



The 2014* Jeanne Clery
Disclosure of Campus
Security Policy and
Campus Crime
Statistics/Fire Safety
Report and Campus
Emergency Handbook

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Framingham
State University

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Framingham State University

A SAFE CAMPUS IS A COMMUNITY-WIDE RESPONSIBILITY!

MESSAGE FROM THE CHIEF OF POLICE

Dear Framingham State University Community;

Each year all colleges and universities are required by law to comply with the Jeanne Clery Campus Security and Campus Crime Statistics Act. This document provides statistics on crimes that have occurred over the past three years on campus and on the streets adjacent to the university.

The University Police Department patrols the campus 24 hours a day throughout the calendar year. Our priority is to prevent and deter any criminal activity; however, it is a community-wide responsibility to always keep safety in mind.

Our commitment to community policing has become an important component in improving the quality of life at Framingham State University. This philosophy requires a partnership between the citizens and the police. High levels of involvement, trust, and respect must be put forth by both groups to make the partnership work.

As the Chief of Police, I cannot stress enough the importance of your involvement with keeping our community safe. With your help and your prompt reporting of any suspicious activity, along with University Police's continued efforts to remain visible via cruisers, foot and bike patrols we can minimize the danger of crimes occurring within our community

Brad J. Medeiros
Chief of University Police

INTRODUCTION TO THIS REPORT

This report is provided to students, faculty, and staff in compliance with the requirements of the Federal Campus Security Act 11 (Public Law 101-542, 104 Stat. 2381). In addition, it is available to applicants for admission or employment upon request. On campus, the report is distributed in the following ways: students, faculty, and staff receive it by campus mail, it is posted on the University web site, and the University newspaper, *The Gatepost*, publishes the crime statistics. The report is also available in all the common areas on campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain noncampus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have "significant responsibility for student and campus activities";
- Provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees";
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;

- Disclose in a public crime log “any crime that occurred on campus, on a campus building or property, on public property, or within the patrol jurisdiction of the campus police or campus security department and is reported to the campus police or the campus security department”
- Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

CAMPUS SAFETY AND SECURITY POLICIES AND PROCEDURES

The safety and security policies developed at Framingham State University are designed to enhance the safety and security of each member of our community.

- Please familiarize yourself with the information in this document so that you will be able to make informed decisions about your personal safety.
- Please take all possible steps to ensure your safety and the safety of others on campus.
- Please refrain from preventing doors from locking by placing items in doorways.
- Always lock your door and never walk alone after dark. Safety on campus will be assured if all individuals and groups support practices that promote a safe campus environment.

Students, faculty, and staff members along with visitors should feel free to conduct their daily business without fear of physical, emotional, or psychological harm.

OVERVIEW OF THE FRAMINGHAM STATE UNIVERSITY POLICE DEPARTMENT

The Framingham State University Police Department has primary responsibility for safety, security and the upholding of all laws of the Commonwealth on the campus. The Department works closely with the University community to ensure that

programs and services are systematically coordinated to promote and enhance a safe environment.

Armed department officers patrol the campus and answer calls on a 24-hour basis throughout the calendar year. A minimum of two officers and a dispatcher are usually assigned to each shift. The Department’s staff also includes Institutional Security Officers who patrol the buildings and grounds.

In addition, the Department’s staff, using cameras, monitors the entrances to all the residence halls which are also equipped with card access systems and staffed by desk attendants throughout the academic year.

As of the date of this publication, the Framingham State University Police Department includes fifteen professionally trained, sworn, armed, uniformed Police Officers; one Institutional Security Officer; and three civilian Dispatchers and four part-time Dispatchers. Officers’ training includes, but is not limited to, the following areas: rape investigation, CPR, crime scene analysis, photography, fingerprinting, firearms, court prosecution, domestic violence, records management, drug recognition, statistics, safety, crisis intervention, and crime prevention.

FRAMINGHAM STATE UNIVERSITY POLICE AUTHORITY

The Department handles all law enforcement duties in conjunction with the campus and also patrols the streets and areas contiguous to the University traveled by students and faculty to and from the campus to area parking lots and public transportation locations. Sworn members of the department are employed by Framingham State University and serve the institutions as police officers.

It is not the policy of the agency to infringe upon the primary responsibility of other agencies including the Framingham Police Department and Massachusetts State Police in areas not owned, used, or occupied by the University. However, officers maintain a close working relationship with those agencies and

cooperate routinely on police responses in the area.

Sworn police officers of the Department are sworn in by the Massachusetts State Police as Special State Police Officers (Massachusetts General Laws Chapter 22C Section 63) granting the "same power to make arrests as regular police officers for any criminal offense committed in or upon lands or structures owned, used, or occupied by such College..." Subsequent to their appointment, officers are also sworn in as Deputy Sheriffs of Middlesex County, allowing the officers to perform police functions on the public ways of the county. Officers are also charged with the responsibility of performing parking enforcement on the campus property, as well as the Town of Framingham public ways.

The department enjoys a close working relationship with the Framingham Police Department, Massachusetts State Police, the Middlesex County District Attorney's Office and several other city and town agencies on court proceedings, investigations and matters pertaining to more than one agency of the commonwealth or a surrounding municipal authority. There are several formal written agreements or memoranda of understanding to help in this relationship.

This cooperation includes participation in a police radio and computer network, training programs, special events coordination, and investigation of serious crimes. Moreover, the FSUPD representatives meet with the Framingham Police Department liaison officer to discuss campus crimes and other police intelligence matters.

THE IMPORTANCE OF REPORTING CRIME OR EMERGENCIES IN A TIMELY FASHION

We invite your involvement in creating an orderly campus. If you have a suggestion for enhancing safety, please bring it to the attention of the Framingham State University Police Department. The accurate and prompt reporting of campus crime is essential to the safety and security of the entire University community.

You may report criminal activity or other emergencies by calling the Framingham State University Police Department at 508-626-4911. Uniformed officers patrol the campus on foot, on bicycles, and in marked and unmarked cruisers.

Check out our Website:
www.framingham.edu/campus-police/



NOTIFICATION OF CRIMINAL ACTIVITY WILL BE MADE PUBLIC IN A TIMELY MANNER

Members of the Framingham State University campus community are advised on a timely basis about campus crime and crime-related problems.

These efforts include the following:

- **University Newspaper:** *The Gatepost* publishes special articles related to campus safety and security on a regular basis. *The Gatepost* publishes a weekly summary of criminal incidents which occurred the preceding week.
- **Public Log:** Dispatchers at the University Police Department document all calls for service in the daily police log, a chronological record of all crimes reported to the Framingham State University Police Department, as well as the names of all persons arrested. Daily logs are available for public viewing during regular office hours.

- **Posting of Crime Alert Bulletins**
- **Social Media Sites (Facebook, Twitter) FSU Alert**
- **Whelen Emergency Warning Siren**
- **Annual Jeanne Clery Safety and Security Report**

FSU ALERT

FSU Alert will be one of the primary methods for alerting the entire university community of important and/or emergency information via recorded phone and text messages.

FSU Alert will only be used during times of emergencies including but not limited to:

- School closings
- Inclement weather
- Public safety/community warnings
- Campus Safety bulletins
- Evacuation or Lock-down drills
- University law enforcement
- Security mobilizations and more...

Please log on to *MyFramingham* to register or update your information. The information you enter will be kept confidential and used only for emergency notifications.

The University has installed an emergency warning siren system that will alert the campus via loud speaker message of an emergency situation. The messages will give instructions on how to proceed safely away from the incident.

Emergency response and evacuation procedures are publicized through the Framingham State University Police Department website. Warning and notification systems as well as emergency response and evacuation procedures are tested and evaluated on an annual basis.

EMERGENCY NOTIFICATION AND TIMELY WARNINGS: SORTING OUT THE DIFFERENCES ¹

EMERGENCY NOTIFICATION

Scope: Wide focus on any significant

emergency or dangerous situation (may include Clery crimes).

Why: Emergency notification is triggered by an event that is currently occurring on or imminently threatening the campus. Initiate emergency notification procedures for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Where: Applies to situations that occur on your campus.

When: Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens.

TIMELY WARNING

Scope: Narrow focus on Clery crimes.

Why: Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Issue a timely warning for any Clery crime committed on your Clery geography that is reported to your campus security authorities or a local law enforcement agency and is considered by the institution to represent a serious or continuing threat to students and employees.

Where: Applies to crimes that occur anywhere on your Clery geography.

When: Issue a warning as soon as the pertinent information is available.

The law specifies that “an institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.”

¹ U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting*, Washington, D.C., 2011

FSU TIP

To provide anonymous information to FSU Police, send a text message to **67283** containing the word **“FSUTIP,”** followed by a

space, and then your **message**.

How It Works: Two-way communication. Users submit their tips via text message. Campus Police are immediately notified of the tip. University Police may respond to user with follow up questions or information anonymously. Users receive confirmation messages for all submitted tips.

Anonymity: FSU Tip offers tipsters anonymity, allowing anyone to discretely provide timely, critical information without letting those in his/her vicinity in on the communication.

Confidentiality: Most campus inbound emergency lines are not confidential. FSU Tip is enabled to offer tipsters anonymity ensuring students don't withhold timely, critical information due to hesitancy of engaging with the authorities.

Discretion: Tipsters don't risk retribution. With FSU Tip a tipster can communicate with the authorities without letting those in his/her vicinity in on the conversation.

Immediacy: These days, students often choose text messaging over traditional calls because of the ease and immediacy. This is as true with crime tips as it is with social messaging.

Information on FSU Tip can always be found in the Emergency Notification channel in *myFramingham*.

SAFETY BULLETINS SHOULD BE TAKEN SERIOUSLY

In the event of a major incident of violent crime on the campus or in the neighboring community, safety bulletins will be posted by the Framingham State University Police Department in the Safety Bulletin Posting Cases, located near the main entrances to all campus buildings. These postings should be taken seriously. Resident students are encouraged to notify the Framingham State University Police Department, Resident Assistants (RAs), or Residence Directors (RDs) of any safety or security problem or concern that a student may have. A student, RA, RD, police officer, and any other member

of the University community may also refer any violation of the Student Conduct Code directly to the Dean of Students located in the McCarthy Center, Room 508.

CODE BLUE[®] EMERGENCY PHONES

CODE BLUE[®] emergency phones have been placed on all academic buildings, foyer of each residence hall, and the walkway behind Hemenway Hall. In addition, they are located in the following parking lots: Maynard, Maple, Athletic Field, Union Avenue, Upper and Lower Normal Hill, Linsley Lot and the Bement Shuttle Stop. These phones ring directly into the Framingham State University Police Department. When using these phones, please remain calm and give clear details of the situation you are reporting.

To operate an emergency phone, simply press the button. The Framingham State University Police Department will respond immediately. Even if you cannot speak, they will know your location and a cruiser will arrive on the scene very quickly. Audio contact with the Police Department will remain activated throughout the emergency.

POLICE ESCORT AND SHUTTLE BUS SERVICE

The Framingham State University Police Department requests that students ask for escorts only when absolutely necessary and when no other options are available. Escorts are provided for safety reasons only. Escorts will be given from 2:00 a.m. until dawn. Students should plan their schedules accordingly as there are no escorts given during daylight hours.

The Student Transportation Center provides shuttle bus service to the Maple and Union lots between 6am - 2am (3am on Thursdays). Please check posted signs and the Student Transportation Center website at: www.framingham.edu/sild for information on when service runs continuous loops versus dispatch only. For more information, you may call the Student Transportation Center dispatch line at: 508-215-5920.

We encourage students to walk in groups from parking lots or between residence halls when not using the shuttle bus service, which operates both days and evenings during regular school sessions, to provide transportation to and from upper campus to the student parking lots. The shuttle bus stop is located at the Bement parking lot. The bus route usually takes about 20 minutes for the entire circuit. Students may contact the Student Transportation Center at 508-215-5920 for immediate shuttle information.

WEAPONS ON CAMPUS

Massachusetts State Law (M.G.L. Ch.269 sec. 10) prohibits any individual other than the Police Officers from the Framingham State University Police Department from bringing to campus or possessing any weapon or firearm while on campus property without the consent of the Chief of the Framingham State University Police Department.

UNIVERSITY ALCOHOL POLICY

The Framingham State University Police Department enforces all state laws and University regulations regarding the possession, use, and sale of alcoholic beverages. University policy restricts when, where, and how alcohol may be served, and the source of funds used to purchase alcoholic beverages. Please refer to the *Framingham State University Ram Student Handbook*, or call the Dean of Students office for current Alcoholic Beverage Policy guidelines. There are many alcohol education and abuse prevention programs provided throughout the year by the Wellness Education Center.

UNIVERSITY ILLEGAL DRUG POLICY

The Framingham State University Police Department enforces all state and federal laws and University conduct code regulations concerning illegal drugs. When illegal drug use is suspected and the University and/or the Framingham State University Police Department are notified of illegal drug use or sale, or when the Framingham State University Police Department apprehends illegal users or sellers, appropriate steps are

taken to determine the facts of the situation. Persons apprehended by the Framingham State University Police Department for possession of, use of, or distribution of illegal drugs will be prosecuted. Those in straight possession of one ounce or less of marijuana will be issued a \$100.00 civil citation in accordance with Massachusetts' law.

UNIVERSITY HAZING POLICY

Pursuant to the laws of Massachusetts, Chapter 536, the University expressly prohibits hazing which is defined as an act(s) which endanger the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

Consent of the participants is not a defense against a complaint of hazing. In addition Massachusetts General Laws defines hazing as conduct such as whipping, beating, branding, forced calisthenics, exposure to weather, forced consumption of food, liquor, beverages, 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.

Hazing will be treated as a violation of the Code of Conduct. Charges will be filed through the Judicial System as well as externally as a violation of Massachusetts General Law.

CAMPUS MAINTENANCE

The University has installed and maintains exterior lighting around each building, along all walkways, and in parking lots. In addition, a concerted effort is made to keep the shrubbery and other plants trimmed to eliminate potential hiding places. Custodians, grounds crew, and maintenance personnel are on duty 24 hours per day, during the academic year. They are expected to be especially alert and responsive to health,

safety, and maintenance problems.

Resident students are instructed to report maintenance related concerns to the Facilities Management department. Resident students are additionally urged to report potential public safety hazards or maintenance problems to the Framingham State University Police Department and the Resident Assistant on duty so that the problem may be responded to and corrected or repaired as soon as possible.

KEY CONTROL AND ACCESS CARD POLICY

It is the policy of Framingham State University to promote the security of University personnel and appropriate access to University property. This policy is based on providing as much security possible with as little inconvenience to the campus as practical. To accomplish this, the following policies have been adopted to enhance personal and building security by maintaining control of the issuance of keys and access cards:

Keys will be issued only to authorized persons who have a need for access to specified areas. Authorization for issuance of a key is the responsibility of the appropriate Vice President, Department Head, Director, Dean or Chairperson of a Department.

The issuance of exterior building keys will be limited only to employees who have a need for frequent access in order to perform job-related responsibilities. All key requests will be carefully reviewed and only valid and necessary requests will be approved.

All persons issued University keys and/or access cards shall, at all times, be held responsible and accountable for said keys. Individuals must personally sign for their keys and shall not transfer, duplicate or loan their keys to another individual. Appropriate administrators may request and delegate the issuance of keys only as necessary and in accordance with the Key Eligibility Criteria.

If a key or access card is lost or stolen, the University Police Department must be notified upon discovery of the loss by the

key/card holder. In the case of loss or theft, the individual department will be responsible for charges associated with keys, locks, or other hardware changes that may occur because of a missing key. Keys/Access cards must be turned into the University Police when an employee transfers to another department or is no longer employed by the University. The employees' final paycheck may be held pending return or clearance of outstanding keys.

Access needed by outside contractors must be authorized by the Facilities Department, including individual name, firm name, and specific dates the contractor will be on campus.

Building security shall be everyone's concern. If you are issued a key or access card make sure you are securing the same area when you are through. Check windows to make sure they are closed and locked, turn electrical appliances off, turn lights off, and secure all doors unlocked.

Any individual who is not eligible for a key, whose work responsibility requires him/her to enter a University building or office at a time when the area is locked, should make arrangements with their department heads for notification to University Police for access after-hours. This may be done by the Department Head notifying University Police at extension 4911.

ACCESS TO CAMPUS BUILDINGS

Except for residence halls, most University facilities are open to the public during the day and evening hours when classes are in session. Visitors are required to check in with the Framingham State University Police Department for parking permits and parking instructions. During the times that the university is officially closed, university buildings are generally locked and only faculty and staff are admitted (with proper FSU Faculty/Staff identification). Use of some areas such as computer labs, art labs, and research labs are restricted during off-hours except under pre-arranged and approved circumstances. Some university-sponsored programs are open to the general public while others are restricted to students

with a current Framingham State University Identification Card.

INVESTIGATION OF PREVIOUS CRIMINAL RECORDS OF PROSPECTIVE STUDENTS AND EMPLOYEES

During the admissions/job application process, prospective matriculated students and employees are asked to disclose whether they have ever been convicted of a felony or similar offense. The University does not hire a candidate for a position if a prior offense indicates that the hiring would create a significant threat to the University community or to the public.

RESIDENCE HALL RULES AND REGULATIONS

The residence halls are governed by rules and regulations for the benefit of the entire University community. It is very important that ALL students and guests abide by the rules set forth in the *Guide to Residence Living* and the *RAM Student Handbook* and terms of the *Residence Hall License Agreement* while living on or visiting campus or attending University related programs or events. These rules have been developed for the safety and security of all.

RESIDENCE HALL STAFF

Each residence hall has a designated Residence Director (RD) and a staff of student Resident Assistants (RAs). RDs and RAs receive comprehensive training before each academic year begins. This training includes how to handle various emergencies ranging in scope from psychological and health concerns, to fire evacuations, sexual misconduct or violence, vandalism, alcohol and other drug abuse, disorderly conduct, etc. The Director and Associate Director of Residence Life supervise the RD staff, which in turn provides direct supervision to the RA staff. Members of the professional staff are available to assist students during normal business hours. There is an RD on Duty each evening in addition to RAs on duty in every hall to assist students. RAs on duty provide extra support by touring the residence hall

floors on a regular basis during designated hours.

