



Clery Annual Security Report

For Calendar Year 2022

Published October 1, 2023



**Clery Annual Security Report Prepared by:
Springfield Technical Community College
Police Department**

Report available at:
<https://www.stcc.edu/campus-life/police/>

**1 Armory Square
Springfield, MA 01104**

This information is provided in compliance with state and federal law and the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act specifically.

Table of Contents

Contents

FORWARD FROM THE CHIEF OF POLICE	5
INTRODUCTION/PREPARATION OF DISCLOSURE OF CRIME STATISTICS.....	5
LAW ENFORCEMENT AUTHORITY AND INTERAGENCY RELATIONSHIPS	6
REPORTING CRIMINAL INCIDENTS AND OTHER EMERGENCIES	7
General Reporting Procedure.....	7
Confidential Reporting Process & Exclusions	8
Missing Student Notification Policy	9
Security Awareness and Crime Prevention Programs.....	9
EMERGENCY RESPONSE AND EVACUATION PROCEDURES	10
Timely Warnings.....	10
Emergency Notifications.....	11
MONITORING OF AND NOTIFICATION OF CRIMINAL ACTIVITY.....	12
ACCESS TO AND MAINTENANCE OF CAMPUS FACILITIES.....	12
Maintenance and Security of Campus Facilities	12
FIRE SAFETY.....	12
CRIME PREVENTION.....	13
MEDICAL RESOURCES	13
WEAPONS POLICY	14
HATE CRIMES	15
HAZING.....	15
DRUG AND ALCOHOL POLICY.....	16
Alcohol Laws of MA.....	17
Drug and Alcohol Policy.....	17
POLICY ON AFFIRMATIVE ACTION, EQUAL OPPORTUNITY & DIVERSITY.....	20
Overall Policy Statement.....	20
Policy Statement on Affirmative Action, Equal Opportunity & Diversity	21
Definitions	23
Specific Policies	31
Policy against Prohibited Conduct.....	32
<i>Title IX Sexual Harassment Policy</i>	34
<i>Non-Discrimination and Accommodation for Persons with Disabilities</i>	42
Implementation of Affirmative Action Policy	44

Affirmative Action Officer and Title IX Coordinator.....	45
Dissemination of Policy.....	46
Plan of Action	47
Hiring Guidelines.....	49
College Affirmative Action Committee	50
Auditing and Reporting.....	50
Complaint Procedures.....	51
General Information for All Complaints	51
Application of Policy.....	51
Complaint Process	54
APPENDIX A - AFFIRMATIVE ACTION DISCRIMINATION COMPLAINT FORM	62
APPENDIX B - NOTICE TO RESPONDENT	64
APPENDIX C – TITLE IX SEXUAL HARASSMENT COMPLAINT FORM.....	65
APPENDIX D -NOTICE TO RESPONDENT (RE FORMAL COMPLAINT)	67
CAMPUS SEX CRIMES PREVENTION ACT & SEX OFFENDER REGISTRY INFORMATION.....	68
CAMPUS CRIME STATISTICS	70
Definitions	70
Campus Security Authorities.....	70
Crime Definitions.....	70
Clery Geography Locations.....	72

FORWARD FROM THE CHIEF OF POLICE

The information in this report is being provided as part of Springfield Technical Community College's commitment to safety and security on campus. Providing this information is a requirement of the Crime Awareness and Campus Security Act of 1990. This report will outline Springfield Technical Community College's programs and policies relating to community safety. Students, faculty, staff and prospective community members are encouraged to read the report in its entirety. Questions or comments about this report may be addressed to the Chief of Police at 413-755-4220. The Chief is available to answer any questions or address concerns about safety at STCC.

The mission of the Springfield Technical Community College Police is to enhance the safety and security of the STCC community. The STCC Police Department strives to achieve this mission through preventive vehicle, bike and foot patrols, 24-hour accessibility, proactive problem-solving, positive conflict resolution, educational programs and community engagement. The STCC Police Department works in collaboration with local police and fire departments to ensure its mission.

