavior with the Respondent is offered to prove consent to the alleged sex-based or sexual conduct. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to alleged sex-based or sexual conduct or preclude determination that sex-based or sexual conduct occurred.

Privileged/Confidential Records

Medical and counseling records are confidential documents that if disclosed, will be considered impermissible evidence without appropriate voluntary written consent of the individual. Prior to producing medical records, parties and witnesses are encouraged to ask the investigator, the Title IX Coordinator, or their advisor about the possible consequences of releasing this information. Evidence that is protected under a privilege recognized by federal or state law, or evidence provided to a Confidential Employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.

Ensuring the Integrity of the Investigation Process

The Title IX Coordinator may exercise appropriate action to ensure the integrity of the investigation and the opportunity for the Complainant, Respondent and witnesses to participate in the investigation in a manner free of harassment, intimidation, bullying, and retaliation from parties, advisors, support persons and any other individual whose actions disrupt or interfere with the University's investigation process.

Non-University Investigations

In the event a party, a participant in the Investigation process, or a third-party to the investigation conducts a separate inquiry into the allegations or conduct under investigation by the University, the party, the participant in the Investigation process, or the third-party will make such inquiry known to the Title IX Coordinator so that the Title IX Coordinator may notify participants in the university investigation of the additional inquiry, and so that steps can be taken to prevent disruption to the university investigation process, and ensure that participation in the University investigation is free of harassment, intimidation, bullying, retaliation or interference. Any party, participant in the Investigation, or third-party conducting such an investigation is required to inform anyone interviewed that their inquiry is not an official university inquiry, and must identify the individual for whom the investigation is being conducted.

Sharing Information with Law Enforcement

There may be times when the University investigates alleged prohibited conduct under this Policy at the same time that a law enforcement agency is investigating the same allegations or conduct. The University will comply with reasonable law enforcement requests for cooperation. At times, that cooperation may require the University to temporarily suspend its fact-finding investigation while law enforcement gathers evidence. The University will promptly resume its fact-finding investigation as soon as it is notified that doing so would not impede any law enforcement activities.

Investigation Report and Timeline

Once directly-related (and not otherwise impermissible) evidence has been shared with the Complainant and Respondent, the investigator will determine what evidence is relevant to the allegations and write a report that includes the allegations under investigation, a list of individuals interviewed, a list of all relevant (and not otherwise impermissible) evidence gathered (documents, emails, screen shots, texts, etc.), a summary of the relevant information from each interview, an analysis of the relevant information gathered, findings of fact based on the evidence, and a preliminary analysis of whether the factual findings support a determination that the Respondent is responsible for violating the Policy. Following the conclusion of the investigation, the investigator shall provide the investigation report to the Title IX Coordinator who will determine the sufficiency of the investigation including whether the information contained in the report addresses the allegations and supports the investigator's findings.

The Title IX Coordinator and the investigator endeavor to complete the investigation process within 60 business days from the date of the initiation of the investigation (this timeframe excludes the time for the parties to review and comment on the investigative report). Should the investigation timeline need to be extended, the Title IX Coordinator will notify the Complainant and Respondent in writing of the extension including the reason for the extension and the new timeline for completion of the investigation.

Investigation and Determination

Following the conclusion of the investigation by the investigator, the Title IX Coordinator will forward the investigation report and all directly-related (and not otherwise impermissible) evidence to the Conduct Officer who will make a determination regarding whether the Respondent is responsible for the policy violation(s) and if so, what sanctions will be applied. When determining an appropriate sanction, consideration will be given to the Complainant's equitable access to the University's employment and/or educational programs or activities. The appropriate University official will consult with the Title IX Coordinator about the sanction decision prior to determining the sanction.

The Conduct Officer will review the investigation report and evidence. Using the investigator's findings of fact and preliminary analysis of whether the factual findings support a determination that the Respondent is responsible, the Conduct Officer will determine whether the Respondent is responsible for the policy violation(s), and if so, what sanctions will be applied. The role of the Conduct Officer is to make this determination based on the investigator's findings of fact and preliminary analysis, and not an opportunity for the Conduct Officer to re-investigate the matter or supplant their opinion for the findings of fact established by the investigator. In cases where the sanction is termination or expulsion, the Conduct Officer will refer the case to a hearing and the case will follow the hearing process outlined in Appendix A.