SECURITY IN STUDENTS' ROOMS

Each residence hall student room has its own lock and key(s). All rooms have screens and lockable windows. Anyone found to be removing or tampering with screens on any building may face serious disciplinary proceedings and/or criminal charges. All student room doors are posted with a warning against leaving the doors unlocked at any time.

Resident students are warned against propping residence hall entrance doors in an open position or disabling or tampering with any fire or security system devices. Tampering with or disabling any security device or system is not only unsafe for the entire University community, but could also lead to serious criminal charges and campus disciplinary action.

RESIDENCE HALL SECURITY AND VISITORS

Each residence hall has a security desk located in the lobby. The security desk is staffed by attendants who monitor people entering and leaving the building. Security cameras have been placed in each residence hall lobby for added security. Desks are staffed 24 hours per day, 7 days per week. In the rare event that a desk is not covered, the Framingham State University Police Department will secure the entrance and assume responsibility for monitoring the residents and guests entering the building when the Card Access System is not activated. All visitors and guests of resident students are required to be signed in at the security desk and leave valid photo identification while in the hall. Guests will be allowed in the building only when the host resident is present to accompany them to his or her room. Once a guest has been signed in, it is the responsibility of the resident to escort that guest at all times while he/she is in the building. Students will be held directly responsible for the actions of their guests.

SECURED ENTRANCES

Residents and guests enter all residence halls through designated main entrance doors. Cameras and desk workers monitor all main entrance doors. All other doors are alarmed and designated for emergency use only.

Any individual found responsible for using or tampering with any emergency sounding device or door will be charged with judicial misconduct and/or criminal complaints.

OFF-CAMPUS HOUSING

Framingham State University does not own, nor does it sponsor or recommend the suitability of, any off-campus housing. Students seeking off-campus housing are cautioned to check thoroughly with local police and the landlord of any rental property about the incidence of crime in the area. It is also important to check for adequate safety devices in the building or apartment prior to signing any lease agreement. To access the Town of Framingham's data through their police department you can check their website: www.crimemapping.com/map/ma/framingham.



HOUSING DURING THE HOLIDAYS AND BETWEEN TERMS

The residence halls are closed during the Thanksgiving, winter and spring breaks, and students are not allowed access without prior approval of the Office of Residence Life. Special circumstances may exist for international students or others which would necessitate special consideration through

the Office of Residence Life. Residents may sign up with the Office of Residence Life for housing during break periods if available.

PROCEDURES FOR SEXUAL ASSAULT VICTIMS

If you are assaulted, be sure to get the help you need medically, emotionally, and legally. The medical procedure following an assault is essential. Specifically, you should receive a pelvic exam, emergency medical treatment for internal or external injuries, tests to collect evidence for the courts if you choose to prosecute, information on any medication or treatment recommended, tests for STDs, and tests for pregnancy within six weeks of the attack.

It is extremely important not to wash, douche, shower, rinse your mouth, eat, drink, smoke, or change your clothes before going to the hospital to maintain the integrity of vital evidence.

Emotional trauma is probably the most common and natural after-effect of rape. There are many ways to respond to trauma resulting from rape. Some people find that talking with a friend helps. Others find that joining support groups or getting professional counseling are more effective methods. Framingham State University offers counseling to students and staff.

The Counseling Center office is located at the Health Center in Foster Hall at the corner of State Street and Maynard Road. The Framingham State University Police Department also offers basic self-defense courses free of charge to all female Framingham State University faculty, staff, and students.

Reporting or not reporting a crime is a personal choice. All crimes are worth reporting whether or not you take a legal course of action. You can contact the Framingham State University Police Department or the Town of Framingham Police Department. There are several officers who are trained in sexual assault investigations. All cases of crime are kept confidential.

CAMPUS PROCEDURE FOR RESPONDING TO SEXUAL ASSAULTS

The Dean of Students is obligated by law to report the number of on-campus sexual assaults annually. This process affords the opportunity to assess and develop preventive strategies and explore additional educational needs. Reporting these incidents, anonymously or otherwise, to on-campus resources is strongly encouraged. Some of the on-campus resources include the Framingham State University Police Department, the Director of Health Services, the Director of the Counseling Center, and the Dean of Students.

If a student wishes to handle the situation through the university's judicial system, a closed hearing will be conducted. Interim modified living arrangements will be made possible in cases where the victim and the accused live in the same residence hall. For students in need of a Victim's Advocate one will be made available through the Framingham State University Dean of Students Office. Both the accused and the accuser are entitled to the same opportunities to have others present during a campus disciplinary proceeding. Both the accuser and accused shall be informed of the outcome of the results of the proceeding. Sanctions that may be imposed following a final determination of a disciplinary proceeding regarding rape or other forcible or non-forcible offenses may range from findings of not responsible to expulsion from the University.

SHAPE - SEXUAL HARASSMENT AND ASSAULT PREVENTION AND EDUCATION

Framingham State University seeks to SHAPE a campus environment free from all forms of sexually harassing and violent behavior. All members of our community deserve to be treated with respect and dignity and to be able to go to work, get their education, visit, and otherwise participate in life at the University without fear or trauma.

When sexual harassment, sexual violence, relationship violence, or stalking occur, it deeply wounds our entire community.

Therefore, we are committed to creating and sustaining a culture of prevention and education, where expectations are clear, reporting processes are easily navigable, resources are readily available, and perpetrators are held accountable for their actions.

The SHAPE website (www.framingham.edu/shape/) has been created and designed to serve as a central source of information for prevention and education of sexual harassment, sexual violence, relationship violence, and stalking including as it relates to Title IX, the Campus SaVE Act, the Clery Act, and University policy.

You can use the links on the left hand side of the site to learn more about our policies, how to identify and respond to problematic language or behavior, how to report concerns, resources accessible to members of the Framingham State community, and other useful information.

Through the ongoing dedication of many people in our community, we will continue to offer and expand educational opportunities and resources for students and employees. We will continue to support all members of our community and promote a culture where sexual harassment and violence are not tolerated. But we can't do it in isolation. We need your participation, feedback, ideas, and commitment. You might begin by reviewing bystander intervention techniques or learning how to support a survivor of sexual violence. The shape office door is always open for you to share your ideas or concerns.

SEXUAL VIOLENCE POLICY INCLUDING SEXUAL HARASSMENT, GENDER- BASED HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Framingham State University is committed to maintaining safe and healthy learning, living and working environments that are free from all forms of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Consistent with this commitment, the University complies with Title IX of the Higher Education Amendment

of 1972, which prohibits discrimination and harassment on the basis of sex in education programs and activities, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The University does not discriminate on the basis of sex in admission to or employment in its education programs and activities.

This Policy prohibits all forms of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These behaviors are antithetical to the University's educational mission and are prohibited forms of harassment under Title IX. The University provides educational and prevention programs, services for individuals who have been impacted by discrimination and harassment on the basis of sex, and accessible, timely and equitable methods of investigation and resolution of complaints. This policy can be found in its entirety at www.framingham.edu/student-life/shape.

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

POLICY PURPOSES

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

1. states that sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are prohibited and will not be tolerated;
2. defines and describes the conduct that is prohibited;
3. explains what to do if one experiences sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or

retaliation;

4. identifies available on- and off-campus resources;
5. identifies the persons with whom one may speak confidentially;
6. describes all reporting options, including how to file a complaint with the University;
7. specifies the rights of both complainants and respondents; and
8. explains the University's response to alleged incidents, including how reports of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are evaluated, investigated and resolved.

PROHIBITION AGAINST SEXUAL VIOLENCE, SEXUAL HARASSMENT, GENDER-BASED HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING AND RETALIATION

The University prohibits and will not tolerate sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These behaviors violate this Policy, state and federal civil rights laws, and possibly the criminal laws of Massachusetts¹.

These behaviors can occur between strangers or acquaintances, including between people involved in an intimate or sexual relationship. Victims² can be any gender. Any person, regardless of gender identity, can commit sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, and these behaviors can occur between people of the same or different gender.

The University prohibits any student, faculty or staff member, visitor or contractor, regardless of gender, from sexually harassing, stalking, engaging in sexual violence toward or committing domestic or dating violence against another community member or anyone having dealings with the University. Any member of the University community who believes that s/he has been subjected to such misconduct is encouraged to report it as described in this Policy. Upon receiving

a report, the University will respond quickly and seriously, and, where appropriate, will take steps to prevent the recurrence of the behavior, remedy its effects, and discipline individuals who violate this Policy.

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

¹ Incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation as described in this Policy may also constitute criminal acts when they meet the standards set forth in Massachusetts' criminal laws. An individual can be prosecuted by the Commonwealth for violating a criminal law and simultaneously subject to discipline for Policy violations by the University.

² Although some prefer to use the term "survivor" to describe an individual who has been subjected to sexual violence, the term "victim" is also widely used. This Policy uses the term "victim" or "complainant," and does so with respect for those who have been subjected to sexual violence.

POLICY APPLICATION

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

Acts of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation that take place off campus may be subject to investigation and disciplinary action under this Policy when the conduct involves behavior by or toward a community member, which (1) occurs during University-sponsored events or the

events of organizations affiliated with the University, including study abroad and outside internships; (2) negatively impacts a person's access to education programs and activities; (3) adversely affects or disrupts the campus community; and/or (4) poses a threat of harm to the campus community.

TITLE IX COORDINATOR

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

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

We have appointed Title IX coordinators for specific areas and deputy Title IX coordinators. Anyone with questions, concerns or complaints related to Title IX, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, and/or this Policy may contact any of the Title IX coordinators or deputy coordinators.

The names and contact information for the University's Title IX coordinators and deputy coordinators are:

Kimberly Dexter
Director of Equal Opportunity, Title IX, and ADA Compliance
University Title IX Coordinator
Dwight Hall, room 205
508-215-5859
kdexter@framingham.edu

Melinda Stoops
Associate Vice President of Student Affairs / Dean of Students
Title IX Coordinator for Students
McCarthy Center, suite 504
508-626-4596
mstoops@framingham.edu

Carey Eggen
Associate Director of Athletics and Senior Woman Administrator Title IX Coordinator for Athletics
Athletic Center, Second Floor
508-626-4565
ceggen@framingham.edu

Jennifer Forsberg
Equal Opportunity Specialist Deputy Title IX Coordinator for Employees and Third Parties
Dwight Hall, suite 207
508-626-4860
jforsberg@framingham.edu

David Baldwin
Associate Dean of Students Deputy Title IX Coordinator for Students
McCarthy Center, suite 504
508-626-4565
dbaldwin@framingham.edu

TITLE IX COMPLIANCE TEAM

The Title IX Compliance team is comprised of administrators from student affairs, human resources and legal affairs, University Police, and academic affairs. The team meets monthly to review any pending Title IX complaints, adherence to policy, training initiatives, and education and awareness programs. Members of the team include:

- David Baldwin, Associate Dean of Students
- Glenn Cochran, Associate Dean of Students and Director of Residence Life & Student Conduct
- Rita Colucci, Chief of Staff and General Counsel
- Kimberly Dexter, Director of Equal

- Opportunity, Title IX, and ADA Compliance
- Carey Eggen, Associate Director of Athletics and Senior Woman Administrator
- Jenn Forsberg, Equal Opportunity Specialist
- Ilene Hofrenning, Director of Health Services
- Brad Medeiros, Chief of Police
- Erin Nechipurenko, Director of Human Resources
- Melinda Stoops, Associate Vice President for Students Affairs/Dean of Students
- Paul Welch, Director of the Counseling Center

COORDINATION WITH THE NON-DISCRIMINATION, HARASSMENT AND RETALIATION POLICY

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

Note: While this Policy and the Complaint Investigation and Resolution Procedures identify certain University officers and employees who have particular roles and duties, the University may designate other officers or employees, including but not limited to external investigators, review officers or appellate officers to perform specific roles and/or duties set forth in this Policy or the Complaint Investigation and Resolution Procedures.

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

1. Sexual Violence

As defined by the U.S. Department of Education's Office for Civil Rights, sexual violence "refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the [person's] age or use of drugs or

alcohol, or because an intellectual or other disability prevents the [person] from having the capacity to give consent)." All forms of sexual violence are prohibited by the University and Title IX.

a. Rape

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

b. Sexual Assault

Sexual assault is any kind of sexual physical contact that involves any form of coercion, force or lack of consent. Sexual physical contact includes the intentional touching of another person on an area of the body generally recognized as a private part of the body with any part of another person's body or any object, no matter how slight, or touching any part of another person's body with a private part of one's own body, no matter how slight. Sexual intercourse means penetration, no matter how slight, of a bodily orifice (vagina, anus, or mouth) by an object or by a body part, and/or non-consensual oral sex or anal sex. Examples of sexual assault include, but are not limited to:

1. kissing or fondling without consent;
2. rape;
3. advancing sexual activity without consent;
4. ignoring a partner's objections to sexual activity on one occasion even when consent has been given in the past; and
5. engaging in manipulative, threatening and coercive behavior to obtain consent.

c. Sexual Exploitation

Sexual exploitation is taking sexual advantage of another person for one's own benefit or the benefit of anyone other than that person without that person's consent.

Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:

1. prostituting another person;
2. recording images (e.g., video, photograph) or audio of another person's sexual

activity, intimate body parts, or nakedness without that person's consent;

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

d. Incest

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

e. Statutory Rape

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

f. Aiding in the Commission of Sexual Violence

The aiding or assisting in the commission of an act(s) of sexual violence is prohibited.

Examples of aiding in the commission of violence include, but are not limited to:

1. videotaping a friend having sex with a person who has passed out drunk at a party;
2. helping a friend to drug the friend's date's drink; and
3. encouraging students to engage in sexual activity when one knows those students to be incapacitated by drugs or alcohol.

g. Affirmative Consent

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

the initiator to obtain clear and affirmative responses at each stage of sexual involvement.

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

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

h. Incapacitation

An individual who is incapacitated by alcohol and/or drugs both voluntarily or involuntarily consumed may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Evidence of incapacity may be detected from context clues, such as slurred speech, bloodshot eyes, the smell of alcohol on the breath, shaky equilibrium, vomiting, unusual behavior or unconsciousness. While context clues are important in determining incapacitation, they alone do not necessarily indicate incapacitation.

Persons unable to consent due to incapacitation also include, but are not limited to: persons under age 16; persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question; and persons who are physically helpless. A physically helpless person is one who is asleep, blacked out, involuntarily physically restrained, unconscious, or, for any other reason, unable to communicate unwillingness to engage in any act. The use of alcohol or drugs to render another person mentally or physically incapacitated as a precursor to or part of a sexual assault is prohibited. The use of alcohol, medications or other drugs by the respondent or accused does not excuse a violation of this Policy.

i. Force

Force is the use of physical strength or action (no matter how slight), violence, threats of violence or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor.

j. Coercion

Coercion is unreasonable pressure or emotional manipulation to persuade another to engage in sexual activity. When someone makes it clear that s/he does not want to engage in sexual behavior, or s/he does not want to go beyond a certain point of sexual activity, continued pressure beyond that point can be considered coercive. Being coerced into sexual activity is not consent to that activity.

2. Sexual Harassment

Unwelcome conduct of a sexual nature is prohibited when:

- a.** submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; and/or
- b.** submission to, or rejection of, such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; and/or
- c.** such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating a sexually intimidating, hostile, or offensive employment, educational, or living environment.

Examples of sexual harassment may include, but are not limited to:

- 1.** repeatedly pressuring another person for sexual activity;
- 2.** making sexist remarks about an individual's clothing, body or sexual activities;
- 3.** unnecessary touching, patting or pinching another person;
- 4.** demanding sex from a subordinate while making threats concerning the subordinate's job;
- 5.** demanding sex from a student while making implied threats concerning the student's grade;

6. electronically transmitting derogatory, demeaning or pornographic materials;
7. posting explicit sexual pictures on an exterior office door or on a computer monitor; and
8. sexually assaulting another person.

Sexual harassment can occur between people of any gender. It can occur between equals (e.g., student to student, staff to staff, faculty to faculty) or between persons of differing power status (e.g., supervisor to subordinate, faculty to student, coach to athlete). It is possible for a person who appears to have the lesser power to commit sexual harassment (e.g., a student harassing a faculty member).

In order for conduct to constitute sexual harassment under this Policy, a reasonable person under similar circumstance would have to conclude that the behavior was harassing or discriminatory.

Reasonable directions or warnings by authorized University personnel as to the time, place and manner in which employees perform their assigned responsibilities, students carry out their educational assignments or program participants engage in sponsored activities do not constitute evidence of sexual harassment under this Policy.

Hostile Environment

A hostile environment exists when sexual harassment is sufficiently serious to deny or limit a person's ability to participate in or benefit from the University's programs or activities. A hostile environment can be created by anyone involved in the University's programs or activities (e.g., administrators, faculty members, students, and campus visitors).

To make the ultimate determination of whether a hostile environment exists for campus community member(s), the University considers a variety of factors related to the severity, persistence, or pervasiveness of the sexual harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in

which it occurred; and, (5) the degree to which the conduct affected one or more person's education or employment. A single or isolated incident may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to show evidence of a hostile environment, particularly if the harassment is physical.

3. Gender-Based Harassment

Unwelcome conduct of a nonsexual nature based on a person's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, is prohibited when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; and/or
- b. submission to, or rejection of, such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; and/or
- c. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment, educational, or living environment based on gender.

Examples of gender-based harassment include, but are not limited to:

1. using derogatory comments and terms toward a male or female who do not act in ways that align with their gender stereotype, such as a male being called names for being interested in the arts or a female being called names for being interested in construction;
2. telling someone to use a restroom that does not align with that person's gender identity; and
3. making generalized derogatory comments about one gender, such as "all females" are _____ or "all males" are _____.

While harassment based on non-sexual factors may be distinguished from sexual harassment, these types of behaviors may contribute to the creation of a hostile environment. Thus, in determining whether a sexually hostile environment exists, the University may consider acts of gender-based harassment. In order for conduct to constitute gender-based harassment under this Policy, a reasonable person under similar circumstance would have to conclude that the behavior was harassing or discriminatory.