The STCC Police Department consists of a full time Chief, a Deputy Chief, one Lieutenant, three Sergeants, one Detective-Corporal, and eight full time Officers. The department also has three full time civilian support staff/dispatchers. The department falls under the oversight of the Vice President of Administration and is directly managed by the Chief. Other members of the department may include student staff such as work study students.

All members of the department are representatives of Springfield Technical Community College. The Springfield Technical Community College Police Department is a full service department consisting of trained professionals who have full authority to make arrests and to enforce the laws of the Commonwealth of Massachusetts under MGL C. 22 s. 63. As such, all members of the department are obligated to perform their duties in accordance with the mission and policy of the College, as well as all local, State and Federal laws. Although the STCC Police Department is responsible for keeping the peace, enforcing public laws and performing many services, its main function is protecting the lives and property of the members of the college community and campus visitors.

The STCC Police Department's relationship with the community and ensuring we provide quality service is vital to achieving our overall mission of a safe campus. All members of the STCC community can expect to be treated in a courteous and professional manner by members of our department.

INTRODUCTION/PREPARATION OF DISCLOSURE OF CRIME STATISTICS

The "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" was signed into law in November 1990. At the time it was known as the "Student's Right to Know and Campus Security Act." The law requires educational institutions participating in student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occurred on or near campus. In compliance with the Act, the STCC Police Department publishes and distributes this information each year as the "STCC Annual Clery Report". The STCC Annual Clery Report" shall be posted on the Springfield Technical Community College web site at <https://stcc.edu/police/cleryreport> and shall be available in printed format in the STCC Police Station located at Building 9, the Human Resource Office, through the Admissions Office, or by calling STCC Police at 413-755-4220.

This report covers the Springfield Technical Community College campus at One Armory Square, Springfield MA. In addition, Springfield Technical Community College may lease office and classroom space in buildings 101

and 111 at the STCC Technology Park located at One Federal Street, Springfield, MA. The College maintains no police or security functions at the STCC Technology Park site. Persons wishing to report a crime at the STCC Technology Park site are to contact the Springfield Police by dialing 911 or their business line, 413-787-6322.

This report also covers any off-campus buildings/property owned or controlled by Springfield Technical Community College, and on public property within, or immediately adjacent to and accessible from, the campus, including any property that is reasonably contiguous to the main campus. Reasonably contiguous refers to a building or property the College owns or controls that's in a location that is considered to be, and treated as, part of the STCC campus. Generally speaking, it is reasonable to consider locations within one mile of the campus border to be reasonably contiguous with the main campus. However, this determination is made on a case by case basis by taking into consideration the circumstances of the campus and the location.

The STCC Annual Clery Report is compiled by the STCC Police with assistance from the Title IX Coordinator, the Vice President of Student Affairs and with the cooperation of the Springfield Police Department and the Massachusetts State Police. Campus crime, arrest and referral statistics include those reported to the STCC Police, designated Campus Security Authorities, and local law enforcement agencies. This report also includes institutional policies concerning campus safety and security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

Email is the official method of communication at STCC for employees and students. Each year, an e-mail notification is made to all faculty members, staff and enrolled students that provides the web site to access this report. Copies of the report may be obtained at the STCC Police Station, Building 9 or by calling 413-755-4220. Employees and prospective employees may obtain a copy in the Human Resources Office, second floor of Building 16 or by calling the STCC Police at 413-755-4220. Notification of the availability of this report is made within the application process for both students and employees.

LAW ENFORCEMENT AUTHORITY AND INTERAGENCY RELATIONSHIPS

To combat crime and ensure public tranquility, the STCC Police Department is a visible part of campus life. STCC Police is organized, trained and equipped to provide progressive law enforcement and emergency services to our community.