The Conduct Officer will provide a written document to the Title IX Coordinator communicating their decision as to

whether the record establishes by a preponderance of the evidence that the Respondent is responsible for the policy violation(s), and if so, the sanctions that will be applied, including a rationale for their determination.

Communicating the Outcome of an Investigation

The Title IX Coordinator will send a written communication to both the Complainant and Respondent, and if requested to their respective Advisor, summarizing the investigator's findings and the determination of the Conduct Officer, as well as information regarding the right to appeal the Conduct Officer's decision and sanctions. The Title IX Coordinator will also provide each party with the determination of the Conduct Officer.

Appeal

Both Complainant and Respondent have the right to appeal the Conduct Officer's decision following an Investigation process. If a party appeals, the Title IX Coordinator will appoint a trained Appeals Officer. Appeals must be made in writing to the Title IX Coordinator within seven (7) business days following notification of the outcome from the Conduct Officer.

An appeal may be filed for one or more of the following reasons:

- A procedural irregularity that affected the outcome of the Investigation and Determination Process;
- New evidence becomes available that was not reasonably available during the Investigation and Determination Process that would materially affect the outcome of the process;
- An actual conflict of interest or demonstrated bias on the part of the Title IX Coordinator, Conduct Officer, or investigator that would materially affect the outcome of the Investigation and Determination Process.

Note that the Title IX Coordinator is also empowered to file an appeal on behalf of the University if the determination of the Conduct Officer goes against the greater weight of the evidence or appears arbitrary in nature.

Notification of Receipt of Appeal

The Title IX Coordinator will acknowledge receipt of the appeal and make the non-appealing party aware that an appeal has been filed. The Appeal Officer will also provide the non-appealing party seven (7) business days to provide a written response to the appeal to the Appeal Officer. A response to the appeal is not required and a lack of response to the appeal does not indicate agreement with the appeal.

Review and Determination of the Appeal

The Title IX Coordinator will provide the Appeal Officer with the written appeal and any response to the appeal filed by the non-appealing party. The Appeal Officer will review the written appeal and any response to the appeal, along with any documents pertaining to the Investigation and Determination Process and any additional supporting documents pertaining to the appeal.

The Appeal Officer will issue a written determination on the appeal to the Complainant, Respondent and the Title IX Coordinator generally within 7 business days following the Appeal Officer's receipt of all appeal materials. The determination of the Appeal Officer may:

- Affirm the decision and/or sanctions of the Conduct Officer
- Return the matter to the investigator, Conduct Officer or Title IX Coordinator to review and consider any new evidence not previously available during the Investigation and Determination Process
- Return the matter to the investigator, Conduct Officer or Title IX Coordinator to correct any procedural error that may have materially affected the outcome of the Investigation and Determination Process

The determination of the Appeal Officer on the appeal is final.

Implementation of Sanctions

Following a determination that the Respondent is responsible for the policy violation(s) and the appropriate sanctions; the Title IX Coordinator will forward sanctions to the appropriate University official for implementation of the sanctions.

Appropriate University Official for Investigation & Determination Process

The appropriate University official to serve as the Conduct Officer, Appeals Officer, and University official who implements sanctions is determined by the status of the Respondent as follows:

If the Respondent is a student

- Conduct Officer: Director of Student Conduct or their designee Appeals
- Officer: Dean of Students or their designee
- University Official to Implement Sanctions: Dean of Students or their designee

If the Respondent is a staff member

- Conduct Officer: Director of Human Resources or their designee
- Appeals Officer: CHRO or their designee
- University Official to Implement Sanctions: CHRO or their designee

If the Respondent is a faculty member

- Conduct Officer: Dean of the College or their designee
- Appeals Officer: Provost or their designee
- University Official to Implement Sanctions: Dean of the College or their designee

A range of sanctions, from written warning, disciplinary warning, disciplinary probation, loss of privileges, revocation of admission and/or degree, withholding of degree, changes to work assignments, class schedules or room assignments, educational sanctions, banned from campus, suspension, dismissal from the university, expulsion, or termination may be imposed upon any student or employee found responsible under this Policy.