Reasonable directions or warnings by authorized University personnel as to the time, place and manner in which employees perform their assigned responsibilities, students carry out their educational assignments or program participants engage in sponsored activities do not constitute evidence of gender-based harassment under this Policy. The definition of hostile environment provided under the Sexual Harassment section above also applies in the context of gender-based harassment.

4. Domestic and Dating Violence

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

- a.** Domestic violence is such behavior directed against a current or former spouse, family member (blood, step, adoptive or foster), person with whom a child is shared, or cohabitant (possibly a roommate).
- b.** Dating violence is such behavior directed against another person in a social relationship of a romantic or intimate nature, and where the existence of such a relationship is determined based on a consideration of the length and type of relationship and frequency of interaction between the persons involved.

Examples of domestic and dating violence

include, but are not limited to:

- 1.** hitting, slapping, punching, kicking, pulling hair or other physical misconduct;
- 2.** isolating a partner from family and friends;
- 3.** destroying a roommate's personal items;
- 4.** physically assaulting the child of a partner;
- 5.** pursuing sexual activity when a partner is not fully conscious, is not asked, or is afraid to say no, or coercing a partner to have sex without protection;
- 6.** threatening to reveal a person's sexual orientation without the person's permission;
- 7.** exhibiting excessive possessiveness and jealousy;
- 8.** constantly belittling or insulting a partner;
- 9.** checking a roommate's cell phone or email account without permission;
- 10.** demanding that a partner dress or act in a certain way; and/or
- 11.** threatening violence against the victim's acquaintances, friends, or family members.

5. Stalking

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

Examples of stalking behaviors include, but are not limited to:

- a.** repeated unwanted or unsolicited contact or leaving unwanted gifts or items;
- b.** posting disturbing messages or threats online;
- c.** creating, attempting to create, or disseminating unauthorized recordings of another;
- d.** gathering information about an individual from family, friends, coworkers, and/or classmates, or by electronic means by installing spyware on a computer or using GPS;
- e.** threats in any form about an individual or their loved ones or threats to harm oneself;
- f.** damaging, stealing, borrowing, or relocating property, trespassing and

- vandalism;
- g.** pursuing, waiting, or showing up uninvited at a workplace, residence, classroom, or other locations frequented by an individual; and
- h.** directing a third party to take any of the above acts.

6. Retaliation

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

Prohibited retaliation includes, but is not limited to: threats; intimidation; reprisals; continued harassment or misconduct; other forms of harassment; slander and libel; and adverse actions related to employment or education. Retaliation can be committed by individuals or groups, including friends, relatives or other associates of the person against whom a complaint is filed. Retaliation, even in the absence of proven sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence or stalking in an underlying complaint, constitutes a violation of this Policy that is just as serious as the main offense itself.

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

Conduct that is not prohibited

The University is committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom

of inquiry, teaching, service and research. Nothing in this Policy shall be construed to penalize a member of the University community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Any form of speech or conduct, no matter how offensive, unpleasant or even hateful, which is protected by the principles of academic freedom or the U.S. Constitution, is not subject to this policy.

Consensual Relationships

Consensual romantic and/or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical and create a risk for real or perceived coercion. The University does not intrude upon private choices regarding personal relationships when these relationships do not violate the University's policy, or cause harm or increase the risk of harm to the safety and wellbeing of members of the campus community.

1. Faculty/Administrator/Staff Member Relationships with Students

No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or whose academic work is being supervised or evaluated, directly or indirectly, by the faculty member. No administrator or staff member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who the administrator or staff member supervises, evaluates, advises, or provides other professional advice or services as part of a University program or activity. A romantic and/or sexual relationship, consensual or otherwise, between a faculty member, administrator or staff member and a student is looked upon with disfavor and is strongly discouraged.

2. Relationships Between Supervisors and Subordinates or Between Co-Workers

A consenting romantic and/or sexual relationship between a supervisor and subordinate or co-workers may interfere with or impair the performance of professional duties and responsibilities and/or create an appearance of bias or favoritism. Further, such relationships could implicate state ethics laws and/or result in claims of discrimination,

sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Therefore, such workplace relationships are strongly discouraged.

Resources

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

For information on the location, phone numbers, hours and services provided for campus and community resources, you may contact any of the Title IX Coordinators listed at the beginning of this section. Also, please see www.framingham.edu/student-life/shape.

a. Immediate Needs: Assuring One's Safety and Preserving Evidence

If an incident occurs, the University encourages victims to report the incident and seek both police and medical assistance. Seeking police or medical assistance does not obligate a victim to make a complaint or take any further action, but the decision to seek medical help and gather evidence allows victims to preserve the full range of available options. The University will assist any community member to get to a safe place, provide transportation for medical help and, if requested, contact law enforcement. For 24/7 help, contact Campus Police at 508 626-4911, or contact the Title IX Coordinator during normal University hours.

Any person who has experienced sexual violence is encouraged to take steps to preserve evidence of the incident, as doing so may be necessary to the proof of a crime or to obtain a protection order from the court. After an incident occurs, one should try to refrain from bathing, showering, brushing teeth, drinking, eating, douching or changing clothes until the evidence can be collected. If one changes clothes, one should place each garment in a separate paper (not plastic)

bag. If the incident involves any written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), take care to preserve copies and not delete the originals.

b. Confidential Medical Attention

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

- 1. Confidential Medical Resources On Campus** Students may access the services of the Student Health Center on a confidential basis.
- 2. Confidential Community Medical Resources** Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical legal exams. Here one may find more information about SANE services and where to obtain them: www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/

c. Confidential Counseling and Support

Generally, one may discuss the incident with a licensed mental health counselor or a counselor recognized by a religious order or denomination on a confidential basis. These counselors are good options if one wishes to discuss one's situation with someone who can keep one's information as confidential as possible while assisting one to determine what additional steps to take, such as obtaining further counseling, seeking medical attention, preserving evidence, and or reporting to University or law enforcement authorities then or at a later time.

1. Confidential Counseling and Support Resources On Campus

Students may access the services of Counseling Services or any religious/pastoral

counselors on campus (Office of Campus Ministry) on a confidential basis.

2. Confidential Community Counseling and Support Resources

Many off-campus counseling resources are available. These service providers are not required to report any information to the University and will generally maintain one's confidentiality. See www.framingham.edu/student-life/shape/policies for a list of resources.

Contact information on rape crisis centers in Massachusetts can be found at: www.mass.gov/eohhs/consumer/physical-healthtreatment/health-care-facilities/rape-crisis-centers.html.

For more information about programs and services offered by the Commonwealth regarding sexual and domestic violence see: www.mass.gov/eohhs/gov/departments/dph/programs/communityhealth/dvip/violence/sapss/

d. Non-Confidential Campus Resources

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

- 1.** Title IX Coordinator (and Deputies)
- 2.** EO Officer
- 3.** University Police
- 4.** Human Resources
- 5.** Residence Life Staff
- 6.** Student Affairs Staff
- 7.** Disability Services
- 8.** Chief Diversity and Inclusion Officer
- 9.** Assistant to the University President

Reporting Options

The University strongly encourages all who have experienced sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation to report the incident so that the

University can provide support and pursue an appropriate resolution. The University prohibits and will not tolerate retaliation against anyone who makes a report.

Victims have several options for reporting:

Confidential Reports, Non-Confidential Reports and Making No Report.

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

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

When a person makes a report, a University employee or official will try to ensure that the person is informed of their reporting obligations, and they will direct the person to Confidential Resources to whom one may make a private report. If you would like assistance in making a report, please contact the Title IX Coordinator.

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

One may report sexual violence, sexual

harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation in confidence to licensed mental health counselors, licensed health care personnel, pastoral counselors or clergy who work for the University. Except in rare, extreme circumstances (e.g., risk of immediate harm or abuse of a child), these individuals will share nothing without permission.

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

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

b. Anonymous Reporting

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

c. Non-Confidential Reporting Options

1. Campus Reporting Options

If one wishes to report sexual violence, sexual harassment, gender based harassment, domestic violence, dating violence, stalking and/or retaliation to the University, one may

notify a Title IX Coordinator or a Deputy Title IX Coordinator, University Police, Human Resources Director, the Dean of Students or the Associate Dean. Upon receipt of a report, the University will conduct appropriate follow-up to ensure that one has access to support, services, safety measures, and accommodations. One may also request a criminal investigation through University Police, who will assist in contacting the appropriate law enforcement agency that has jurisdiction (see below for more information on Criminal Reporting Options).

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

The University encourages victims to speak with an RE so that the incident can be investigated and properly resolved. When one makes a report to an RE, the University will undertake a prompt, thorough and fair investigation, and resolve the matter in accordance with the procedures in this Policy. The REs at the University include persons holding the following positions:

- Members of the Board of Trustees;
- The President and Vice Presidents;
- Assistant/Associate Vice Presidents;
- Title IX Coordinator/ Deputy Coordinators;
- EO Officer;
- University Police;
- Institutional Security Officers;
- Assistant Vice President and Assistant Director of Human Resources;
- Departmental Directors and Assist./Assoc. Directors;
- Residence Life Staff (including RDs and RAs);
- Athletic Coaches, Assistant Coaches and

- Athletics Administrators;
- Studio Managers
- Lab Managers
- Deans and Assistant/Associate Deans
- Academic Department Chairs;
- Academic and Non-Academic Program Directors/ Coordinators;
- Faculty/Staff Leading or Chaperoning Travel or Overnight Trips; and
- Faculty/Staff Advisors to Student Organizations.

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

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

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

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

2. Criminal Reporting Options

Victims may file a criminal complaint with University Police and/or the local police department where the incident occurred. Victims can make both a criminal report and a report to the University; one does not have to choose one or the other.

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

Victims are never required, however, to report an incident to University Police or local law enforcement. If a victim elects not to make a criminal report, the University will respect that decision to not report the incident to the police. If a victim chooses to make a report to University Police, the Department will conduct an investigation and, if wished, assist the victim in filing criminal charges against the alleged offender. University Police can also assist a victim in the process of obtaining protective restraining orders and abuse prevention orders for relationship/ domestic violence. The Department has specially trained officers to respond to complaints of sexual assault and domestic violence, and, whenever possible, University Police will make every effort to offer female victims survivors an opportunity to have a female officer present during all interviews. University Police also helps the University to evaluate, investigate and resolve complaints under this Policy, and University Police assists in protecting the safety of complainants.

3. Governmental Reporting Options

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

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

www2.ed.gov/about/offices/list/ocr/index.html

U.S. Department of Education
Office for Civil Rights
33 Arch Street, 9th Floor
Boston, MA 02119-1424
(617) 289-01111, TDD (877) 521-2172
Email: OCR.Boston@ed.gov

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

www.ovw.usdoj.gov/
Office on Violence Against Women
145 N St., NE, Suite 10W.121
Washington, D.C. 20530
(202) 307-6026
Fax: (202) 305-2589
Email: ovw.info@usdoj.gov

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

Boston Office:

One Ashburton Place, Rm. 601
Boston, MA 02108
(617) 727-3990

Springfield Office:

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

Worcester Office:

Worcester City Hall
455 Main Street, Rm. 101
Worcester, MA 01608
(508) 799-8010

New Bedford Office:

800 Purchase Street, Rm. 501
New Bedford, MA 02740
(508) 990-2390

4. Third Party Reporting

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

5. Unknown/Non-University Offenders

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

d. Making No Report

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

Amnesty

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

Timeframe for Reporting

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

False Charges

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

Privacy and confidentiality: Additional considerations

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

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

- there have been other similar complaints about the same alleged perpetrator;
- the alleged perpetrator has a history of arrests or records indicating a history of violence;
- the alleged perpetrator threatened any further violence against the victim or others;
- the misconduct was committed by multiple

perpetrators;

- the act was perpetrated with a weapon;
- the alleged perpetrator holds a position of power over the victim;
- the victim is a minor;
- the University possesses no other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence);
- there appears to be a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group; and/or
- other circumstances indicating an increased risk of violence or harm.

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

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

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

b. Privacy for Respondents Who Are Students A student's right to privacy is primarily governed by the Family Educational Rights and Privacy Act ("FERPA"), which provides that personally identifiable information maintained by the University in students' educational records may not be disclosed except with the consent of the student or as

otherwise specified by law.

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

d. Statistical Reporting and Timely Warnings Under The Clery Act The Clery Act requires Universities to maintain a daily log of reports of crimes that occurred on campus, University-controlled property, or public property immediately adjacent to campus, including reports of sexual assault, domestic or dating violence and stalking. The University must also publish an Annual Campus Crime Report concerning reported incidents. Names or other personally identifying information are not included in the daily logs or the Annual Security Reports.

Additionally, when the University becomes aware that an incident of sexual misconduct or violence occurred, and there is a potential for bodily harm or danger to members of the campus community, the University will issue a timely warning to the campus. While the University will provide enough information to safeguard the campus community, a victim’s name or other personally identifying information will not be disclosed in the timely warning.

Protective interim measures

The University is committed to supporting victims by providing the necessary crisis intervention, safety and support services, and academic accommodations throughout the investigation and resolution process. The University wants all community members to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational or employment opportunities. The University also wants victims to understand their reporting options and how to access available interim measures. The

University encourages victims of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation to report incidents to the Title IX Coordinator or any Responsible Employee with whom the victim feels comfortable.

Victims may obtain protective interim measures by either (1) reporting the incident to the Title IX Coordinator or other Responsible Employee and requesting interim measures, or (2) disclosing the incident to a counselor, who in turn can request interim measures on the victim’s behalf from the University.

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

Upon receipt of a report or request for protective interim measures, the University will provide the victim, or the victim’s counselor, with a written explanation of the interim measures available, and shall ask victims, or their counselors, which measures are sought. Some possible interim measures are listed below, and the University determines which measures are appropriate for each victim on a case-by-case basis. Not all of the measures listed below will

be necessary to keep every victim safe and ensure their equal access to University programs and activities. If the victim or counselor requests an interim measure that is not already provided by the University, it will consider whether the request can be granted. In cases where interim measures affect both the victim and the alleged respondent, the University will minimize the burden on the victim wherever appropriate. The University will maintain as confidential any accommodations or protective interim 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 interim measures.

The University may provide one or more of the following protective measures:

- “no communication” orders;
- escorts to ensure safety while moving between locations on campus;
- changes in academic or work schedules;
- alternative housing, dining and/or office accommodations;
- restrictions from areas of campus;
- medical and/or mental health services;
- assistance in identifying an advocate to help secure additional assistance, such as off-campus and community advocacy, support and services; and/or
- academic accommodations, such as:
 - transferring to another section of a course, lecture or lab;
 - rescheduling an academic assignment or test;
 - arranging for incompletes, a leave of absence, or withdrawal from the University; and
 - preserving eligibility for academic, athletic, or other scholarships, financial aid, internships, study abroad, or foreign student visas.

The University may also suspend a student on an interim basis or place an employee on paid administrative leave prior to completing an investigation under this Policy when it reasonably concludes that the person: (a) poses a threat to health or safety; (b) poses a threat to University property or equipment; (c) is disruptive or interferes with an investigation under this Policy or the normal

operations of the University; or (d) is charged with a serious violation of state or federal law. The University shall provide the specific reason(s) for the interim action. During an interim action, the University reserves the right to prohibit the person from entering upon the University’s property or participating in any University activities absent written authorization from an appropriate University official. When a person has been placed on interim suspension or paid leave of absence, the University will make reasonable efforts to complete the investigation process in an expedited manner. The failure of a person to comply with an interim suspension, temporary leave or other interim measure is a violation of this Policy and may lead to additional disciplinary action.

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

Written Notification of Rights, Options, Available Resources, Services and Information

The University will provide written information to community members regarding counseling, medical and mental health services, disability accommodations, victim advocacy, legal assistance, visa and immigration assistance, and other services available on and off campus. In addition, the University will provide notification to victims of their rights and options set forth in this Policy, including, but not limited to, options for, protective interim measures, regardless of whether the victim chooses to report the crime to the police or file a complaint with the University.

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

- to an explanation of the options available;
- to referrals to confidential assistance and support services from both on- and

- off-campus resources, including 24 hour services;
- to a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- to request that the University impose no contact/communication orders or other interim measures;
- to make a complaint that starts the University's investigation and resolution processes;
- to a prompt, thorough and equitable investigation and resolution of a complaint;
- to choose whether or not to initiate a formal investigation of the complaint, unless the University deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- to the confidentiality of the investigation process to the extent Possible;
- to an advisor of one's choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process;
- to reasonable accommodations for a documented disability during the process;
- to know, in advance, the names of all persons known to be involved;
- not to have irrelevant sexual history discussed;
- to be present at meetings and review documents;
- to speak and present information on one's own behalf;
- to submit questions for the Administrative Investigator to ask witnesses;
- to know the status of the case at any point during the process;
- to be informed of the outcome of the process in a timely manner;
- to an appeal from the outcome of the process;
- to file no complaint with the University, but receive support services from the University;
- to file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- to seek and enforce a no contact, restraining or similar court order;
- to be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- to not file a complaint or seek assistance

- from local law enforcement, but receive support services from the University;
- to be free from any behavior that may be construed by the University to be intimidating, harassing or retaliatory; and
- to have the matter handled in accordance with University Policy. Respondents to claims of sexual violence, sexual harassment, gender based harassment, domestic violence, dating violence, stalking and/or retaliation have the following rights:
- to an explanation of the allegations against them;
- to referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- to receive a copy of the complaint filed against them;
- to be presumed not in violation of University policy until a violation is established through the complaint investigation process;
- to the confidentiality of the investigation process to the extent Possible;
- to an advisor of one's choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process;
- to reasonable accommodations for a documented disability during the process;
- to know, in advance, the names of all persons known to be involved;
- not to have irrelevant sexual history discussed;
- to be present at meetings and review documents;
- to speak and present information on one's own behalf;
- to submit questions for the Administrative Investigator to ask witnesses;
- to know the status of the case at any point during the investigation and resolution process;
- to be informed of the outcome of the process in a timely manner;
- to an appeal from the outcome of the process;
- to be free from any behavior that may be construed by the University to be intimidating, harassing or retaliatory; and
- to have the matter handled in accordance with University Policy.