The STCC Police Station is located in Building 9 on the Springfield Technical Community College campus. STCC Police Officers are available 24 hours a day, 7 days a week, and 365 days a year on the STCC campus. They may be reached by calling 911 for emergencies or 413-755-4220 for routine calls. Springfield Technical Community College Police Officers are sworn police officers and exercise full police powers, including the authority to arrest, on all properties owned and used by Springfield Technical Community College. They have full investigative powers to investigate all crimes that occur within the jurisdiction of STCC. The STCC Police receive training from the Municipal Police Training Committee, the Massachusetts State Police Academy, on campus through annual in-service training, and on Springfield Technical Community College protocols and safety procedures including CPR and first aid. Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Springfield Technical Community College. Officers enforce Springfield Technical Community College policy including motor vehicle regulations. Motor Vehicle policy violations, such as parking tickets, are paid to the Springfield Technical Community College Student Accounts for student violations or Business Office for faculty/staff/visitor violations, and are not reported to any state agency.

The STCC Police maintains a close working relationship with Springfield Police and Fire Departments and the Massachusetts State Police to provide safety and security for the STCC community and routinely exchanges information relative to criminal activity. By mutual agreement with state and federal agencies, STCC Police maintain a Criminal Justice Information Services terminal which provides department personnel with access to the National Crime Information Computer System (NCIC) as well as the Criminal History Systems Board for

the Commonwealth of Massachusetts. These computer databases are used to enhance public safety by accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the STCC Police Department in a timely manner. All crime victims and witnesses are also strongly encouraged to immediately report the crime to on duty STCC Police Officers. Prompt reporting will assure timely action, timely warning notices on-campus and accurate crime statistics. The sworn staff and personnel of the STCC Police Department are dedicated to ensuring that the campus is a safe environment for all members of the campus community. Our department strives toward this goal through problem-solving partnerships with faculty, staff, and students, as well as state and local government bodies, and our community neighbors.

REPORTING CRIMINAL INCIDENTS AND OTHER EMERGENCIES

General Reporting Procedure

Anyone with information regarding a possible crime or other emergency situation that poses a threat to the Campus community should alert the STCC Police by dialing 911 from any on campus phone or cell phone immediately. 911 Emergency calls are handled through the Springfield Public Safety Answering Point (PSAP) and who will then transfer the call to STCC police dispatch or relay the information via telephone or police radio. STCC Police strongly recommend that community members pre-program their cell phones with the STCC dispatch business number 413-755-4220 for all other non-emergency requests and routine business. Dispatchers are available 24 hours a day, 7 days a week to answer your calls.

To provide the safest campus environment possible, the College encourages employees and students to promptly report all emergencies and criminal activities to the STCC Police Department. Prompt (within 24 hours of becoming aware of the situation or immediately if life-threatening) reporting is vital in maintaining a secure community. Calls to the STCC Police are received by the on duty police dispatcher.

Upon receiving a report of a suspected crime or other emergency situation, the STCC Police Officer shall investigate, or cause to be investigated, the incident in a timely manner. STCC officers respond to all requests for service and are the investigating authority for all crimes on campus. If the matter concerns a campus student disciplinary matter, the incident may be referred to the Vice President of Student Affairs for action.

When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State where you are calling from;
- State briefly the nature of your call

If safe to do so, stay on the line unless otherwise advised by the dispatcher. If assistance is required from off campus, the dispatcher will notify the appropriate police, fire and/or medical service.

Anyone off campus who needs to report a crime that occurred off campus should call the police agency in your area. If it is an emergency, you should call 911.

- STCC contracts with the AppArmor app which offers free crime tip reporting available to smartphone users. Those who download the free app on their phones are able to quickly submit information about crimes that occur on campus to the STCC Police Department, which monitors the AppArmor crime tip dashboard. While AppArmor does not serve as an official method for filing police reports for statistical

purposes, it is intended to facilitate reporting information related to crimes or suspicious activity to the STCC Police Department so that prompt police investigative responses can be undertaken accordingly. Users may opt to submit their tips anonymously or may choose to remain clearly identified through their smartphone. All contacts to the STCC Police by individuals, anonymous or not, through AppArmor will be acknowledged by the STCC Police Dispatcher who monitors AppArmor 24/7.