The following will be considered as aggravating factors when determining appropriate sanctions (this is a non-exhaustive list):

- Frequency of the violation

- Severity of the violation
- Previous conduct history of the Respondent
- Non-adherence to supportive measures (e.g., no contact directives)
- Use of drugs or alcohol to facilitate the violation
- Use of force or a weapon in committing the violation
- Multiple actors committing the violation
- Ongoing threat to the Complainant or University community

Remedies to the Complainant

Remedies may be provided to the Complainant upon a finding that the Respondent is responsible for a violation of this Policy. Remedies shall be determined by the Conduct Officer. Remedies are designed to restore or preserve the Complainant's equitable access to the University's employment and/or educational programs or activities. The range of remedies include:

- Education to the individual and/or the campus community
- Permanent alteration of living arrangements
- Permanent alteration of work schedules or assignments for employees
- Permanent alteration of course schedules
- Long-term contact limitations between the Parties
- Adjustments to academic deadlines
- Policy modifications or modifications of training

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Security Services

Members of the Clark community may utilize ClarkRide and other transportation services. Information about these services can be found here: <https://www.clarku.edu/transportation/>

Clark students, faculty, and staff are encouraged to exercise caution appropriate to contemporary living, including utilizing Clark Ride and avoiding walking alone at night.

Crime Prevention

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of Clark University to inform students of good crime prevention and security awareness practices.

During a typical academic year, Clark University offers approximately eight crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. 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 that should be followed 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 to faculty, staff and students each semester (see table on page 22).

POLICIES REGARDING ALCOHOL AND DRUGS

In accordance with the laws of the Commonwealth of Massachusetts, Clark University prohibits the use, sale, provision, and distribution of drugs and alcohol, except as permitted by law, on any University-owned property, at any University activity or activity offered by an organization recognized by the University, or during any University-sponsored event or travel. Students who are of legal age may consume alcohol in private residence areas and at functions where approval for alcohol consumption has been obtained. 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 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, which can be obtained through the Office of Human Resources. In compliance with the Drug Free Schools and Communities Act, Clark University publishes information regarding the University's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at University-associated activities; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for CU students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <https://www.clarku.edu/offices/human-resources/policies/> For employees, please review our [Drug Free Workplace Policy](#); for students, please review our [Student Code of Conduct](#). The Clark University Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

The Center for Counseling and Personal Growth (CPG), located in their office on 114 Woodland Street, 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. CPG specifically staffs a part-time Alcohol and Other Drug (AOD) counselor. 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 reference 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.

(HEOA) NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE

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

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 missing person notifications regarding any resident student of Clark University who is reported and believed to be missing. A Clark resident student is presumed to be "missing" when the student's absence is inconsistent with the student's established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine whether or not the person is at their home or campus residence and whether or not anyone familiar with the person has seen or heard from the person recently or is aware of where they may be.

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

Missing Person Contacts

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

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

Reporting and Investigating Missing Persons

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

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

- Involving the Dean of the Students’ Office in the report and sharing all relevant information.
- Initiating an investigation to determine where the student might be and if the student can be located.
- Making reasonable efforts to contact that student via cell phone (and/or any other phone number listed), email, and in-person by stopping visiting student's residence.
- Contacting faculty, peers, roommates, and other University members as deemed necessary to determine the potential whereabouts of the student.
- Contacting Worcester and/or Massachusetts State Police within 24 hours of the determination that the student is missing in accordance with the law if the student cannot be located and remains missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.
- Notifying the emergency contact, custodial parent 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 addition to notifying any additional contact person designated by the student.