Note: In some circumstances, a complaint alleging an act of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation may also allege conduct that may constitute a potential violation of other University conduct policies. To avoid duplicative efforts, the University may undertake a joint investigation of the conduct of concern. Based on the findings of the joint investigation, the respondent may be subject to disciplinary action for violations of the Sexual Violence Policy and/or the Student Code of Conduct, as well as other policy violations.

Independent Investigations

At any time, the University, at its discretion, may conduct an investigation independent of, or in addition to, the procedures described in this Policy. The investigation may involve complaints or allegations of violence, or concerning violations of Title IX, VAWA and/or the Clery Act against the University, or any of its employees or students. Any such independent investigation will comply with the requirements of Title IX, VAWA and/or the Clery Act, as applicable.

Compliance Concerns

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

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

Massachusetts Legal Definitions

Alleged incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are determined by the language of this Policy rather than by the provisions of the criminal laws of

Massachusetts. However, community members who believe they have been the victim of a crime may choose to pursue a criminal investigation through local law enforcement. In those instances, the criminal laws will apply. Here are the definitions of Massachusetts crimes related to the conduct prohibited by this Policy:

a. Sexual Assault

Massachusetts uses the term "rape." The definition encompasses (1) the penetration of any orifice by any body part or object (2) by force (or threat) and (3) without consent. Rape also includes instances where the victim is incapacitated ("wholly insensible so as to be incapable of consenting") and the perpetrator is aware or should have known of the incapacitation. Relatedly, under M.G.L. c. 268, § 40, a person who knows that an individual is a victim of an aggravated rape and is at the scene of the crime, must report the crime to law enforcement as soon as is reasonably practicable. www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22; <http://masscases.com/cases/sjc/450/450mass583.html>

b. Domestic Violence

Section 1 of M.G.L. c. 209A defines domestic abuse as "the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress." www.malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A For the purposes of Chapter 209A, "family or household members" are defined as persons who (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) have a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts' consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the

relationship has been terminated by either person, the length of time elapsed since the termination.

www.malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A/Section13M of M.G.L. c. 265 prohibits assault and/or assault and battery against family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.”

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

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

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

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

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

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

c. Dating Violence

While Massachusetts does not have a law concerning dating violence, conduct may constitute an assault or assault and battery under M.G.L. c. 265, § 13A. An assault or an assault and battery: (i) upon another and [the perpetrator] by such assault and battery causes serious bodily injury; (ii) upon another who is pregnant at the time of such assault and battery, [the perpetrator] knowing or having reason to know that the person is pregnant; or (iii) upon another who [the perpetrator] knows has an outstanding temporary or permanent vacate, restraining or no-contact order or judgment issued pursuant to [applicable law], in effect against him at the time of such assault or assault and battery.” <https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13a> Section 13M of M.G.L. c. 265

prohibits assault and/or assault and battery against family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.” <https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13m> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

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

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

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

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

D. Stalking

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

E. Consent

There is no definition of the term “consent” in the Massachusetts General Laws. Massachusetts courts use the term “against his/her will” which means without consent. Cases have held that consent cannot be compelled or induced by force or threats, and consent is not present when the victim is incapacitated. In other words, consent requires a voluntary agreement demonstrated by words or actions, by a person with

sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress. Commonwealth v. Lopez, 433 Mass. 722 (2001), Commonwealth v. Lefkowitz, 20 Mass. App. Ct. 513 (1985); see also: <http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

Stalking

As defined by MGL Chapter 265, Section 43 “Section 43. (a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

(b) Whoever commits the crime of stalking in violation of a temporary or permanent vacate, restraining, or no-contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C or a protection order issued by another jurisdiction; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall

be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year. A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection. (c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years and not more than ten years. No sentence imposed under the provisions of this

subsection shall be less than a mandatory minimum term of imprisonment of two years.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this section."

Violation of the University's Sexual Violence Policy (Please follow this link for the complete Policy www.framingham.edu/student-life/shape)

Administration of Discipline for Violation of Student Conduct Code Regulations

A. Initiation of a University Student Conduct Complaint

Any member of the University community may bring a University Student Conduct complaint against a student for behavior in violation of Student Conduct Code Regulations by submitting a written complaint to the Associate Dean of Students. To bring a University Student Conduct Code complaint, the complainant must submit: a signed and dated written incident report(s) detailing the incident(s), including: (a) a narrative describing the incident(s), (b) all available information on the specific date, time, and location which the alleged violation(s) occurred, (c) a listing of Student Conduct Code Regulations alleged to have been violated, (d) the name, address, telephone number, and e-mail address of the complainant; (e) any written supportive documentation related to the complaint including authenticated written statements from identified individuals with knowledge related to the complaint, and (f) the known names and any known contact information of parties involved in the incident.

If the complaint involves alleged discrimination, harassment, sexual or gender-harassment, domestic or dating violence, stalking or retaliation, complainants are encouraged to use the complaint form found in the University's Equal Opportunity, Diversity and Affirmative Action Plan found at www.framingham.edu/student-life/shape. Hard copies are also available in the following offices: Dean of Students, Student Conduct office, University Police, and Human Resources.

These complaints will be treated as formal complaints for the purposes of this student conduct code and the University's Equal Opportunity, Diversity and Affirmative Action Plan.

The complaint must be received within five (5) business days of the alleged violation(s) unless:

a) the complaint involves unlawful behavior that may jeopardize the safety of individuals, may affect a substantial University interest, involves behavior of a continuing nature, involves behavior that has a continuing effect, or, calls into question the accused student's

suitability as a member of the community. The Associate Dean of Students has the authority, at his or her sole discretion, to reasonably extend the time limit, or;

b) the complaint involves an alleged violation of the Sexual Violence Policy (including sexual harassment, gender-based harassment, domestic violence, dating violence and stalking.

When a Student Conduct Code complaint is submitted, the complainant(s) consent to release of both their identity and written reports or summaries of written reports to the accused student and/or other individuals involved in investigation or review of the complaint through the University Student Conduct process.

Individuals involved in Student Conduct proceedings, including complainants and accused students, are reminded that information introduced during Student Conduct Proceedings may be subject to release as required by law, in conjunction with related criminal or civil proceedings.

Communication Regarding Complaints: Student Conduct Code related written notifications and communications will generally be made via FSU email, although notifications may also be made by written correspondence delivered by hand to an involved party's address of record with the University, or by other reasonable means.

B. Review of Student Conduct Complaint

When a written complaint is received within the prescribed timeframe, or within an approved timeframe extended by the Associate Dean of Students, an investigation and review of the complaint will be conducted by the Associate Dean of Students to determine the applicability of cited Student Conduct Code Regulations alleged to have been violated and whether, based on the information submitted and/or obtained through investigation, there is a reasonable basis for the complaint to be reviewed through the Student Conduct Hearing Process. The Associate Dean of Students, at his or her discretion, has the authority to modify or dismiss all or some of a complaint if he or she determines that a) the complaint

has not been made within the proscribed timeline or an approved extended timeframe, or b) the Student Conduct Code Regulations cited are not applicable to the complaint made, or that there is not a reasonable basis for the complaint to be reviewed based on the information provided. Whenever a complaint is modified or dismissed, the Associate Dean of Students will notify the complainant of the decision in writing. If the University determines that the complaint is not properly filed, it will provide written notice to the complainant. The complainant(s) can request withdrawal of the complaint at any time prior to the final decision. The Associate Dean of Students, however, has the authority to either continue the hearing process or dismiss the complaint once he or she allows the complaint to be forwarded to the Student Conduct Hearing Process.

C. Student Conduct Notification Procedures

When the Associate Dean of Students refers a complaint to the Student Conduct Hearing Process, the accused student shall be informed of the complaint and notified of a scheduled Pre-Hearing Conference and/or other proceedings in writing. Student conduct related notifications are generally made to the FSU email account(s). Confirmation of delivery by the University's email server will be considered the confirmed delivery date and time of notification when delivery is made via FSU email. Once notified of the complaint, the accused student is expected to check his or her FSU student email account at least once each business day until the matter is resolved, including during vacation and summer periods. Student Conduct meetings are scheduled at times designated at the discretion of the Student Conduct Office and are based on availability of staff. Scheduled meetings, hearings, and/or conferences are generally scheduled around the posted class schedule of the accused student and complainant. Requests to schedule around work, club, sport, or other schedules are generally not approved.

D. Advisors

The accused student, complainant(s), and/or student witnesses may have an advisor accompany him or her to any scheduled Student Conduct hearing or conference. The advisor may be any individual of the student's

choosing who is allowed to be present on the FSU campus, except another student with a pending Student Conduct complaint in a potentially related matter. The advisor's role with regard to the Student Conduct hearing is strictly limited to directly advising and/or accompanying the student advisee or complainant to the Student Conduct hearing. An advisor's presence is contingent upon following this procedure. Advisors may not: (a) address any person involved in the hearing except for the student they are advising, or (b) disclose any student record information obtained through the student conduct process except as permitted by law. Advisors who do not comply with these requirements may be dismissed by the Student Conduct administrator, required to immediately leave the Student Conduct hearing, and will not be allowed to participate in future proceedings unless authorized by the Associate Dean of Students. In the event an advisor is dismissed from a scheduled Student Conduct hearing, the hearing will continue as scheduled. The student may request to have a different advisor if available for the duration of the hearing as well as for any additionally scheduled Student Conduct proceedings.

E. Pre-Hearing Conference

A Pre-Hearing Conference is the first step of the Student Conduct Hearing Process and is held to provide the complainant and/or accused student with information related to the complaint itself and the process through which the complaint will be reviewed. The following information is covered at a Pre Hearing Conference: (a) the accused student is provided with a copy of the written complaint, (b) involved student(s) are informed of how to access the Student Conduct Code information in the RAM Student Handbook, (c) specific Student Conduct Code Regulation(s) alleged to have been violated are outlined, (d) involved students provided an opportunity to discuss and answer questions related to FSU Student Conduct Code including the Student Conduct Hearing process, (e) students are informed that Student Conduct proceedings are considered educational records and may be subject to disclosure in accordance with FERPA regulations in related criminal/civil actions or procedures,

(f) provide involved students an opportunity to submit authenticated written statements with identified contact information from individuals with knowledge related to the complaint, and (g) students are provided information and can ask questions on how the pending allegations will be reviewed, how decisions are communicated and availability of the appeal process.

Prior to the Pre-Hearing Conference, the student will be notified in writing that a complaint has been made and the Student Conduct Code Regulations alleged to have been violated. The date, time, and location of the Pre- Hearing Conference and the name of the Student Conduct hearing officer convening the Pre-Hearing Conference will also be provided in the notification. Attendance at the Pre-Hearing Conference by the accused student is mandatory. If an accused student fails to attend the Pre Hearing Conference and the University has made reasonable attempt to notify the accused student, a Student Conduct Hearing will be commenced immediately following the Pre-Hearing Conference. A decision will be made, and resolution determined, based on available information. Sanction(s), as deemed appropriate, will be assigned. The accused student will be notified of the outcome of the Student Conduct Hearing through a written Hearing Resolution notification. If the complaint involves an alleged violation of the Sexual Violence Policy (including Sexual Harassment, Gender-based Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation) the complainant(s) will also have the opportunity to attend a Pre-Hearing Conference and will also be notified of the outcome of the Student Conduct Hearing through a written Hearing Resolution notification.

F. Student Conduct Hearing

A Student Conduct Hearing refers to the investigation and review of the complaint by an assigned Hearing Officer or Officers. The University reserves the right to assign more than one hearing officer to a complaint depending on the complexity of the complaint, or to assign an external investigator to review the complaint.

Through the Student Conduct Hearing, the

Hearing Officer(s) investigates and considers information to determine the accused student's responsibility for violating Student Conduct Code Regulations. Student conduct hearings are an administrative process and follow an investigatory model, as follows: The Hearing Officer(s) will:

- (a) review the complaint, notify and provide a copy of the written complaint to the accused student, request that the accused student respond in writing to the complaint,
- (b) schedule a time to review and investigate the complaint with the accused student,
- (c) schedule a time to review and investigate the complaint with the complainant,
- (d) investigate the complaint further with witnesses, involved parties, or others as deemed appropriate at his or her discretion,
- (e) consider submitted supportive documentation, records, authenticated written accounts; additional information submitted by or at the request of the complainant or accused student related to the complaint; any other relevant documents including but not limited to University Police reports or the investigation reports of local law enforcement authorities,
- (f) determine whether the accused student is responsible for one or more of the cited Student Conduct Code Regulations based upon a preponderance of the information (determined by "what a reasonable person believes more likely than not to have occurred based upon the available information reviewed"),
- (g) summarize information considered and set forth findings and rationale for findings; and,
- (h) recommend sanctions to the Associate Dean of Students when a finding(s) of responsible has been determined

The Hearing Officer will audio record hearings with the complainant, accused student and any witnesses or other individuals contacted, to the extent possible. The Hearing Officer has the authority to independently investigate and gather additional information which may be relevant and related to the complaint.

G. Ad Hoc Committee

An Ad Hoc Committee Hearing is a special type of Student Conduct Hearing which may be convened in extenuating circumstances

deemed warranted at the discretion of the Dean of Students. An Ad Hoc Committee Hearing format may be utilized when the Dean of Students determines that the nature of the complaint conduct affects a substantial University interest and that the Ad Hoc Committee format is an appropriate format in which to consider the matter. At all Ad Hoc Committee Formal Hearings, the community member who initiated the complaint, or a designated member of the FSU Police Department or Student Affairs staff shall attend and present information relative to the complaint made. When a case is referred to an Ad Hoc Committee Hearing, the Ad Hoc committee shall be comprised of three professional staff and/or faculty members appointed by the Dean of Students or designee. The Dean of Students or designee shall also appoint a fourth member to serve as nonvoting chair of the Ad Hoc Committee; this person will chair the hearing and ensure that appropriate records are made.

H. Additional Student Conduct Hearing Guidelines:

- 1.** The hearing officer or officers will meet individually with the complainant(s), respondent(s) and any other individuals who may have information regarding the complaint.
- 2.** The student will be provided written notice of the date, time, and location of a Student Conduct Hearing delivered not less than three (3) business days before the Student Conduct Hearing unless the accused student requests that the notification period be waived.
- 3.** All Student Conduct Hearings shall be conducted in an informal manner, and technical rules of evidence will not apply. Statements of information purported to be relevant and related to the complaint may be taken by discussion at the discretion of the Hearing Officer(s), though each individual providing information shall be available and subject to questioning by the Hearing Officer.
- 4.** The Hearing Officer will determine responsibility for violation of Student Conduct Code Regulations based upon a preponderance of the information; this standard is determined by what a reasonable person believes more likely than not to have occurred based upon

the available information.

5. If requested in advance, and determined to be an appropriate and reasonable accommodation by the Office of Disability Services, Student Conduct notices, reports and/or written materials will be provided in an alternate format.

6. All Student Conduct Hearings will be held in closed session.

7. The accused student will have the opportunity to state whether he or she is “responsible” or “not responsible” for each alleged violation of Student Conduct Code Regulations.

8. The accounts of Individuals, other than the accused student or complainant, who are presented as having relevant information related to the complaint, may be considered by the Hearing Officer. Written statements must be submitted with identity authenticated through FSU student ID (for students) or by notary seal. Individuals providing written accounts must provide identity and contact information and be available to answer questions from the Hearing Officer at the assigned time.

9. The accused student and the complainant will be given the opportunity to present information from individuals purported to have relevant information related to the complaint. The Hearing Officer will determine and weigh the relevancy of information presented as part of their investigation of the complaint. Individuals providing information must be available to answer questions directed by the Hearing Officer or Ad hoc Committee during the hearing.

10. All written accounts, records and/or supportive documentation presented at an Ad Hoc Committee Hearing must be provided to the Ad Hoc Committee Chair no less than 48 hours prior to the Ad Hoc Committee Hearing.

11. The Associate Dean of Students or designee may, at his or her discretion, approve alternative arrangements for parties to participate in an Ad Hoc Committee Hearing from separate locations provided

a reasonable mechanism is arranged that allows for hearing and viewing information presented by both the complainant and the accused and allows for the Ad Hoc Committee Chair to communicate directly with involved parties remotely.

12. Only the Hearing Officer may directly question the accused student, complainant or any other individual involved in any Student Conduct Hearing.

13. The names of individuals asked to present information at an Ad Hoc Committee Hearing must be provided in writing to the Ad Hoc Committee Chair a minimum of 48 hours in advance of the hearing.

14. Supportive written documentation, data or information relevant to the Hearing Officer(s) determination of responsibility or recommendation of sanctions for violation of Student Conduct Code Regulations from a source who does not have direct information related to the complaint including, but not limited to (a) a character reference (for sanction recommendation consideration only) and (b) a medical or mental health provider providing unredacted supportive documentation, may, at the discretion of the Hearing Officer or Ad Hoc Committee Chair, be presented provided that the information submitted is signed and notarized or signed and submitted in person by the source to the Hearing Officer or Ad Hoc Committee Chair, submitted in a timely manner and with the agreement that the documentation’s author source agrees to answer questions from the Hearing Officer or Ad Hoc Committee Chair.

15. The accused student and complainant will be given the opportunity to respond to information presented at an Ad Hoc Committee Hearing and make a closing statement prior to deliberation by the Ad Hoc Committee.

16. If the accused student does not attend a scheduled Student Conduct Hearing, absence shall be noted without prejudice. The hearing shall proceed at the discretion of the Hearing Officer or Ad Hoc Committee Chair; and, be conducted in the student’s absence. If a complainant does not attend a scheduled hearing, the Hearing shall proceed

at the discretion of the Hearing Officer or Ad Hoc Committee Chair and be conducted in the complainant's absence. Reported direct knowledge of incident(s) by the complainant will not be considered if the complainant is not present and available to answer questions directed by the Hearing Officer or Ad Hoc Committee during the Hearing.

17. Hearings will be controlled in order to complete the review within a reasonable block of time to avoid needless consumption of time or repetition of information.

18. In an Ad Hoc Committee hearing, any committee member may request to go into private session to discuss or decide a matter. This request must be supported by a majority vote. The hearing can be recessed at any time by the chair. The chair will ensure that all procedures are appropriately followed. Following an Ad Hoc Committee hearing, decisions on each allegation and sanction recommendations shall be made by majority vote. A tie vote will constitute a vote of not responsible. The chair cannot vote.