The AppArmor app's Report a Crime Tip demonstrates STCC's commitment to providing a safe campus conducive to learning by:

- Empowering students to take more ownership in their campus' safety by turning their smartphones into powerful personal safety tools
- Leveraging the campus community's eyes and ears by increasing communication between students and public safety officials
- Enhancing students' everyday safety through better awareness of safety issues
- Strengthening resiliency against sexual assault and improves Title IX compliance

Confidential Reporting Process & Exclusions

STCC does not have a formal confidential reporting process for pastoral and professional counselors. It is the policy of Springfield Technical Community College that all crimes should be reported to the STCC Police Department at 413-755-4220 or 911 if it is an emergency. Anyone who is the victim or witness to a crime on campus is encouraged to promptly report the incident to the STCC Police. Due to the sensitive nature of certain types of crimes, victims of sexual assault may choose to confidentially report the crimes to the Vice President of Student Affairs at 413-755-4558 if they do not wish to file a formal report with the police department or to the Title IX Coordinator. Designated Campus Security Authorities (CSA), such as faculty advisors to recognized students clubs, Athletic Department and Fitness Center staff and coaches, the Title IX Coordinator, parking lot and gate attendants, and staff within Student Activities, are all required to report to the STCC Police any crimes reported to them that fall within the Clery Act mandate and can be found in the statistical charts at the end of this report. The reports that a CSA submits are for statistical purposes only and may not include the victim's name if the victim does not wish to disclose their name to the police. These reports are included in the annual crime statistics.

STCC students and employees may utilize the free smartphone app AppArmor to report crime tips anonymously. Anonymous reporting through AppArmor is not automatic. Users must select the option on the app to remain anonymous.

Written police reports are public record under state law, and therefore, the STCC Police Department generally cannot hold reports of crimes in confidence. All reports of rape and sexual assault or attempts to commit such offenses, all reports of abuse perpetrated by family or household members as defined in G.L. 209A, section 1, and all conversations between police officers and victims of said offenses and abuse shall not be public reports and shall be maintained by the STCC Police Department in a manner which will assure their confidentiality, except that all such reports shall be accessible at all reasonable times to the victim and victim's attorney, to others specifically authorized by the victim to obtain such information, and to prosecutors, victim-witness advocates as defined in section 1 of chapter 258B, domestic violence victim's counselors as defined in section 20K of chapter 233, sexual assault counselors as defined in section 20J of chapter 233, and to other law enforcement officers, if such access is necessary in the performance of their duties. Conversations between police officers and victims of said offenses and abuse may also be shared with the forgoing named persons if such access is necessary in the performance of their duties. Massachusetts General Law Chapter 265 s. 24C requires that police records and court records which contains the name of any victim in an arrest, investigation or complaint for rape or assault with intent to rape under section thirteen B, 13B1/2, 13B3/4, twenty-two,

twenty-two A, 22B, 22C, twenty-three, 23A, 23B, twenty-four or twenty-four B, inclusive, of chapter two hundred and sixty-five, or an arrest, investigation or complaint for trafficking of persons under section 50 of said chapter 265 shall be withheld from public inspection, except with the consent of a justice of such court where the complaint or indictment is or would be prosecuted. All reports of crimes will be investigated. When appropriate, violations of the law will be referred criminally to the STCC Police Department and/or to the Vice President of Student Affairs for review unless the victim of any sexual assault chooses not to file a police report.

Missing Student Notification Policy

Although STCC does not maintain any on-campus student housing facilities, if a person feels that an STCC student is missing, he/she should report the concern to STCC Police directly, who will conduct an immediate investigation. If a student is reported missing and is under the age of eighteen and not an emancipated minor, his/her parent or guardian will be notified and law enforcement will be notified within 24 hours if it is determined that the student is missing.