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 within an On-Campus Student Housing Facility (as defined by the Clery Act)—or the custodial parent or guardian in the case of a minor—within 24 hours of determining the student has been missing for 24 hours. If the student is under the age of 18 and is not an emancipated individual, CUPD will notify the student’s parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a

contact person, is above the age of 18, or is an emancipated minor, CU will inform the Worcester Police department that the student is missing within 24 hours.

CRIME STATISTICS

Definitions of Reportable Crimes

1. **Criminal Homicide:** These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.
 - a. **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
 - b. **Manslaughter by Negligence:** The killing of another person through gross negligence.
2. **Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent including:
 - a. **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
 - b. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
 - c. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
3. **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
4. **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
5. **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
6. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
7. **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property or another, etc.
8. **Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
9. **Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws,

specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

- 10. Weapons: Carrying, Possessing, etc.:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
- 11. Hate Crimes:** Crimes reported which manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Reportable categories of bias include the victim's actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity (national origin), and disability.
 - a. Larceny-Theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing. (Ex. pickpocketing, shoplifting, thefts of bicycles.)
 - b. Simple Assault is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. Include all assaults that do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon, and in which the victim did not sustain serious or aggravated injuries.
 - c. Intimidation is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. A person is assumed to be placed in "reasonable fear" if he or she reports threatening words or other conduct to law enforcement personnel. To be the victim of Intimidation, one doesn't have to be the intended target of the offender.
 - d. Destruction/Damage/Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. (Ex. drawing obscene pictures on restroom walls, defacing library books.)
- 12. 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.
- 13. 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.
- 14. 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.

15. Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that –

- Is committed in the course of an initiation into, and affiliations with, or the maintenance of membership in, a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury.

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

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

The next few pages contain the crime statistics from the last three years. These statistics are broken down into several different tables, according to the categorization of crimes.

Criminal Offenses Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
Murder and Non-negligent Manslaughter	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Manslaughter By Negligence	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Rape	2024	7	7	0	0
	2023	3	3	0	0
	2022	2	2	0	0
Fondling	2024	4	4	0	0
	2023	2	2	0	0
	2022	6	4	0	0
Incest	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Robbery	2024	0	0	0	0
	2023	0	0	0	1*
	2022	0	0	0	1
Aggravated Assault	2024	0	0	0	0
	2023	1	0	0	0
	2022	1	0	0	2
Burglary	2024	1**	1	0	0
	2023	3	0	0	0
	2022	2	0	0	0
Motor Vehicle Theft	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	1
Arson	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

* Seven (7) robberies occurred off campus in areas just outside what is considered public property

** Resulted in arrest made

Arrests and Disciplinary Referrals Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
Illegal Weapons Possession	2024	0	0	0	0
	2023	0	0	0	0
	2022	1	1	0	0
Drug Law Violations	2024	20	20	0	0
	2023	10	10	0	0
	2022	16	16	0	1**
Liquor Law Violations	2024	38	38	0	0
	2023	78	78	0	0
	2022	73	73	0	0

** Resulted in an arrest made

Hate Crimes Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
Murder and Non-negligent Manslaughter	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Manslaughter By Negligence	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Rape	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Fondling	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Incest	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Robbery	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Hate Crimes Reporting Table Continued

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
Burglary	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Arson	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Larceny-Theft	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Simple Assault	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Intimidation	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Destruction/Damage/Vandalism of Property/	2024	0	0	0	0
	2023	1	0	0	0
	2022	0	0	0	0

Bias Classifications for Hate Crimes Table

Race	Religion	Sexual Orientation	Gender	Gender Identity	Ethnicity	National Origin	Disability
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

VAWA Offenses Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
Domestic Violence	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Dating Violence	2024	1	1	0	0
	2023	1	1	0	0
	2022	0	0	0	0
Stalking	2024	2	1	0	0
	2023	1	0	0	0
	2022	2	1	0	0

Hazing Reporting Table *

YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
2024	N/A	N/A	N/A	N/A
2023	N/A	N/A	N/A	N/A
2022	N/A	N/A	N/A	N/A

*The Stop Campus Hazing Act became law in 2025. Collection of statistics for calendar-year began January 1, 2025, and will be reflected in next year’s Annual Campus Security and Fire Safety Report.