19. During summer, vacation periods, and in extenuating circumstances, the Hearing Officer may approve alternative arrangements for individuals to participate in hearings including, but not limited to, the use of audio or video technology.

20. In cases where responsibility is acknowledged or determined, but prior to the determination of the sanction, the Ad Hoc Committee, or Hearing Officer, may consider any written character references provided by the accused student.

21. In cases where responsibility is acknowledged or determined, but prior to the determination of the sanction, the Ad Hoc Committee, or Hearing Officer, may consider any provided written statement(s) of impact submitted by the complainant(s).

22. Hearing Officer and Ad Hoc Committee deliberations and decisions will be made in private. The Hearing Officer or the Ad Hoc Committee Chair will notify the Associate Dean of Students of their determination of whether the accused student was determined to be responsible for the alleged violation of

Student Conduct Code Regulations. If there is a responsible finding, a recommendation of sanctions will be forwarded to the Associate Dean of Students. In cases where the decision is for Expulsion or Suspension from the University, the Dean of Students will also review recommendations.

23. The accused student will receive written notice outlining the hearing resolution. Unless otherwise stated, notification will be made via FSU student email. University officials with a legitimate educational interest, and/or those who can be legally notified, may also be informed of all or part of the hearing outcome.

I. Appeals

1. Only the accused student shall be entitled to appeal the hearing resolution decision unless the complaint involves a matter covered in the Equal Opportunity, Diversity and Affirmative Action policy, specifically allegations of discrimination, discriminatory harassment, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, in which case the complainant may also appeal. The appealing party shall submit a written letter of appeal to the Associate Dean or designee within five (5) days of the party's receipt of the Notice of Outcome. An appeal may be transmitted electronically. Appeals may only be submitted on the following grounds:

- To allege a material procedural error within the investigation and resolution process that would substantially change the outcome; or
- To consider new evidence that was not known at the time of the investigation that would substantially change the outcome. Appeals will not be considered on any other basis. Upon timely receipt of the appeal letter, the Associate Dean shall transmit the appeal letter and associated hearing records to the Appeal Review Officer for review.

Appeal Procedures

a. If the appealing party has presented an appeal on the basis of the grounds set forth

above, the Appeal Review Officer will review the appeal and notify the non-appealing party that an appeal has been made.

- b.** The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely.
- c.** If deemed appropriate, the Appeal Review Officer will share the appeal by one party with the other party (e.g., if the respondent student appeals, the appeal is shared with the complainant) who may file a written response. If the appealing party has presented an appeal on the basis of the grounds set forth above, the Appeal Review Officer or body, who shall not have participated in the investigation or administrative review, will review the appeal and make a determination to uphold, reverse or modify the decision. When necessary, the Appeal Review Officer or body may seek additional information and/or refer the matter back to the Hearing Officer, prior to making an appellate determination.
- d.** All parties will be informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.
- e.** Where practicable, within (30) days of receiving the appeal, the Appeal Review Officer shall contemporaneously issue a written decision to the parties in which it may uphold, reverse or modify the decision.
- f.** All appeal decisions are final.

2. Student Conduct Complaints Alleging Discrimination, Discriminatory Harassment, Sexual Violence, Sexual Harassment, Gender-Based Harassment, Domestic Violence, Dating Violence, Stalking, and Retaliation

For complaints alleging discrimination, discriminatory harassment, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, and retaliation, the process outlined above in sections (A) through (I) shall apply. Thereafter, the following shall govern: the Hearing Officer shall prepare an investigation report for an administrative

review. The investigation report shall: outline the investigatory steps taken, summarize the factual findings; state whether a policy violation has occurred based on the preponderance of the evidence; explain the rationale for the violation determination; and if applicable, recommend a sanction. At this point in the process, the complainant will be invited to submit a witness impact statement, and the respondent will be invited to submit a statement of mitigation or extenuation, to be included with the information forwarded to the Administrative Review Officer. The investigation report will not be shared with the parties except upon request following the issuance of the notice of outcome, and then only in accordance with applicable law.

The investigation report shall be forwarded to the Associate Dean and/or Title IX Coordinator or other designated official (“reviewing body”), who shall conduct an administrative review of the investigation report to determine whether the investigation is prompt, fair, impartial and thorough. If the reviewing body determines the investigation is deficient, the reviewing body shall remand the matter back to the Hearing Officer for further investigation.

If the reviewing body determines that the investigation is prompt, fair, impartial and thorough, the reviewing body will then consider whether the recommended discipline or sanction, if any, is consistent with University policy and practice. In determining discipline, the hearing officer and the reviewing body may consider the respondent’s disciplinary history, if one exists. The hearing officer and/or reviewing body may discuss sanctions with other University personnel as necessary. At any point during the administrative review, a respondent may agree to the allegations and the recommended sanction.

Questions, statements or information about the sexual activity of the complainant or alleged victim with any person other than the accused student are not relevant and will not be considered by the Hearing Officer.

Notice of Outcome

At the completion of the administrative review, the University will notify the respondent of all sanctions imposed, if any.

If the sanctions imposed on the respondent include a separation from the residence halls or the University, and, in the opinion of the Hearing Officer and/or reviewing body, the respondent poses a continued threat to the safety of the campus community, the sanctions may take effect immediately, and while an appeal is pending. At the completion of the administrative review, the University will contemporaneously issue a written Notice of Outcome to the complainant and the respondent. The Notice of Outcome shall include the following:

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

If no appeal is filed by either party within five (5) days of their receipt of the Notice of Outcome, the results will become final and the University will proceed with the imposition of the recommended sanction(s). A person making a complaint of sexual violence, domestic violence, dating violence or stalking may submit a victim impact statement at the conclusion of the investigation and before the case is forwarded to the Administrative Review officer or body. A respondent to such a complaint may submit a statement of mitigation or extenuation.

3. Option for Mediation of Formal Complaints

Mediation may not be requested or used in an effort to resolve allegations of sexual violence, domestic violence, dating violence or stalking.

During a formal investigation, at any time prior to the issuance of the Notice of Outcome, either party may request mediation

of the complaint by contacting the Hearing Officer. All parties must agree to mediation for this option to be used.

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

Timeframe

The University will make every attempt to conclude the Formal Investigation Process within sixty (60) days of the date of the submission of the complainant. If, for good cause, an investigation cannot be completed within 60 days, the University will provide the parties status updates at reasonable intervals until the investigation is completed.

4. Possible Sanctions and Additional Remedies

A student who has been found to have violated the Student Code of Conduct with regard to matters involving sexual violence, domestic violence, dating violence, stalking, discrimination, discriminatory harassment or retaliation may be subject to sanctions including suspension.

In general, the sanction typically imposed for students for rape or nonconsensual sexual intercourse is expulsion. The sanction typically imposed for students for non-consensual sexual contact, sexual exploitation, domestic violence, dating violence and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis

in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

5. Related Information and Definitions

For the purposes of this section, the following terms are defined and used as follows:

Complainant: An individual who makes a complaint under the Student Conduct Code. The Complainant may also be the University under certain circumstances.

Respondent: An individual who is accused of violating the Student Conduct Code.

Day: A day shall mean a calendar day.

Discipline or Sanctions: The terms may be used interchangeably.

Advisors: Each victim, complainant or respondent to an investigation initiated under the Student Conduct Code Complaint Investigation and Resolution Procedures is entitled to have an advisor present during any meetings regarding the process and disciplinary proceedings. Except as otherwise required by law, the advisor may observe, but may not participate in any way whatsoever, including, without limitation, by asking questions or speaking during the meeting or proceeding. The advisor's role is to provide support and/or advice to the party. During meetings and proceedings, the advisor may speak with the party or pass notes in a non-disruptive manner. In addition, please note that the University does not need to cancel or delay a meeting or proceeding simply because an advisor cannot be present. Further, the advisor is not permitted to attend a meeting or proceeding without the advisee.

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

Referrals to Title IX Coordinator:

Complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation will be referred to the Title IX Coordinator for evaluation. Before starting

an administrative investigation, the Title IX Coordinator or his/her designee will determine whether the reported facts, if true, would violate the Sexual Violence Policy and/or the Student Code of Conduct, and may consult with the complainant to obtain more information and discuss his/her options.

Interim Protective Measures:

Upon review of a complaint, the University may determine that interim protective measures are necessary or appropriate. The University will implement interim measures as described in Section H of the Sexual Violence Policy. Interim measures may also be instituted and/or modified at any point during the investigation and resolution process.

Off Campus Behavior:

The University may investigate off-campus conduct alleged to violate the Student Code of Conduct when such conduct involves behavior by or toward a community member, which (1) occurs during University-sponsored events or the events of organizations affiliated with the University, including study abroad and outside internships; (2) negatively impacts a victim's access to education programs and activities; (3) adversely affects or disrupts the campus community; and/or (4) poses a threat of harm to the campus community.

Amnesty:

Students may be hesitant to report sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation out of concern that they, or witnesses, might be charged with violations of the University's drug/alcohol policies. While the University does not condone such behavior, it places a priority on the need to address sexual violence and other conduct prohibited by the Sexual Violence Policy. Accordingly, the University may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation.

Conflicts of Interest:

If any University official involved in the investigation, resolution or appeal process

believes there is a potential or actual conflict of interest regarding their role, they must disclose this conflict in advance to the Equal Opportunity officer or Title IX Coordinator (where applicable) or designee. Likewise, if a complainant or respondent believes there is a conflict of interest present regarding any University official involved in the investigation, resolution or appeal process, s/he must disclose the conflict in advance to the EO Officer, Title IX Coordinator (where applicable) or designee. If a valid conflict of interest exists, the University will take steps to remedy or eliminate the conflict.

Confidentiality of Process:

Complaints and investigations under this Code will be conducted as confidentially as reasonably possible to protect the privacy of all involved. The University may share information about the allegations with parties, witnesses or others on a need-to-know basis. All with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss it with anyone except an advisor. See Section VI of the Sexual Violence Policy for more information about confidential reporting options.

Preponderance of the Evidence:

The standard of review used to evaluate all complaints. Under this standard, conclusions must be “more likely than not.” Accordingly, the fact-finder must find that it is more likely than not that the respondent violated the Student Code of Conduct.

Notice of Meetings and Access to Information:

Each party to an investigation will be provided timely notice of meetings at which such party or both parties may be present. The parties will be afforded the same and timely access to any information that the University is aware will be used at any meeting or hearing.

Refusal of Participation:

In cases where a complainant or respondent (or both) refuses or fails to participate in the investigation and resolution process, the University may continue the process without the complainant and/or respondent’s participation. The failure of the respondent to participate in the investigation and resolution

process will not prevent the University from imposing discipline or other sanctions if a violation is found.

Right to File an Outside Complaint:

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

Concurrent Criminal or Civil Proceedings:

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

When a criminal investigation of an incident of sexual violence, sexual or gender-based harassment, domestic or dating violence, stalking or retaliation is also occurring, the University will not delay its investigation due to the criminal investigation, unless law enforcement requests time to gather evidence. When law enforcement makes such a request, the University will typically resume its investigation within three to ten days.

Withdrawal of Complaint: The complainant may withdraw a complaint at any point during the investigation. The Associate Dean, Title IX Coordinator, or designee, however, may determine, in their discretion,

that the allegations raised in the complaint warrant further investigation despite the complainant's desire to withdraw the complaint. See Section VII (A) of the Sexual Violence Policy for more information on the circumstances under which the University may elect to proceed with an investigation of alleged sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation.

Definitions of Disciplinary Sanctions

A. Immediate Action

The following sanction may result if circumstances described under each sanction warrant such action.

Interim Suspension - the temporary suspension and/or restriction from the University, the residence halls and/or other campus restrictions of a student pending a student conduct hearing, when, in the opinion of the Dean of Students, or designee, the continued presence of the student constitutes a danger to himself or herself, to others, to University property, functions of the University, or may be disruptive to the University learning environment. Where such sanction is imposed, a hearing will be provided as soon as practical. The sanction will remain in effect, however, until the student is notified, in writing, that the sanction has been discontinued or until a final determination is made following a scheduled hearing.

B. Hearing Actions

The disciplinary sanctions listed below may be imposed singly and/ or in combination upon any student found in violation of the General Student Conduct Code Regulations set out in Article V. The purpose of imposing sanctions includes: (a) to protect the University community from behaviors that are detrimental to the educational environment, and (b) to assist students in identifying acceptable parameters of their activities and consequences of future behaviors. The severity of the sanctions imposed is intended to correspond with the severity or frequency of violation, as well as the student's willingness to recommit himself or herself to behavior in accordance with Student Conduct Code Regulations. Failure to complete any required sanction by the due date will result

in the imposition of more severe sanctions. Files are not released outside the University without written consent of the student except as stated in the Family Educational Rights and Privacy Act of 1974 as amended (see page 66). The record of Expulsion shall be on file through the Office of the Dean of Students. The student's disciplinary file will be maintained as a permanent part of the student's educational record. The record of all other disciplinary sanctions imposed will be on file through the Student Conduct Office. The student's disciplinary file will be destroyed upon graduation with an advanced degree, or separation from the University for seven (7) consecutive years. In the event a student with a sanction imposed upon him or her becomes inactive or no longer a registered student, disciplinary probation, residence hall separation, disciplinary warning and residential review periods will be continued to completion upon any re-admission to the University. Restrictions from facilities, restitution, and other assigned sanctions remain in effect.

1. Expulsion

Expulsion is permanent disciplinary separation from the University involving denial of all student privileges. Expulsion shall be effective on the date of notice of Expulsion, or later if so stated in the notice. A student separated from the University by Expulsion may not enter University premises, University-related premises, attend University sponsored activities or be present on campus without securing prior approval from the Dean of Students or designee. A student expelled is not entitled to any financial refund for the semester in progress.

2. Suspension

Suspension is a disciplinary separation from the University involving denial of all student privileges. Suspension shall be effective on the date of notice of the suspension, or later if so stated in the notice; and shall prescribe the date and conditions upon which the student may petition for readmission. No course work will be permitted in Continuing Education or the Day Division at Framingham State during the suspension. Upon readmission to the University, the suspended student will be on Disciplinary Probation for the

semester immediately following this return. Conditions for readmission may include, but are not limited to: Disciplinary Probation for a specified length of time, no residence on campus, restricted visitation to specified University facilities, and/or written evaluative statements from an accredited mental health professional, medical doctor or others to review the capability of the student to function successfully at the University. Students separated from the University by Suspension may not enter University premises, University related premises, attend University-sponsored activities or be present on campus without securing approval from the Dean of Students. A student suspended is not entitled to any financial refund for the semester in progress.

3. Suspension Held in Abeyance

The serious nature of the violation would normally result in the student's suspension from the University, but given extenuating circumstances, suspension is not immediately put into effect. A student found responsible for a violation of any of the same policies while on Suspension Held in Abeyance status will cause the suspension from the University for a specified period of time to be put into effect. Allegations that such a violation has occurred shall be promptly presented at a hearing, and the hearing authority shall determine whether such violation occurred and whether to impose the suspension held in abeyance. Violation of the conditions of the Suspension Held in Abeyance also constitute an independent violation the General Student Conduct Code Regulations and further sanction or sanctions may be imposed in accordance with the procedures set forth in Article VI.

4. Disciplinary Probation

A period of review and observation during which a student has been officially notified that his or her conduct is considered a serious matter and subsequent violation of University rules, regulations, or policies could result in a more severe sanction, including suspension or expulsion from the University. Disciplinary Probation is a status that may involve restrictions, conditions, or terms imposed for a definite period of time not to exceed four full semesters. Restrictions, conditions, or terms of probation may

include, but are not limited to ineligibility to participate in University activities or events; required meetings with a designated member of the University staff; restrictions on access to University facilities; and change or loss of housing assignment. Restrictions, conditions, and terms will be imposed for a specific length of time not to exceed the length of probationary period except in the case of change of housing assignment. Failure to comply with the terms and conditions of the probation, or additional behavior in violation of the Student Conduct Code Regulations during the probationary period, will likely result in more serious disciplinary action. Notation of disciplinary probationary status will be on file through the Student Conduct Office.

5. Residence Hall Restriction

Residence Hall Restriction involves removal from the University residence hall community for conduct which demonstrates unwillingness or inability to abide by Student Conduct Code Regulations or to function appropriately in the residence hall living situation. Such separation may be permanent or for a specified time period. Restriction prohibits entry or attempted entry to all or designated residence halls, including lobbies and foyers. Visitation is not permitted. Residents restricted from the residence hall are to contact their RD or the RD on Duty to make arrangements to remove personal belongings, return keys and receive mail. A student separated or dismissed from University housing for disciplinary reasons is not entitled to any refund of housing charges for the semester in progress.

6. Restriction or Revocation of Privileges

Restriction or Revocation of Privileges is a temporary or permanent loss of privileges as an alternative to another sanction, or as a condition of a particular sanction resulting from a particular action found in violation of the Student Conduct Code. Such action includes, but is not limited to: use of a specific University facility; residence hall privileges; holding or running for an office in a campus organization; the representation of the University at any sporting event or intercollegiate function; and campus motor vehicle parking and operating privileges.

7. Disciplinary Warning

Disciplinary Warning involves written notice to the student indicating that specific behavior or activity is in violation of the Code and that repetition of similar or other unsatisfactory behavior would likely result in more serious disciplinary action. Notation of the warning will be on file through the Student Conduct Office.

8. Residential Review

Residential review is an action taken against a residence hall student which places his or her resident status in jeopardy. As a result of this action, the Associate Dean of Students will review the student's Residence Hall License Agreement at the end of each semester in order to determine whether or not the individual should remain in residence. The agreement will also be reviewed if the student is found responsible for any policy violation while this is in effect. Nothing in this provision shall be deemed to prohibit the Administration of the University from terminating the Residence Hall License Agreement - whether or not a student has imposed on him or her the sanction of "Residential Review" - for reasons deemed sufficient by the Administration.