Security Awareness and Crime Prevention Programs

The STCC Police Department believes that through crime prevention and safety awareness education, community members are better prepared to prevent crime and to respond if crime does occur. STCC is committed to a proactive approach, which enables us through education, police presence, and community awareness to stop many potential incidents before they occur. It is with the cooperation of our community that we can create a partnership between police and community members. During New Student Orientation, students and parents are informed of the resources offered by the STCC Police. Crime prevention programs and Sexual Assault prevention programs are offered on a continual basis. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Some of the services and programs provided by the STCC Police Department or other departments at STCC include:

- Staff information and resource tables, where we provide safety and security information as well as promote our self-defense and alcohol awareness programs and activities such as Fatal Vision Alcohol and Drug Impairment Goggles and related activities.
- Presentations on safety at New Student Orientation and New Employee Orientation
- Email communications from the Chief of Police to the STCC Community about any current crime trends on campus and what measures they can take to promote personal and property security.
- Conduct public speaking and crime prevention programs at community forums about issues such as hate crimes, active shooter awareness and response, alcohol awareness, sexual assault, relationship violence or general safety.
- Safety presentations at college-wide assemblies such as Professional Development Day
- Present safety information at New Employee Orientation and New Student Orientation
- Work with student organizations to discuss issues which are of particular concern to these groups and to identify ways in which our department can provide the safest possible environment for every member of our community.
- Conduct a lighting tour to identify and prioritize areas on campus where more lighting may need to be added for a higher level of visibility and overall safety.
- Distribute pamphlets about all types of crime and crime prevention issues at outreach events and in our office area.
- Will, upon request of the individual departments, give specific crime prevention and safety talks to staff members in their facilities.

- Maintain the College's Shuttle Bus transportation service and provide safety escort rides to and from on campus locations and during hours of darkness when personal safety is a concern.
- Provide access to Safe-Walk, a feature of AppArmor available to all smartphone users, which allows the user to ask friends or family to virtually walk you to your final destination.
- Monitor the College's electronic access security system, which is located in many academic and administrative buildings.

See more **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking on page 38.**

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Timely Warnings

The STCC Chief of Police or designee, in conjunction with the Emergency Operations Center manager, IT staff, and the college President or designees, issues a timely warning to the College community concerning any crime identified in the Clery Act that occurs on campus or within STCC's Clery geography which includes certain public areas around the campus perimeter and which poses a serious or continuing threat to the community's safety and welfare. The timely warnings are distributed as soon as pertinent information is available. They may be distributed by utilizing the STCC Alert Emergency Notification System which provides rapid communication with students and employees in the event of an emergency. The STCC Alert system will deliver the warning to all registered students as well as employees via text message to cell phones, voice message to the designated phone number and email to the end-user's STCC email account.

This STCC Alert system is a partnership between STCC, and Rave-Alert. In the event a situation arises, either on- or off-campus, these alerts are issued to keep the campus community informed about safety and security matters. The decision to issue a timely warning is decided on a case by case basis either by the Chief of Police or designee or in consultation with executive officers at the College. The decision to issue a timely warning is made in light of all facts surrounding an incident, including factors such as the nature of the crime, the continuing threat to the campus community, and the possible risk of compromising law enforcement efforts.

While the system is active and ready for use, it is only as good as the contact information it contains. Thus, while all STCC community members are automatically enrolled in the STCC Alert system, it is the individual community member's responsibility to make certain their contact information is current and accurate. Members may do this once they are enrolled and receive an automatic welcome email. Instructions on how to confirm or update contact information are included in the email. STCC will contact users through the system in the event of an emergency. Members may opt out if they choose to. The College conducts tests of the Alert Emergency Notification System on a semester basis, or twice annually. For more information on the STCC Alert Emergency Notification System, please visit <https://www.stcc.edu/stcc-alert/>.

In addition to the STCC Alert system, timely notifications may also be distributed through bulletins which would be printed and distributed in a timely fashion to ensure that all concerned are notified of potential danger. In addition, STCC Police may electronically distribute notices to all email addresses on campus when deemed necessary. In compliance with Massachusetts Open Police Log statute and the requirements of the Jeanne Clery Disclosure Act, there is a public log available at the STCC Police station of all reported incidents and crimes. STCC provides an annual security report to all students and employees, and to prospective students and employees, upon request. Current statistics may be found in the last segment of this report.