Unfounded Crimes Reporting Table

Unfounded Crimes	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS RESIDENCE FACILITIES	NON-CAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
	2024	1*	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

* Initially reported as an armed robbery – later determined as unfounded

FIRE SAFETY REPORT AND 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. The following are prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activities (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.).

Drills

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

Fire Doors

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

Fire Hazards

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

Prohibited Items

Prohibited items that are found in any room/suite are subject to confiscation by university staff or University Police.

The following materials are not permitted in the residence halls:

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

Smoking

Clark's campus is smoke free. Smoking is not permitted anywhere inside or outside any University Building. Clark respects the rights of non-smokers to live free of environmental tobacco smoke.

Procedures for Student Housing Evacuations

Residence Advisors (RAs) 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

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 ensure 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, Johnson Sanford Center, Maywood, and Bullock, 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 Fire Department to locate these students and help them from the building if necessary.

Designated Meeting Areas for On Campus Residence Halls

Bullock Hall	In front of Bullock on the walkway
Dana Hall:	Alden Quad
Hughes Hall:	Alden Quad
Johnson Sanford Center:	In front of Dodd on the Fuller Quad
1, 3, 21, 23 Maywood:	In front of Blackstone on grass
112 Woodland:	Parking lot behind 112 Woodland
906 Main St:	Parking lot behind 906 Main St.
157 Woodland:	Parking lot next to 157 Woodland
914, 926, 930, 934 Main St:	Parking lot behind the building
16 Claremont:	Grass area behind 16 Claremont
Dodd Hall	In front of Dodd in the Fuller Quad
Wright Hall	Goddard Library side of Woodland Street
Blackstone Hall	In front of Maywood Place (1) and (3)

After a Fire Alarm or Fire Alarm Testing

1. Members of the Residential Life and Housing staff will meet with students who chose not to exit their buildings during the fire alarm or fire alarm testing, and those students may be referred to the University conduct System. RAs will submit these names on an Incident Report.
2. Members of the Residential Life and Housing staff will also meet with any student who is caught tampering with fire evacuation/safety equipment, and those students may be referred to the University conduct System. RAs will submit these names on an Incident Report.

If a fire alarm is activated, all persons are to call University Police at 508-793-7575.

Evacuation Procedures from Non-Housing Buildings

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

- Do not panic
- Activate the closest building fire alarm for emergency response.
- When the building fire alarm is sounded, always assume an emergency exists, EXIT the building immediately, UNLESS prior to the alarm gunshots have been heard or a Clark Alert has been received advising you to stay in place. Use common sense.
- If a fire appears controllable, discharge a fire extinguisher toward the base of the flame.

- As you exit the building, notice any individuals not responding to the emergency alarm and call out to them to leave the building.
- Assist persons with disabilities to exit.
- Close but do not lock doors to confine fire.
- Do not use elevators.
- Use alternate evacuation routes if the normal route is blocked.
- Feel closed doors from top to bottom, in the evacuation route, IF COLD open the door, IF HOT, DO NOT OPEN the door and use an alternative evacuation route (hot doors may be an indication of fire on the other side of the door).
- Avoid smoke filled areas. If the room or evacuation route is filling with smoke, crouch down as you exit. Smoke rises, pushing available air to the floor.

Should your clothing catch on fire-STOP DROP and ROLL to smother flame. **If trapped during a fire:**

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

Wait for the 'All Clear' announcement from university officials before reentry of the building/area

Procedures Students and Employees Should Follow in Case of a Fire

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact Clark University Police Department 508-793-7575. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on campus student housing and all employees that have any association with on campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the University's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by Clark University Police Officers.