9. Restitution

Restitution is a reimbursement for damage, destruction, required services or the unauthorized use or misappropriation of University property or the property of any person which results from a conduct violation of this Code. It may also constitute reimbursement to offset the cost of a required educational sanction. The administrative hearing officer or hearing panel will investigate and determine the amount of restitution charges.

10. Special Assignments

This may be a work project or special assignment imposed either as an alternative to another sanction or as a condition of a particular sanction. An effort will be made to select an assignment that is appropriate to the offense and does not inhibit academic progress or health. Special assignments may include, but are not limited to community service; written reports; participation in co-curricular programs or counseling

groups; and work in a specific campus office, building, or area. Failure to complete a special assignment by the date set will result in the imposition of more severe sanctions.

11. Referral to the Counseling Center, Health Center and/or Wellness

Education for Evaluation and Recommendation

A resolution referral of a student to the Counseling Center, Health Center and/or Wellness Education for evaluation and recommendation may be made in lieu of another sanction, or as a condition of a particular sanction. All evaluations shall remain confidential. The Associate Dean of Students may also directly refer students to an Alcohol or other Drug Education Intervention, a Substance Abuse Assessment, or other evaluations as deemed appropriate. Students may be directed to comply with the recommendations from a Substance Abuse Assessment and/or the Counseling Center. To be credited with completion of this sanction the student must provide written authorization from the staff member to confirm completion of the sanction.

12. Reprimand

A reprimand is an official rebuke making misconduct a matter of record in University files and indicating that repetition of infractions of University regulations will result in more severe disciplinary actions.

EAP (EMPLOYEE ASSISTANCE PROGRAM)

Framingham State University provides you, your dependents and household members with an Employee Assistance Program that can help individuals cope with life's challenging moments. AllOne Health's counseling staff has extensive and specialized expertise. The staff includes doctors, licensed independent clinical social workers, and mental health specialists experienced in dealing with issues such as: stress, substance abuse, domestic violence, dating violence, depression & anxiety, workplace tension, grief, managing emotional & job stress, mental health In-patient and mental health out-patient.

CALL toll-free to speak live with a consultant

at 1-800-451-1834 or LOG ON to www.allonehealth.com/employee-student-assistance.aspx for your employee support website to access articles, tips, links, and tools, or to Live Chat with a consultant. The service is available 24/7 and is free and confidential.

PROTECTING PERSONAL AND UNIVERSITY PROPERTY

Lock your door every time you leave your room or office. Engrave expensive equipment and valuables. The Framingham State University Police Department has an engraving program. Don't store your purse or wallet in an unlocked desk drawer. Don't leave your belongings (books, gym bags, backpacks, calculator, coats, etc.) unattended in the library, cafeteria, hallways, locker rooms, or classrooms.

IF YOU ARE WORKING LATE

Notify the Framingham State University Police Department that you are in your office and indicate when you expect to leave. Keep your office door locked. Lock all doors behind you when entering and exiting at night. These preventive measures are advised for your protection. Your location on campus is important for officers to know in case of a sudden illness or in case of fire. For these reasons, the Framingham State University Police Department must know when you are in campus buildings after hours.

CRIME PREVENTION PROGRAMS OFFERED ON CAMPUS

The Framingham State University Police Department Crime Prevention Unit offers programs to the Framingham State University community on the following topics: domestic violence, sexual assault, workplace violence protection, alcohol/drug awareness, general safety, rape aggression defense, road rage, identity theft, police encounters, and many more areas. The goal of the department is to host these programs in the residence halls throughout the academic year. The Crime Prevention Unit will distribute posters with locations, dates, and times of each program throughout the year.

The domestic violence program will include facts about the law, signs and symptoms of an abusive relationship, ways to protect you from domestic violence, and facts about restraining or protection orders. It also will introduce the Framingham State University Police Domestic Violence Unit staff and show how they can assist you in a domestic violence incident.

The sexual assault program will include the definition of sexual assault and how you can tell if you have been sexually assaulted. It will also contain the facts about the law and will give helpful tips on how to protect you from becoming a victim of sexual assault. You will meet the Sexual Assault Unit staff, and learn how it can assist you in a sexual assault incident. In addition, the Framingham State University Police Department offers free basic self-defense classes. Each program topic has a number of resources, both on and off campus, readily available to the community. You will be given these resources in the handouts. All programs will consist of lectures, a series of handouts, and informative videos.

DEFINITIONS OF REPORTED CRIMES

The following definitions of crimes are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

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

Murder (and Non-negligent Manslaughter): The willful (non-negligent) killing of one human being by another.

Rape (Forcible): The carnal knowledge of a person forcibly and/or against that person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; or an attempt to commit by force or threat of force.

Sexual Offenses (Forcible): Any sexual act directed against another person and/or

against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Sexual Offenses (Non-Forcible): Unlawful, non-forcible sexual intercourse. A) Incest: Non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law. B) Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Aggravated Assault: An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner or the victim suffers from obvious severe or aggravated bodily injury, several lacerations, or loss of consciousness. Note: An unsuccessful attempt to commit murder would be classified as an aggravated assault.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against the person's will; or not forcibly; or against the person's will where the victim is incapable of giving consent because of his/her youth, or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person's will; or not forcibly or against a person's will where the victim is incapable of giving consent because of his or her youth, or because of his or her temporary or permanent mental incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth, or because of his/her temporary or permanent mental or physical incapacity.

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.

Burglary (Breaking or Entering): The unlawful entry into a building or other structure with the intent to commit a felony or theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle (includes joyriding).

Hate Crime: A crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, national origin, ethnicity, gender identity, disability, or sexual orientation of any person.

Domestic Violence: includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence: means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Stalking: means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

SEXUAL OFFENSE RESPONSE OPTIONS*

I have been informed by Framingham State University of the following options regarding allegations of a sexual offense. I understand that immediate health and safety needs are of great importance and I have been encouraged to utilize, without delay, the medical and counseling services a serious matter like this warrants. The Framingham State University Police Department (508-626-4911) can assist in identifying off-campus resources and transportation options. During normal business hours (Monday-Friday, 8:30 a.m. - 5 p.m.), the Framingham State University Health Center (508-626-4900) and Counseling Center (508-626-4640) are also available resources. I have been advised of the following options and have decided (please check all that apply):

_____ 1. To pursue a restraining order and/or criminal charges of a sexual offense against in accordance with the appropriate statute of limitations as outlined by the Commonwealth of Massachusetts. The University Police Department will be informed of this decision. If not already done, a report will need to be provided to the University Police Department.

Please note: per standard protocol, whether or not you select this option, the initial police investigation report will be forwarded to the Middlesex County District Attorney's Adult Sexual Assault Division. This notification will not have any impact on your decision of whether to pursue criminal charges.

_____ 2. To file a campus student conduct complaint against student through the FSU Student Conduct System. A copy of the report will be forwarded to the Student Conduct Office, to be processed in accordance with the FSU Student Conduct Code. In accordance with that Code, the report will be provided to the student against whom the complaint has been filed.

_____ 3. To be assigned an FSU staff member by the Dean of Students who will be available to serve as a campus advocate to me.

_____ 4. To request a no-communication directive if the involved party is a member of the FSU community. This directive prohibits all forms of communication between the involved parties.

_____ 5. To request notification of my options for changing academic and/or living situations.

_____ 6. I do not wish to exercise any of these options at this time. A copy of the report will be maintained by the Dean of Students, except in those cases in which notifying the Dean of Students would violate patient confidentiality laws.

I understand that if I wish to change any of these options in the future, I can do so by notifying the Dean of Students.

This incident will be documented with the Dean of Students/Title IX Coordinator for students. Documentation will be maintained by the Dean, who will investigate the incident in accordance with Title IX requirements. If the complaint is against a faculty/staff/contractor, the Dean of Students will forward the information to the Title IX Coordinator for faculty/staff.

Please note that Framingham State University has a duty to generally inform the University community that a sexual offense may have occurred if it is determined to present an ongoing threat to the community. This duty may also include informing the accused that we are knowledgeable of the allegations being made against him or her. **FSU also has an obligation to investigate any and all allegations of sexual misconduct whether or not a formal complaint has been filed unless the information is protected by law, such as in the case of information shared in a therapist/client relationship or in the course of receiving medical consultation or treatment.**

Student Name and ID Number (Print)

Student Signature

Date

FSU Staff Member (Print)

Date

DEFINITION OF TERMS

Sex offenses

Sex offenses are separated into two categories: forcible and non-forcible.

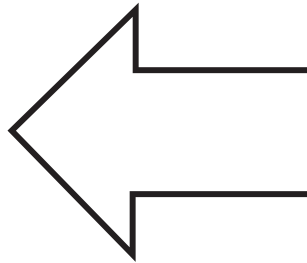
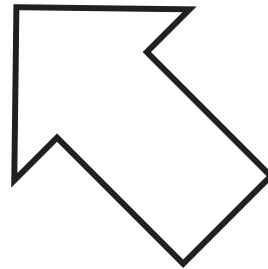
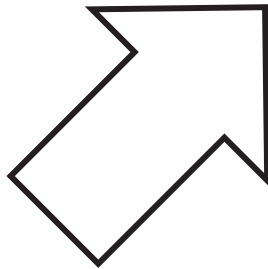
a) **Sex Offenses—Forcible** is defined as *any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of Forcible Sex Offenses:*

- **Forcible Rape** is *the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.*
- **Forcible Sodomy** is *oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.*
- **Sexual Assault With an Object** is *the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.*
- **Forcible Fondling** is *the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.*

b) **Sex Offenses—Non-forcible** is defined as *unlawful, non-forcible sexual intercourse. There are two types of Non-forcible Sex Offenses:*

- **Incest** is *non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
- **Statutory Rape** is *non-forcible sexual intercourse with a person who is under the statutory age of consent.*

Definitions obtained from *The Handbook for Campus Safety and Security Reporting*



The Framingham State University Police Department is continuously working with our local and state partners in sharing information, training, quality of life issues and crime prevention initiatives.

CAMPUS CRIME STATISTICS 2012 - 2014

The following information is given in order to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

CRIMINAL OFFENSES												
	Criminal Offenses - On Campus			Criminal Offenses - On Campus Residence Halls			Criminal Offenses - Non Campus			Criminal Offenses - Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	4	6	4	4	6	4	0	0	3	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	2	1	0	2	0	0	0	0	0	0	0	0
Burglary	14	14	5	5	9	2	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Assault and Battery	-	6	5	-	6	4	-	0	0	-	0	0
Stalking	-	0	2	-	0	2	-	1	0	-	0	0
Dating Violence	-	6	5	-	6	4	-	0	0	-	0	0

ARRESTS												
	Criminal Offenses - On Campus			Criminal Offenses - On Campus Residence Halls			Criminal Offenses - Non Campus			Criminal Offenses - Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Weapons - Carrying, Possessing, etc.	1	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations ²	3	0	0	2	0	0	0	0	0	0	0	0
Liquor Law Violations	11	0	2	11	0	2	0	0	0	0	0	0
Domestic Arrests	-	-	5	-	-	4	-	-	0	-	-	0

²Massachusetts Decriminalized Marijuana Possession (less than 1oz) on January 2009

CAMPUS CRIME STATISTICS 2012 - 2014 (CONTINUED)

The following information is given in order to comply with the requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*.

DISCIPLINARY ACTIONS												
	Criminal Offenses - On Campus			Criminal Offenses - On Campus Residence Halls			Criminal Offenses - Non Campus			Criminal Offenses - Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Weapons - Carrying, Possessing, etc.	0	1	0	0	1	0	0	0	0	0	0	0
Drug Abuse Violations ¹	69	51	36	55	38	32	0	0	0	0	0	8
Liquor Law Violations	104	209	73	99	111	73	0	0	0	0	0	1

¹Massachusetts Decriminalized Marijuana Possession (less than 1oz) on January 2009

HATE CRIMES STATISTICS												
	Criminal Offenses - On Campus			Criminal Offenses - On Campus Residence Halls			Criminal Offenses - Non Campus			Criminal Offenses - Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Larceny - Theft	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	1R	0	0	1R	0	0	0	0	0	0
Destruction/damage/vandalism of property	1E	1S	2S 1E 1R	1E	1S	1S 1E 2R	0	0	0	0	0	0

R = Race, G = Gender, REL = Religion, S = Sexual Orientation, E = Ethnicity, D = Disability, N = National Origin, I = Gender Identity

SPECIFIC INFORMATION ABOUT CLASSIFYING CRIME STATISTICS

The preceding statistics are published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the federal law, the Clery Act.

The number of victims involved in a particular incident is indicated for the following crime classifications: Murder/ Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non- Forcible Sex Offenses, Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number of incidents involving a particular offense is indicated for the following crime categories (includes one offense per distinct operation): Robbery, Burglary, Larceny, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of motor vehicle theft, each vehicle stolen is counted.

In cases involving Liquor Law, Drug Abuse, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics. If an arrest includes offenses for multiple liquor or drug abuse violations, it is only counted as a Drug Abuse Violation as that is the more egregious offense.

The statistics captured under the "Referred for Disciplinary Action" section for Liquor Law, Drug Abuse, and Illegal Weapons violations indicate the number of people who are referred to the Office of Judicial Affairs and found responsible for violating those specific laws. Being found responsible includes a referral that resulted in disciplinary action being initiated by the Office of Judicial Affairs and a record of the action being kept on file.

FSUPD Hate Crime statistics are separated by their category of prejudice. Statistics for

Hate Crimes are counted in each specific Clery reportable crime category and therefore, are part of the overall statistics reported for each year. The only exception to this is the addition of a bias motivated simple assault resulting in bodily injury; the law requires that this statistic be reported as a hate crime even though there is no requirement to report the crime in any other area of the compliance document.

SPECIFIC INFORMATION ABOUT THE CRIME STATISTICS REPORTED BY FSUPD

Unless otherwise indicated, all statistics are from incidents that were reported to FSUPD. "Reported to Other Campus Agencies" includes crime statistics from incidents reported by other university authorities (e.g. the Counseling Center). "On Campus Residence Halls" is a subset of the "On Campus" crime category. The law requires institutions to break out the number of "on campus" crimes that occur in residential facilities.



DATA FROM THE FRAMINGHAM POLICE DEPARTMENT

In compliance with the new regulation of *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics*, the following reflects the contiguous geographical areas of Framingham State University owned or leased property.

This contiguous area includes the following streets: Adams Road, Barber Road, Church Street, High Street, Maple Lane, Maple Street, Maynard Road, Normal Hill Road, River Street, Salem End Road, State Street, Union Avenue, and Wood Terrace. Note the data reflects the entire streets listed, and not just the area surrounding campus. The streets are public ways in the Town of Framingham.



INVESTIGATION OF MISSING PERSONS

The Framingham State University Police Department complies with Public Law 108-21, Title II, Section 204, which is more commonly known as "Suzanne's Law". This law amends Section 3701(a) of the Crime Control Act of 1990 (42 U.S.C. 5779(a)), so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21 and reports the missing person to the National Crime Information Center of the Department of Justice.

"Suzanne's Law" is named after Suzanne Lyall, a State University of New York at Albany student who has been missing since 1998. Previously, police were only mandated to report missing persons under the age of 18. This law, which was signed by President Bush as part of the national "Amber Alert" bill on April 30, 2003, requires police to initiate prompt investigations into missing young people.

This change in federal law will have little impact on the practices of Framingham State University Police Department because we have always been very aggressive in investigating reported missing persons. If you have any questions about Suzanne's Law, please let us know.

January 1, 2014 - December 31, 2014	
	Criminal Offenses
Murder/Non-Negligent Manslaughter	0
Negligent Manslaughter	0
Sex Offenses - Forcible	0
Sex Offense - Non-Forcible	0
Robbery	1
Aggravated Assault	0
Burglary	2
Motor Vehicle Theft	2
Arson	0
Domestic Assault and Battery	2
Stalking	0
	Arrests
Weapons - Carrying, Possessing, etc.	0
Drug Abuse Violations	4
Liquor Violations	1
	Hate Crimes
	0



FRAMINGHAM STATE UNIVERSITY POLICE SEX OFFENDER REGISTRY



Sex Offender Registry information as required under the "Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act".

Under the "Campus Sex Crimes Registration Act," which took effect on October 28, 2002, the Framingham State University Police Department is a repository for information concerning registered sex offenders who study, work, and/or carry on a vocation at Framingham State University.

Under the current procedures of the Commonwealth of Massachusetts Sex Offender Registry Board the only methods of obtaining sex offender information as it applies to Framingham State University requires that an individual seeking such information either apply for it in person at the "Town of Framingham Police Department" or the individual applies directly to the Massachusetts Sex Offender Registry Board.

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

- Level 1:** considered a low risk offender
- Level 2:** considered a moderate risk offender
- Level 3:** considered a high risk offender

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

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

In an effort to provide Framingham State University with the most up-to-date Sex Offender Registry Information, we are providing the web site and location of the Massachusetts Sex Offender Registry Board and the Town of Framingham Police below.

The Commonwealth of Massachusetts
Sex Offender Registry Board
P.O. Box 4547
Salem, MA 01970
Phone 978-740-6400

Framingham Police Department
508-872-1212
www.framinghampd.org

Fire Safety Report

FIRE SAFETY

The Framingham State University Police Department and Facilities Department work together with the Framingham Fire Department to ensure that Framingham State University is in compliance with all fire and life safety codes and standards.

All residence halls meet or exceed local and national fire safety codes and are equipped with modern fire alarm systems including smoke detectors and sprinkler systems. In addition, all fire extinguishers are inspected on a regular basis. Egress drills for residential students are conducted multiple times per year by the Office of Residence Life staff with the Framingham Fire Department.

The Framingham State University Office of Residence Life publishes residence hall policies regarding fire safety, fire drills, fire alarms, and escaping from fire in the annual Framingham State University *RAM Student Handbook* and in the *Guide to Residence Living*.

Smoking: All Framingham State University Academic, Administration, Athletic, and Residence Life buildings are smoke free. This includes all student rooms, hallways, and common areas.

RESIDENCE HALL FIRE PREVENTION INFORMATION

All the residence halls at Framingham State University are protected with a fire protection system. This system includes an approved fire suppression system, along with smoke detectors located in the common areas and individual rooms. These components are connected to Framingham Fire Department's central fire alarm and the monitoring system located at University Police and is monitored twenty-four hours a day.