Emergency Notifications

In the event of a life-threatening and/or significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees, select members of STCC Police Department under the direction of the STCC President will, without delay and taking into account the safety of the community, determine the content of the notification as well as the appropriate audience for its receipt and will initiate the STCC Alert system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The notifications sent through the STCC Alert system may be sent to the STCC community via text messages to cell phones, emails, and phone calls to student and employee phones as provided by the student or employee. Notifications may also be broadcast via the Code Blue Emergency Call Boxes and the college's VOIP phone system. Subsequent notifications will be sent through STCC Alert and the other communication tools such as the Code Blue Emergency Call Boxes, the college's phone system, campus email, or updates posted to the STCC website to provide adequate follow up information.

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the College has at its disposal a wide variety of communication tools including:

- STCC Alert System via RAVE
- Code Blue outdoor emergency call boxes fitted with public address speakers
- College's VOIP phone system
- College website
- Campus email

The STCC Alert and Code Blue is focused on streamlining community communications allowing the STCC emergency responders to immediately and simultaneously send messages to the College community via the community members' preferred contact methods: phone, text messaging, and/or email.

All STCC students and employees are automatically uploaded into the STCC Alert system. All STCC students and employees are requested to log into their STCC Alert account annually at <https://www.getrave.com/login/stcc> to verify that their contact information (cell phone number, landline, and email address) is current.

Any other person, such as contractors, vendors or guests at STCC may self-register to receive alerts by visiting <https://www.stcc.edu/stcc-alert/>

Also used to communicate in emergencies are other appropriate method(s) which can include any of the following: posting on the campus web site and/or flyers or notices posted in visible locations in academic buildings and key classroom locations. In some situations, door-to-door notification may be done.

All STCC community members and guests are expected to heed all emergency warnings and to follow the instructions of STCC Police and responding emergency personnel. The assessment and evaluation of the current emergency plan and capability is done through regularly scheduled drills, exercises and appropriate follow-through activities. Emergency Response and Evacuation Procedures are posted on the STCC Police website at <https://www.stcc.edu/campus-life/police/>

Anyone with information warranting a timely warning or emergency notification should report the circumstance to the STCC Police Department by calling x.4220 if you are on campus or 413-755-4220 if you are off campus or in person at the STCC Police Department in Building 9 on the STCC campus.

MONITORING OF AND NOTIFICATION OF CRIMINAL ACTIVITY

The STCC Police Officers maintain a daily log of activity on the campus. The public daily log is available for viewing during regular College office hours. In compliance with Massachusetts General Laws, the public log will exclude certain crimes. Copies are available within two business days of the written request. The STCC Police Department records and maintains crime statistics for publication in the Annual Safety/Security Report each year.

In addition, the STCC Police Department annually requests information about crimes committed on public property adjacent to the College from the Springfield Police Department and Massachusetts State Police.

There are no non-campus student organizations at STCC.

ACCESS TO AND MAINTENANCE OF CAMPUS FACILITIES

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal business hours, Monday through Friday, and for limited designated hours on Saturday, Sunday, and holidays. Facilities are maintained, and their security monitored, in the interest of students, faculty and staff. Cultural and athletic events are open to the public, and other facilities such as the Bookstore, library and dining cafes are also open to the public. All academic and administrative buildings are routinely patrolled and are locked at designated times. Most facilities are kept locked during non-business hours, and both key and electronic card access are restricted to individuals who obtain proper authorization. Access to academic and administrative facilities on campus during normal business hours are generally limited to students, employees, and invited visitors for the purpose of study, work, teaching, and to conduct other College business. Individuals found on campus without a legitimate purpose or who disrupt College operations or who commit a crime on College property may be issued a trespass warning and directed to leave campus; failure to comply with a warning may result in arrest.

Maintenance and Security of Campus Facilities

The STCC Police, with the Senior Director of Facilities, reviews the campus regularly to identify and correct safety and security hazards. STCC Police Officers maintain vigilance while on patrol to ensure hazards are reported and, if needed, contained until corrected. Community members are encouraged to report any hazards or on-the-job injuries immediately to STCC Police at 413-755-4220, the Senior Director of Facilities at 413-755-4700, and/or the Vice President of Human Resources at 413-755-4749.