Fire Safety Systems for On Campus Residential Housing and Residential Rental Properties

Building Name	Address	Fire Alarms*	Full Sprinkler	Smoke Detection	Fire Extinguisher	Evacuation Plans	# of Annual Drills
Blackstone Hall	30 Beaver Street	✓	✓	✓	✓	✓	1
Bullock Hall	166 Woodland Street	✓	✓	✓	✓	✓	1
Dana Hall	675 Florence Street	✓	✓	✓	✓	✓	1
Dodd Hall	56 Downing Street	✓	✓	✓	✓	✓	1
Hughes Hall	61 Florence Street	✓	✓	✓	✓	✓	1
Maywood Street Hall	30 Maywood Street	✓	✓	✓	✓	✓	1
Johnson Sanford Center	47 Florence Street	✓	✓	✓	✓	✓	1
Wright Hall	30 Downing Street	✓	✓	✓	✓	✓	1
Residence House	112 Woodland Street	✓	✓	✓	✓	✓	1
Residence House	157 Woodland Street	✓	✓	✓	✓	✓	1
Residence House	1 Maywood Place	✓	✓	✓	✓	✓	1
Residence House	3 Maywood Place	✓	✓	✓	✓	✓	1
Residence House	21 Maywood Street	✓	✓	✓	✓	✓	1
Residence House	23 Maywood Street	✓	✓	✓	✓	✓	1
Residence House	906 Main Street	✓	✓	✓	✓	✓	1
Residence House	914 Main Street	✓	✓	✓	✓	✓	1
Residence House	926 Main Street	✓	✓	✓	✓	✓	1
Residence House	930 Main Street	✓	✓	✓	✓	✓	1
Residence House	934 Main Street	✓	✓	✓	✓	✓	1
Residence House	16 Claremont Street	✓	✓	✓	✓	✓	1

Residential Rental Property **	1 Hawthorne Street	✓	✗	✓	✗	✗	0
Residential Rental Property **	6 Hawthorne Street	✓	✗	✓	✗	✗	0
Residential Rental Property **	24 Loudon Street	✓	✗	✓	✗	✗	0
Residential Rental Property **	29 Maywood Street	✓	✗	✓	✗	✗	1
Residential Rental Property **	35 Maywood Street	✓	✗	✓	✗	✗	0
Residential Rental Property **	39 Maywood Street	✓	✗	✓	✗	✗	0
Residential Rental Property **	41 Maywood Street	✓	✗	✓	✗	✗	0

* All Residence Hall and Residence House fire alarms are monitored on-site by University Police and off-site by the Worcester Fire Department. Residential Rental Property fire alarms are local only, meaning they are not monitored by either University Police or Worcester Fire Department.

** Rental properties are not residential facilities, rather rental properties under lease agreement on the open market and are occupied by both students and non-students. This means they have different permitting and regulatory requirements from residential facilities.

*** Clark University is not required to provide fire extinguishers to tenants of residential rental properties per the City of Worcester landlord obligations.

Reporting Fires

Per federal law, Clark University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then call University Police at 508-793-7575. University Police will investigate and document the incident for disclosure in the University's annual fire statistics.

If a member of the CU community finds evidence of a fire that has been extinguished, and the person is not sure whether CUPD has already responded, the community member should immediately notify CUPD at 508-793-7575 to investigate and document the incident for disclosure in the University's annual fire statistics.

PLANS FOR IMPROVEMENT TO FIRE SAFETY

The University plans to upgrade residence hall fire alarm systems at the rate of one building each fiscal year. Tentatively, 914 Main Street will be upgraded in FY27.

Annual Fire Safety Report 2025 (Calendar Years 2022 – 2024)

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 2022, 2023 and 2024

Year	Residential Facilities (Name and Address)	Total # of Fires in Each Building	Number of Fires	Cause of Fire	# of persons who received fire-related injuries that resulted in treatment at a medical facility	# of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
2022	0	0	0	N/A	0	0	\$0
2023	0	1	2	Smoldering mulch outside Goddard Library	0	0	\$0
				Mechanical Fire in HVAC Unit - Jefferson, Room 121			
2024	0	1	3	1 Kitchen Fire in Dodd Hall	0	0	0
				1 Kitchen Fire in 906 Main Street			
				1 Electrical Fire in Goddard Library Basement			