Fire drills: Each fall and spring semester the Framingham Fire Department in conjunction with Residence Life staff conducts fire drills in each residence hall. The University requires complete evacuation of buildings

during a fire alarm. Individuals who ignore fire alarms and required evacuation are subject to serious disciplinary action.

FIRE DEFINITIONS

The following definitions are applicable to this section:

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

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

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

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

Fire-Related Death: Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of a fire.

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

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

RESIDENTIAL FIRE INCIDENT STATISTICS 2012-2014

	HORACE MANN			LARNED			LINSLEY		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
Number of Fire Incidents	0	0	0	0	0	0	0	0	0
Fire Related Injuries	0	0	0	0	0	0	0	0	0
Fire Related Deaths	0	0	0	0	0	0	0	0	0
Property Damage	0	0	0	0	0	0	0	0	0

	O'CONNOR			PEIRCE			TOWERS			NORTH		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Number of Fire Incidents	0	0	0	0	0	0	0	0	0	0	1	0
Fire Related Injuries	0	0	0	0	0	0	0	0	0	0	0	0
Fire Related Deaths	0	0	0	0	0	0	0	0	0	0	0	0
Property Damage	0	0	0	0	0	0	0	0	0	0	1	0

Campus Emergency Handbook

Dear FSU Campus Community Member:

This booklet is designed to inform all members of the Framingham State University campus community about appropriate actions in an emergency situation. Maintenance of campus safety and security is a priority for all of us. Everyone, including students, faculty, and staff, should read this booklet in advance and at least once a semester in order to keep in mind appropriate responses should the campus experience a serious emergency event. Please do not hesitate to call or write should you have any questions regarding emergency preparedness and response protocols.

Sincerely,

Brad Medeiros,

Chief of University Police

PURPOSE OF AN EMERGENCY RESPONSE PROTOCOL

A campus-based Emergency Response Protocol is necessary:

- To provide management plans and procedures that most effectively protect the health, safety, and welfare of students, faculty, staff, and the public, protect the environment, and to mitigate potential damage in the event of an emergency.
- To provide a coordinated response to emergencies that may impact members of the campus community and/or the environment while paying special attention to the safety and security needs of all.
- To provide for the essential needs of students and employees during and following an emergency.
- To coordinate training and review procedures in order to maintain a state of readiness and provide effective response should an emergency occur.
- To use critical emergency incidents, when appropriate, as teachable experiences to enhance the quality of life for all those impacted by the incident.

CAMPUS STATE OF EMERGENCY

The authority to declare a campus state of emergency rests with the President of the University or his designee as follows. During the period of any major campus emergency, the president of the University will place into effect the appropriate procedures necessary in order to meet the emergency, safeguard persons and property, and maintain educational facilities. When necessary, the President will convene the Emergency Operations Center Team (EOCT).

EMERGENCY RESPONSE

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

The EOCT will be activated depending on the level of emergency designated by the University Police Chief or designee. The level of the emergency and instructions will be communicated with the University community through the University Police Department in conjunction with the

University's Chief of Staff/General Counsel and the President by one or all of the following:

- Campus wide e-mail
- Campus wide telephone broadcast
- FSU Alert text message and cell phone community notification system
- Public announcement (PA) systems

DEFINITION OF AN EMERGENCY

Framingham State University has defined an emergency as an event that would likely result in injury to members of the community and/or destruction to facilities and equipment. Such events include unanticipated circumstances such as fire, explosion, natural disaster, acts of violence, or release of hazardous materials. Other events may be foreseeable and there may be sufficient warning to provide for a planned response; such emergencies include forecasted storms or pandemic conditions.

Localized Emergency: Localized emergencies impact only a small part of the University community and do not impact the overall functioning of Framingham State University. A localized emergency may not require the intervention of the EOCT as a whole but may require certain members of the team to be involved as necessary. Examples include a small, localized fire, an isolated power failure, or a hazardous material spill of small proportion.

Major Emergency: A major emergency is defined as a serious emergency that completely disrupts one or more major operations of Framingham State University. The EOCT would need to make major decisions about the functioning of the University.

Disaster: A disaster is defined as a campus wide, municipal, regional, national, or global emergency that seriously impairs or halts the operation of Framingham State University. Outside public safety and other emergency services will be required but may not be immediately available. In this scenario, major

policy decisions will always be required by the EOCT.

EMERGENCIES INVOLVING HARASSMENT, VIOLENCE, OR THREATS OF VIOLENCE

Harassment, threats, and violent behavior are unacceptable and will not be tolerated at Framingham State University. All reports of harassment, intimidation, threats, and physical violence will be investigated and individuals found responsible for such actions will be subject to disciplinary action, including expulsion, termination, and prosecution.

Planning and practice are effective tools individuals may use to prevent and protect against the unlikely event of violence on campus. Preventive actions include:

- learning to recognize early warning signs
- early reporting, and intervention
- considering potential scenarios
- planning a response

Every hostile or potentially violent situation is different; threatened individuals will have to rely on their best judgment on the best course of action, given the unique situation. Your own safety and the safety of others are the top priority.

Harassment

Do not ignore harassing behavior, which is defined as behavior that causes alarm or concern for the safety of oneself or others. Report concerns to your supervisor or, if the individual exhibiting such behavior is a student, to the Dean of Students. Any time a person believes that violence is imminent, University Police should be called. Treat all threats or rumors of violence as serious. Call University Police if you observe a weapon, are informed of someone on campus in possession of a weapon, or informed of someone's intent to bring weapons to campus.

Every situation is different and the threatened individual will have to rely on his or her best judgment as to the best course of action. Your own safety and the safety of others are the top priority. General guidelines include:

- Do not tolerate verbal or physical harassment from anyone. Do not give out personal information about yourself or others (co-workers or students). Information you should protect include your home address, class schedule, or telephone number.
- Those using web-based social networking sites such as Facebook, Twitter, and Instagram should not include private information such as phone numbers and addresses in profiles.
- Report civil protection orders (“No Contact Orders”, “Restraining Orders” or “Harassment Prevention Orders”) to University Police. The University Police Department will request a copy of the order.

If you encounter a stranger whose actions appear to be suspicious:

- Establish eye contact and ask if you can help him or her.
- Do not physically confront the person. Keep a safe distance.
- Do not let anyone block your access to an exit.
- Do not let anyone into a locked building or office.
- Do not block the person’s access to an exit.
- Note the person’s travel direction, clothing, body type (weight and height), sex, race, approximate age, jewelry worn, any visible scars, identifying body marks, body piercing, tattoos, etc.

Active Shooter Incident

If someone has entered an area and has started shooting a firearm, the following actions are recommended. These guidelines are recommendations only. Individuals may have to act in ways different from those outlined here.

- If possible, exit the building immediately.
- Notify anyone you may encounter to exit the building immediately.
- Unless otherwise indicated by emergency response personnel, report to your building assembly area (see evacuation plan). This should be done only if it is reasonably safe to do so. Otherwise, it may be better to leave the campus.
- Call 4911 from any campus phone; from a cell phone dial 508-626-4911. Give the dispatcher the following information:
 - Your name and location.
 - Location of the incident (be as specific as possible).
 - Number of shooters (if known).
 - Identification or description of shooter.
 - Number of persons who may be involved.

If you are directly involved and exiting the building is not possible, the following actions are recommended:

- Go to the nearest room or office.
- Close and lock the door.
- Cover the door windows. Keep quiet and act as if no one is in the room.
- Do not answer the door.
- Notify University Police at 4911 (from a cell phone dial 508-626-4911).

- Give the dispatcher the following information:
 - Your name and location (be as specific as possible).
 - Number of shooters (if known).
 - Identification or description of shooter.
 - Number of persons who may be involved.

Wait for local police or University Police to assist you out of the building.

If you find yourself directly confronted with an armed individual who is threatening to commit or has committed violence, the following guidelines should be used to the extent possible and warranted by the circumstances of the situation:

- Remain as calm as possible; be cooperative and patient.
- Remember that time is your best weapon; offer to listen.
- Don't judge or argue with perceptions.
- Treat each concern as important and valid. A person in crisis will only respond to someone who is willing to listen and who understands, is respectful, and non-threatening.
- Maintain polite eye contact; keep gestures and body language open and non-threatening. Use a low, soft, slow voice when you speak. Do not make sudden moves--request permission of the person before you make any moves.
- Be truthful--to lose credibility can be catastrophic. Assure the person you will do everything you can to resolve his/her grievances in a fair manner.
- Ask the aggrieved party to suggest a solution. A person in crisis will be more accepting of a solution that he or she has helped formulate.
- Always look for a win-win outcome.

Retaining dignity (saving face) is paramount to the person in crisis.

- Be observant. Note as much as possible about the aggressor, including type and number of weapons, state of mind, and what was said. Pay attention to details about the space you are in. If you are released or decide you must escape, this information may be needed by police to ensure the safety of others.

Bomb Threat

If you receive a bomb threat over the telephone:

- Be calm--do not panic.
- On display-type telephones, note the number from where the call is coming. Note the exact time of the call.
- Write down as accurately as possible the statements made.
- Listen to the voice to determine, if possible, the sex and age of the caller and note any identifying attributes such as an accent, a lisp, or a background noise. Attempt to question the caller.
- Immediately notify your supervisor and the University Police Department at 4911. Complete a Bomb Threat report form, available from University Police. The on-duty University Police shift supervisor will direct the following: notify the appropriate responders (Fire Department, Framingham Police Department) and campus staff (President's Office, Dean's Office).

If a bomb threat is received, University Police, in conjunction with other emergency responders as appropriate, will conduct a thorough search of the campus or specific area under threat. The following procedures are followed in order to conduct such a search:

- The University Police department shift supervisor will direct the search in such a manner that all area of the threatened facility is methodically searched.

- All available University Police officers will be dispatched to conduct a discreet search of the location involved.
- Maintenance personnel will be asked to assist in the search on a volunteer basis.
- Radios will not be transmitted within 500 feet of the threatened facility. A location outside the area will be designated for pre-search instruction and searchers can monitor their radios for instructions during the search.
- The search will include all rooms, locked and unlocked (unless otherwise directed by the University Police Department shift supervisor), all unlocked cabinet doors and drawers, classroom furniture, trash receptacles, shelves and ledges, and all other unsealed containers (boxes and crates).
- If a suspicious item is discovered, it will not be touched or moved. University Police will coordinate the securing of a safe perimeter pending the arrival of personnel equipped and trained to remove the threat.
- Inform University Police of any incident involving overt threats or acts of violence.
- Notify the Dean of Students if a student's disturbing behavior is ongoing or is disruptive of the teaching and learning environment of the classroom.

Contaminated Mailings

Campus and non-campus based mail and delivery services may be used to distribute toxic or lethal materials such as Anthrax. Some characteristics of suspicious packages and letters include the following:

- Excessive postage
- Handwritten or poorly typed addresses
- Incorrect titles
- Title, but no name
- Misspellings of common words
- Oily stains, discoloration, or odor
- No return address
- Excessive weight
- Lopsided or uneven envelope
- Excessive security material such as masking tape, string, etc.
- Restrictive terms such as "Personal "or "Confidential "or a state postmark that does not match the return address

If you receive a package you feel to be suspicious:

- Do not shake or empty the contents of any suspicious envelope or package.
- Place the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.
- If you do not have any container, COVER the envelope or package with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover.

Threatening Behavior and Classroom Disturbances

Behavior that is clearly intended to pose a threat to self or others is not tolerated at Framingham State University. Report such disturbances to University Police immediately:

- Be prepared to give a description of the person or persons causing the disturbance.
- Gather key details of what happened.

If the disturbance is in a classroom, faculty can take the following actions:

- If safe to do so, the disruptive person(s) should be told to leave the classroom.
- If the safety of the others is threatened, dismiss the class; ask students to leave the room in an orderly manner.

- Leave the room and CLOSE the door or section off the area to prevent others from entering.
- Call the University Police.
- Wash your hands with soap and water to prevent spreading any contaminant to your face.
- Remove heavily contaminated clothing as soon as possible and place in a plastic bag or some other container that can be sealed. This clothing bag should be given to the emergency responders for proper handling. SHOWER with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- List all people who were in the room or area when this suspicious letter or package was received. Give this list to law enforcement officials for follow-up investigations and advice.
- Note: Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. To do so, the organism must be rubbed into abraded skin, swallowed, or inhaled as a fine, aerosolized mist. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another.
- If you have reason to believe that a room or area on campus has been contaminated by AEROSOLIZATION (a small device triggered, warning that air-handling system is contaminated, or warning that a biological agent has been released in a public space):
 - Turn off all local fans or ventilation units in the area.
 - LEAVE the area immediately.
 - CLOSE the door or section off the area to prevent others from entering (i.e., keep others away).
 - Report the incident to University Police and your supervisor.

- List all people who were in the room or area. Give this list to law enforcement officials for further investigation.

See the Centers for Disease Control web site on Emergency Preparedness for more Anthrax information;
www.emergency.cdc.gov/preparedness/

EMERGENCIES RESULTING FROM ACCIDENT, POWER OUTAGE, OR FIRE

Aircraft Crash

The following procedures should be followed should an aircraft crash on the campus:

- Immediately take cover under tables or desks and remain clear of all windows to protect against debris until mass movement stops.
- Activate the nearest fire alarm pull station and evacuate the building quickly, following the established routes and procedures if possible. Even if fire or explosion does not occur on impact, the threat of fire or explosion remains and individuals should respond accordingly.
- Assemble at the pre-designated assembly point if it is safe to do so or proceed to an alternate assembly point as directed by University Police or other emergency response personnel. Wait at the safe assembly point until otherwise directed.
- If required, a campus wide evacuation will be conducted when it is safe to do so without complicating the emergency response.

Persons who are trapped and unable to evacuate a building should:

- Alert emergency search and rescue crews or anyone within shouting distance of your location.
- If a telephone is available, attempt to call University Police at extension 4911 (or 508-626-4911 from a cell phone) and report your location.

- If a window is accessible, place an article of clothing or other signal in the window to alert rescuers to your location. Whistle, shout, use any object at hand to pound on a wall or door to make noise at regular intervals to alert rescuers to your location.
- Stay low, near the floor. During a fire the air nearest the floor will contain the least smoke, contaminants, and heat.
- If you are injured, tend to your wounds.
- Remember, the first priority during any emergency is life safety. Help is on the way.

If an airplane crashes near campus:

- The campus may be used as a staging area or command post by emergency responders.
- Keep campus access roads open and remain clear of the command post and responders.
- Follow building evacuation plans.
- Wait at designated assembly points until receiving further instructions from a campus official or emergency responder.

Power Failure

If there is a large-scale power failure, you should do the following:

- Contact University Police at 4911 from any telephone on campus (or 508-626-4911 from a cell phone) and give your name, telephone number, location, and nature of the emergency.
- University Police will notify appropriate university officials.
- Representatives of the Facilities Management Department will verify the failure and its cause.
- In cases where power failures will affect classes, residence halls, or other university activities for extended periods,

the University EOCT will be notified to respond to campus.

Fire

Fire and the associated dangers of smoke, structural damage, or toxic releases can pose serious threats of injury and death to faculty, students, staff, visitors, and emergency personnel. **DO NOT TRY TO FIGHT A FIRE UNLESS YOU HAVE RECEIVED TRAINING IN HOW TO SAFELY DO SO.** In order to control a fire and minimize its damage, the following steps should be taken immediately:

- Leave the area at once.
- Pull the fire alarm.
- Alert other people in the area and instruct them to leave the building.
- Close, **DO NOT LOCK**, all doors and windows if you can safely do so to help contain the fire.
- Stay as low as possible to avoid smoke and heat.
- Evacuate the building calmly, but quickly, following evacuation and assembly procedures posted in the building (see Evacuation Plan).
- Do not use elevators.
- Go directly to the designated assembly area and await additional instructions.
- Report anyone who is missing and who was in your classroom or area when the evacuation began to the University Police or Residence Life staff.
- Remain at the assembly area until you are instructed how to proceed by the University Police or Framingham Fire Department official.

If Trapped:

- Alert emergency responders of your location by whistling, shouting, or using an object to beat on walls or floor in a rhythmic manner.

- If a telephone is available, call extension 4911 (or 508-626-4911 from a cell phone) and notify University Police of your location. You may also place an article of clothing or other device to use as a signal in a window, if a window is available.
- Stuff material in door cracks to minimize smoke and try to stay low near the floor where heat, smoke, and contaminants may be less.
- If you are injured, tend to injuries.

GENERAL MEDICAL EMERGENCIES

A medical emergency can occur anywhere on campus. The reaction of the victim or those around him/her can ensure quick arrival of trained emergency personnel. What to do if someone is injured or becomes ill:

- Stay calm.
- Dial 4911 (or 508-626-4911 from a cell phone) and explain the type of emergency, the location of the victim, and the condition of the victim. Let the dispatcher know of any safety hazards—chemical spill, fire, fumes, etc. Be sure to tell the dispatcher if the person is unconscious, not breathing, is bleeding profusely, or has chest pain. These all cause the dispatcher to summon an ambulance.
- Do not hang up unless told to do so by the dispatcher.
- Do not move the victim unless there is danger of further injury if he/she is not moved.
- Do not give the victim anything to eat or drink.

University Police officers are trained as Massachusetts First Responders. All officers receive annual re-certification in First Aid and CPR and use of the department's Automatic External Defibrillators (AED).

Accidental Poisoning

Call University Police immediately in the case of poisoning:

- Try to provide information about what material may have caused the poisoning. Have the container or data sheet available for emergency responders.
- While officers respond quickly on campus, someone in the area can call the Poison Control Center at 1-800-222-1222 for further instructions.

These procedures are taken from the American Association of Poison Control Centers (www.aapcc.org).

Animal Bites

A bite from any animal, wild or domesticated, constitutes a localized emergency. As soon as possible after injury, report the bite to University Police and to the area supervisor. Take the following actions to minimize the effects of the injury:

- Control bleeding by the application of continuous pressure for 5-10 minutes.
- Wash all wounds immediately with soap or detergent solution and a high volume of water for at least 5 minutes. Primate bites require special care. Scrub with an antiseptic solution if available for 15 minutes under running water.
- Seek follow-up medical care.