FIRE SAFETY

STCC Police works closely with the Springfield Fire Department to keep the campus safe from fire hazards. Each College building has a monitored alarm system activated by manual pull stations and smoke detection units. A yearly professional inspection of the fire safety system is performed. Anyone having concerns about fire safety equipment or a possible fire hazard on campus is urged to immediately call STCC Police at 413-755-4220.

STCC Police conducts educational sessions with faculty and professional staff around fire safety issues upon request. Fire alarm drills are held yearly to ensure community members will know how to react to an alarm.

CRIME PREVENTION

STCC Police works to prevent crime on campus by engaging in community policing, visible foot and bike patrol, education and collaboration with other offices. Crime awareness information is presented to STCC community members in seminars as requested, and through regular employee and student orientation programs. Various safety recommendations are also located on the STCC Police website. Other crime prevention actions include but may not be limited to:

- **Fire Alarm Systems** are located campus wide and monitored by STCC Police and dispatcher personnel. Drills are conducted regularly to familiarize community members with proper fire alarm evacuation procedures.
- **Walking Safety Escorts** (on-campus) are available seven days a week, 24 hours a day by calling the STCC Police at 755-4220.
- **Prevention Presentations** are provided for the campus through collaboration with the Affirmative Action Officer and Title IX Coordinator and the Office of Violence Against Women Act - campus grant.
- **Parking Lot Security** is maintained with well-lit parking lots and frequent patrols.
- **Patrol Officers** periodically conduct a security check of the area where students are working or studying.
- **Facilities Survey** is done regularly to identify safety and security issues on the campus. A comprehensive fire alarm survey including a test of existing sprinkler systems is conducted yearly by an outside vendor.

MEDICAL RESOURCES

STCC Police Officers are trained and certified as First Responders, including CPR and AED training. Automatic External Defibrillators (AED's) are available to STCC Police Officers.

During a medical emergency, it is standard procedure to transport sick or injured persons to local hospitals by ambulance services, if such transport is deemed necessary.

Springfield Technical Community College has partnered with a local community mental health agency, River Valley Counseling Center (RVCC), to provide STCC students with increased access to mental health services. RVCC is providing students with mental health support in an office located on campus. To be eligible, students must carry health insurance. Students identifying a need or desire for personal counseling can be seen by a licensed professional therapist to address a wide variety issues including, but not limited to:

- Adjustment to college or other new situation
- Crisis management
- Grief/loss
- Anxiety, depression, anger
- Stress management
- Chemical dependency
- Academic concerns
- Difficulties in relationships with significant other, friends, or family members
- Eating disorders
- Sexuality
- Self esteem
- Domestic violence

Other resources include, Community Behavioral Health Centers (CBHCs) which are one-stop shops for a wide range of mental health and substance use treatment programs. CBHCs offer immediate care for mental health and substance use needs, both in crisis situations and the day-to-day, through Mobile Crisis Intervention, Community Crisis Stabilization, and Routine Outpatient Services. Here is the link to additional information: <https://www.mass.gov/community-behavioral-health-centers>.

Confidentiality in Mental Health Counseling: Underlying the counseling relationship is the principle of confidentiality. This principle assures you that the facts and opinions you reveal about yourself in the course of counseling will be held strictly private and will not be revealed to others without your written permission. However, there are several exceptions to this policy, including:

- Report of child abuse or neglect when a child may still be in danger
- Report of elder abuse or neglect when a child may still be in danger
- Threatening harm to yourself or another
- Legal cases related to child custody, hospitalization, or court-ordered evaluation.

Students wishing to take advantage of the mental health counseling services available on campus through River Valley Counseling Center can call 413-755-4332 to schedule an initial intake appointment with David Forton, MS, and LMHC. Students are asked to bring their health insurance information and a valid identification to their intake appointment.

Additionally, STCC has partnered with Uwill, the leading mental health and wellness solution for colleges and students, to provide free access to tele therapy. Students have an immediate, secure, and convenient way to receive online-based counseling services should the need arise.

- Choose a therapist based on your preferences including *issue, gender, language, and ethnicity*.
- Choose a time that fits your schedule with *day, night, and weekend availability*.
- Choose your appointment type: *video, phone, chat, or message*.