EMERGENCIES RESULTING FROM NATURAL FORCES

Earthquake

Earthquakes are one of the most potentially damaging emergencies the campus could face. The potential coexistence of other disasters with earthquakes, such as fires, natural gas line ruptures, power outages, and ground failures add to the potential for catastrophic damage to campus and the surrounding area. Organizations are expected to be self-sufficient up to three days following a major earthquake without

government agency or utility company response. In the event of an earthquake:

If Inside:

- Take cover under a desk or table and hold on. If your cover moves, move with it. Brace in a doorway if cover is not available—be cautious of swinging doors and people traffic. Avoid outside or high-use doorways.
- Stay away from windows and objects that could fall.
- If in a theater or lecture hall, stay in your seat or get under it, if possible. Protect your head with your arms.
- When shaking stops, move cautiously outside. Be careful of falling building materials or uneven ground. When outside, move away from the building.
- Proceed to a designated assembly point, or if unsafe, an alternate assembly point. Remain for further instruction.
- Instructors and supervisors:
 - Notify University Police of anyone unaccounted for from your area.

DO NOT GO BACK INTO THE BUILDING WITHOUT AUTHORIZATION!

If Outside:

- Move away from buildings, overhead lines, poles, or other objects that could fall or move abruptly (vehicles and equipment).
- Get low to the ground and protect your head with your arms.

Always:

- Proceed to the designated assembly area and WAIT.
- Be prepared for after-shocks.
- If you suspect gas, electrical, or other

problems, notify campus officials.

Flood

If you encounter high water, do the following:

- Move immediately to higher ground.
- Do not get under tall trees during rainstorms; lightning may strike.
- Avoid fast flowing water whether on foot or in a vehicle (water depth is not always obvious).
- Avoid contact with and DO NOT USE electrical devices.
- Be especially careful with high water at night as darkness may hide other hazards.

Tornado Warning

When a tornado warning is issued by the National Weather Service, University Police will activate the emergency notification system(s). All individuals on campus should proceed to the nearest designated shelter. Persons already in a building should stay in that building and go to the nearest designated shelter area. Those outside should immediately enter the nearest building and proceed to the nearest designated shelter area. Note: only resident students have card access to the residence hall to which they are assigned. During a tornado or other weather crisis, persons who are not resident students or students who are not near their residence halls should seek shelter in classroom or administrative buildings.

During a tornado emergency, faculty members and supervisory personnel will:

- Direct occupants to proceed in a quick and orderly manner to the nearest designated shelter area in the building.
- Instruct occupants not to leave the building.
- Turn off all lights and electronic equipment in the room.

- Provide assistance to persons with disabilities if necessary.

All others should:

- Proceed to the nearest designated shelter area in the building by the closest route.
- Move quickly but in an orderly manner so that all may arrive safely.
- Take a seat in the shelter area.
- Residence hall residents will follow the specific residence hall guidelines for a tornado warning.

Places to avoid during a tornado emergency include:

- All outside walls, elevators, and windows of buildings.
- Any low-lying area that could flood.
- Vehicle—these should not be used for shelter.
- Building areas with a large roof span.

Remain in the shelter until the tornado warning is over. There is no “all clear” signal given. Listen to a radio or television station to determine when the threat has passed, or call University Police.

Emergency Evacuation Plans For Campus Buildings

The following instructions apply to evacuation of ALL campus buildings:

- When leaving, do not stop to gather personal belongings other than key and immediate essentials.
- Do not open any door if it feels hot. If you are inside a room and cannot exit the building, open a window, and signal for help. Do not panic. Do not jump.
- If you are able to exit, open curtains, leave lights on and close door.
- When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department.
- Only re-enter building when told to do so by a uniformed University Police officer.
- When exiting a building due to emergency, keep all roadways and walkways clear to allow access of emergency personnel.

The following instructions apply to evacuation of SPECIFIC campus buildings:

CORINNE HALL TOWERS	<ul style="list-style-type: none"> ▪ When fire alarm sounds, an audible alarm will sound throughout the entire building. DO NOT EVACUATE immediately. ▪ Occupants should listen carefully for verbal, spoken instructions via the emergency communication device. The instructions will notify all occupants if they are to evacuate the building. ▪ In the event of evacuation, walk to the nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving, do not stop to gather personal belongings, other than key and immediate essentials. ▪ Close door. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Larned Hall deck. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
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<p>MCCARTHY CENTER</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to the grassy area in front of Crocker or to the rear parking lot. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>CROCKER HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest side staircases. Center staircases do not exit to outside. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>HEMENWAY HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ If fire or emergency is in hallway, the rear doors of classrooms and laboratories shall be used to allow passage to a different stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ When leaving a classroom, take your belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to either Crocker Grove or Larned patio. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>HORACE MANN</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest side staircases. Center staircases do not exit to outside. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>LARNED HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving, do not stop to gather personal belongings, other than key and immediate essentials. ▪ Close door. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to either of the sidewalks leading to the Library. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>LINSLEY HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving, do not stop to gather personal belongings, other than key and immediate essentials. ▪ Close door. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly across Adams Road. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>NORTH HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving, do not stop to gather personal belongings, other than key and immediate essentials. ▪ Close, but do not lock door. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to the open space out front of North Hall. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>MAY HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ Exit is on first floor, not at Ground level. ▪ DO NOT USE ELEVATOR. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ When leaving a classroom, take your belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to the grassy area in front of May Hall. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>O'CONNOR HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>PEIRCE ANNEX</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest side staircases. Center staircases do not exit to outside. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>PEIRCE HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest side staircases. Center staircases do not exit to outside. ▪ When leaving your office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>WHITTEMORE LIBRARY</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ If fire or emergency is in hallway, the rear doors of classrooms and offices shall be used to allow passage to a different stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ When leaving a classroom, take your belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to the grassy area in front of Library. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>DWIGHT HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ When leaving a classroom, take your belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>ATHLETIC FACILITY</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest stairwell. ▪ DO NOT USE ELEVATOR. ▪ When leaving, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to Crocker Grove. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>ECUMENICAL CENTER</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest exit. ▪ Take your personal belongings. ▪ Move quickly to Church Street parking lot. ▪ Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>FOSTER HALL</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest exit. ▪ Take your personal belongings. ▪ Move quickly to McCarthy Center deck. ▪ Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>FACILITIES HOUSE</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the parking area by the Ecumenical Center ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>ADVANCEMENT HOUSE</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the end of Adams Road. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>COMMUNITY EDUCATION CENTER (Jonathan Maynard Building)</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, immediately walk to nearest side staircases. ▪ When leaving office or classroom, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly to the rear of the parking lot. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>HONORS HOUSE</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the grassy area behind North Hall. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>WELCOME CENTER</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the rear parking area. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>PRESIDENT'S RESIDENCE</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared, walk to nearest exit. ▪ Take only your wallets and handbags. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the Advancement Office, 43 Adams Rd. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>550 UNION AVENUE</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared or water gong tolls, walk to nearest exit. ▪ Take only your wallets. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly to the rear of the parking lot. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.
<p>POWER/BOILER PLANT</p>	<ul style="list-style-type: none"> ▪ When fire alarm sounds, ALL EXCEPT OPERATOR ON DUTY will walk to nearest exit. ▪ Gather outside at bottom of stairway leading to Dwight Hall. ▪ OPERATOR ON DUTY WILL REMAIN IN PLACE AND CONTINUE OPERATIONS UNLESS IMMEDIATE THREAT OF DANGER ▪ IN THE EVENT OF IMMEDIATE THREAT, OPERATOR WILL ENGAGE THE EMERGENCY ALL-STOP BUTTON TO SHUT DOWN ALL BOILER PLANT OPERATIONS as completely as possible if able to do so, personal safety is first priority. ▪ Do not stop to gather other personal belongings. ▪ When descending stairs, use the handrail. ▪ Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police Department.

<p>23 SALEM END ROAD</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags, and keys. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly away from the building. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police.
<p>9 MAYHEW STREET</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared or fire alarm sounds, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags, and keys. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly away from the building. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police.
<p>860 WORCESTER ROAD</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared or fire alarm sounds, walk to nearest exit. ▪ DO NOT USE ELEVATOR. ▪ When leaving an office, take only your wallets and handbags, and keys. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department. ▪ Move quickly away from the building. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police.
<p>1812 HOUSE</p>	<ul style="list-style-type: none"> ▪ When an emergency is declared or fire alarm sounds, walk to nearest exit. ▪ When leaving an office, take only your wallets and handbags, and keys. Do not stop to gather other personal belongings. ▪ Close, but do not lock doors. ▪ When descending stairs, use the handrail. ▪ Move quickly away from the building. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel. ▪ Only re-enter building when told to do so by a uniformed officer of the University Police.

**2 CHURCH STREET
EARLY EDUCATION
CENTER**

- When an emergency is declared or alarm sounds, walk to nearest exit. There are plans to follow inside the building.
- When leaving, take only your wallets and handbags, and keys. Do not stop to gather other personal belongings.
- Close, but do not lock doors.
- Move quickly away from the building. Keep streets, fire lines, hydrant areas, and walkways clear for emergency vehicles and personnel.
- Only re-enter building when told to do so by a uniformed officer of the University Police.

LOCK DOWN PROCEDURES

Common Terminology: A "Lock-Down" condition is initiated for weapons related violence, usually involving the presence of an emotionally disturbed person or persons who are threatening, have committed, or are in the process of committing, violent acts.

Lock-Down is a baseline plan designed to deny the attacker access to potential victims. There is no one magic solution to cover all situations and scenarios; members of the campus community are encouraged to "think on their feet." Lock-Down applies to everyone: faculty, staff, students, administrators, and guests of the University.

Any member of the campus community who believes weapon related violence is taking place should dial 911 (or 508-626-4911 from a cell phone) immediately.

Lock-Down announcements can be made by FSU Alert, a campus-wide emergency notification system, and by police cruiser public announcement (PA) systems or hand-held bullhorns.

Once a Lock-Down order is given:

- Immediately lock classroom or office door.
- Shut lights off, turn monitors off.
- Help students remain calm and caution them to remain completely quiet.
- Maintain your attendance of those you have in your area.
- Ensure everyone remains in a safe spot out of view from both exterior and interior windows.
- Faculty, staff, and students outside should pay attention to police PA system.
- Keep cover and concealment in mind.
- If you are attacked directly, scatter.
- Lock-Down protocol supersedes standard Fire Alarm evacuation

procedures. Ignore the Fire Alarm unless evidence of fire is apparent (you see smoke or fire). This is a "think on your feet" moment.

Police Response:

- Lock-Down buys a handful of minutes for police to take action.
- Outer perimeter of the campus will be established and secured.
- Police will arrive and form a contact team.
- Police will make rapid entry to aggressively address the threat-- stay out of the way.
- Police will move directly to the violence, past injured people (they will be cared for as soon as possible).

Situation Resolved:

- Unlock or evacuation will begin when situation is resolved or stabilized.
- Be prepared for Lock-Down to last hours.
- Unlock teams consisting of University Police and other law enforcement agencies will open your doors, inspect occupants of the room, and give further instructions.
- Staging areas for medical triage will be established for treating injured.

This Lock-Down plan remains fluid and may be changed during an emergency. All Community members should immediately dial 911 (or 508-626-4911 from a cell phone) any time weapons-related violence is taking place.

DISTINCTION BETWEEN "LOCKDOWNS" AND "SHELTER IN PLACE"

LOCKDOWNS: A lockdown occurs when occupants of the University are directed to remain confined to a room/area with specific procedures to follow regarding locking of

doors, closing of windows/shades, seeking cover, etc. This procedure is implemented when a criminal element is believed to be on the premises and officials expect that these measures will minimize risk exposure of the occupants to the criminal element. Lockdowns necessitate a law enforcement response and immediate intervention. While responsibility for determining an immediate lockdown rests primarily with that University Police, both the University officials and law enforcement officials are strongly encouraged to confer with one another during this process. This will help ensure safe and efficient handling of University lockdown events.

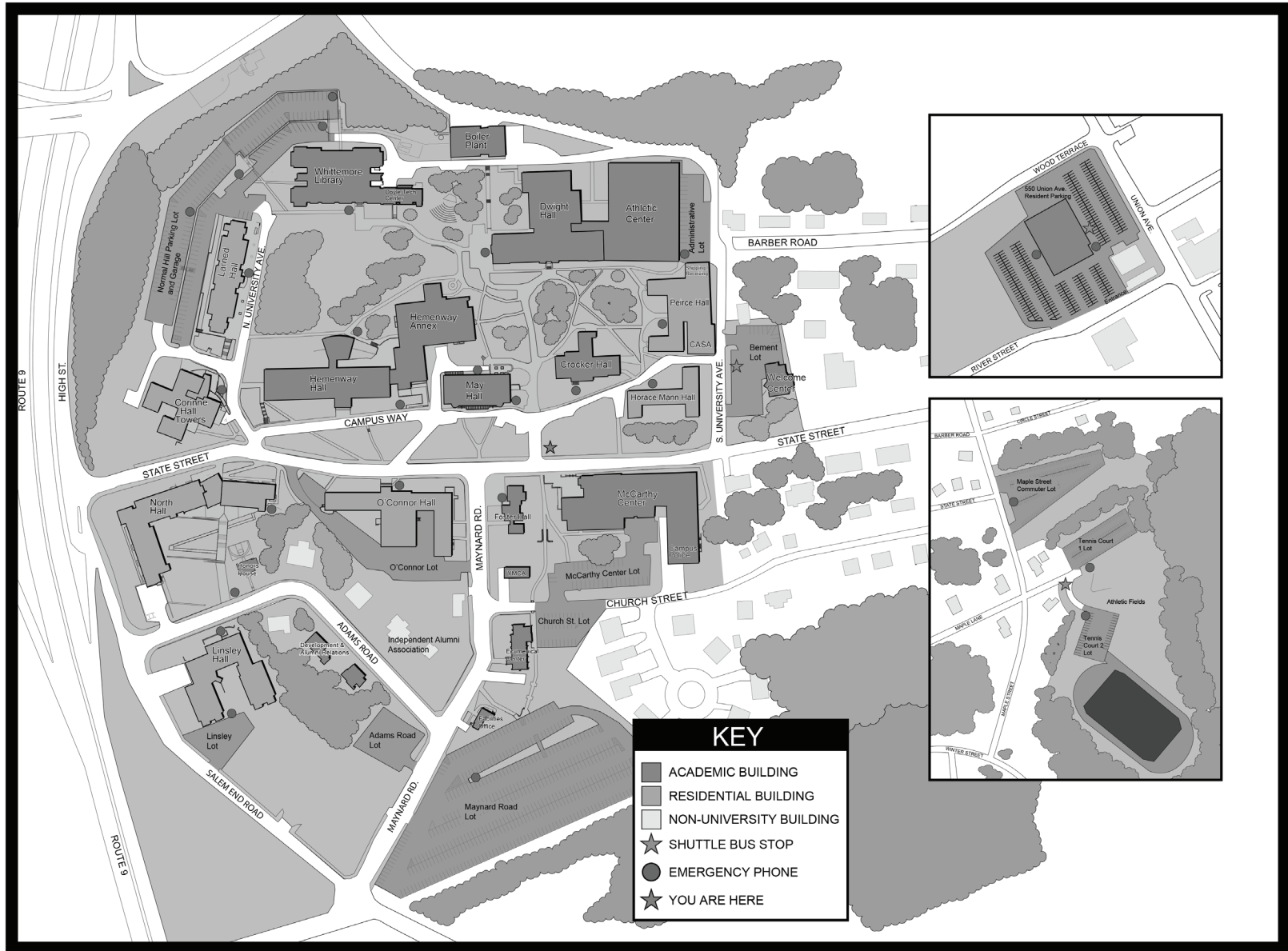
SHELTER IN PLACE: Sheltering in place is similar to lockdown in that the occupants are to remain on the premises, but may require that they be moved to a different part of the University due to an environmental event taking place outside of the University, for example the release of a chemical cloud from a nearby incident, power lines down, hurricane or weather related emergency. To evacuate the occupants may put them at greater risk than sheltering them within the University. However, it may be prudent to move all of the occupants to another part of the University to further minimize the risk of exposure.

OTHER SOURCES OF INFORMATION ON CAMPUS

In addition to the information contained in this pamphlet, the *Ram Student Handbook* and the *Guide to Residence Living* are both excellent resources with more detailed information about what is expected from students, faculty, staff and guests of the University. Consider these publications as guides for a productive experience at Framingham State University. New and returning students have opportunities to discuss issues of safety and security during Orientation programs with advisors, and at residence hall meetings. A variety of programs are held throughout the year for students, faculty, and staff dealing with a range of issues including alcohol and drug abuse, sexual assault, acquaintance rape, domestic violence, emergency procedures, and many other safety and security-related topics. The student newspaper, *The Gatepost*, carries weekly updates on Framingham State University Police Department activity and incidents on campus.

Important Phone Numbers

University Police	McCarthy Center	(508) 626-4911 or Ext. 4911
Dean's Office	McCarthy Center	(508) 626-4596 or Ext. 4596
Health Center	Foster Hall	(508) 626-4900 or Ext. 4900
Wellness Education	Foster Hall	(508) 626-4693 or Ext. 4693
Counseling Center	Foster Hall	(508) 626-4640 or Ext. 4640
Facilities	42 Maynard Rd. (Brown House)	(508) 626-4590 or Ext. 4590
Residence Life	Towers Hall	(508) 626-4636 or Ext. 4636
Town of Framingham Police Department (Non-Emergency)		(508) 872-1212
Town of Framingham Fire Department (Non-Emergency)		(508) 620-4942
Town of Framingham Emergency Services		911
Metro West Medical Center		(508) 383-1000
Massachusetts Poison Control		(888) 222-1222
Massachusetts Emergency Management Agency (MEMA)		(508) 820-2000
Massachusetts State Police--Framingham Barracks		(508) 872-3553
Massachusetts State Police Bomb Squad		(508) 820-2121
Massachusetts Hazardous Materials Response Program		(877) 385-0822
American Red Cross--Framingham		(781) 642-7000
Town of Framingham, Health Department		(508) 532-5470





Framingham

State University

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