For more information and to get started with tele therapy, please visit the [Uwill website](#). If you need any assistance when using Uwill, you can reach out directly to Uwill at 833-998-9455 or support@uwill.com.

When needed, emergency medical transport services will be called to assist in transporting the person to the appropriate facility.

WEAPONS POLICY

The General Laws of the Commonwealth of Massachusetts prohibit the possession or concealment of any type of firearm or other dangerous weapon, including but not limited to stiletto, dagger, dirk knife, any knife having a double-edged blade or a switch blade, or any knife having an automatic spring release device by which the blade is released from handle, having a blade of over one and one-half inches, or a slingshot, blackjack, metallic buckles or knuckles or any substance which could be put to the same use, is strictly prohibited on the Springfield Technical Community College campus and at any Springfield Technical Community College sponsored event(s). Violators of the above will be subject to legal and/or disciplinary action. Only those law enforcement officers authorized by the President of the College and STCC Chief of Police are permitted to carry firearms and/or other weapons on campus.

In addition, toy guns, other toy weapons such as swords, axes and knives, paintball guns, BB guns, cap pistols, laser targeting devices, martial arts weapons, pepper spray and explosives are also not permitted on the campus or at any College sponsored event(s). Violators of the above will be subject to disciplinary action.

The Commonwealth of Massachusetts firearms laws are strictly enforced. In Massachusetts, conviction for the illegal possession of a firearm carries a mandatory one-year jail sentence. The College will also take judicial and/or legal actions against anyone who possesses firearms and other dangerous weapons on campus.

HATE CRIMES

Hate crimes will not be tolerated at Springfield Technical Community College. Hate crimes adversely affect all aspects of campus life. All community members are expected to report possible hate crimes to the STCC Police Department. STCC Police will be responsible for thoroughly investigating any reported hate crimes on campus.

The Office of Multicultural Affairs helps to provide education about hate crimes. Programming throughout the academic year within the Division of the Student Affairs.

HAZING

In 1985, the Commonwealth of Massachusetts passed a law prohibiting the act of hazing. In this law, hazing is defined as follows:

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

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

In response to this legislation, and as required by law, Springfield Technical Community College has adopted the following policy regarding hazing:

Students who are involved, directly or indirectly, in the act of hazing are subject to disciplinary sanctions. In addition, they are liable to the full penalties of the laws of Massachusetts.

A copy of this law can be found in the Office of the Vice President of Student Affairs.

Massachusetts General Law Chapter 269, Sections 17, 18, 19 (St. 1985, Chapter 536)

269:17 Hazing Prohibited; Definition; Penalties.

[Text as amended by 1987, 665 effective April 4, 1988. For text effective until April 4, 1988, see 1986 Edition]

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is

likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary consent shall not be available as a defense to any prosecution under this action.

269:18 Failure to Report Hazing; Penalty.

[Text as amended by 1987, 665 effective April 4, 1988. For text effective until April 4, 1988, see 1986 Edition.]

Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

269:19. Notification by Schools of Hazing Law; Report by Schools Disciplinary Policy.

[Text as amended by 1987, 665 effective April 4, 1988. For text effective until April 4, 1988, see 1986 Edition.]

Section 19. Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen: provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

DRUG AND ALCOHOL POLICY

Alcohol Laws of MA

All policies and regulations regarding the consumption and/or sale of alcoholic beverages on the Springfield Technical Community College campus shall be in strict conformity to the appropriate Massachusetts General laws. The following is a summarization of the current law of Massachusetts pertaining to alcoholic beverages taken from Massachusetts General Law, Chapter 138, section 34, 34A, 34B, 34C.

- To lawfully purchase any alcoholic beverages in Massachusetts a person must be of legal drinking age (21)
- Any purchase or arrangement with another person to purchase or procure alcoholic beverages by a person who is less than 21 is punishable by a fine of \$300.00
- Any person under 21 who transports or carries on his person an alcoholic beverage is committing a crime punishable by a fine of \$50.00 and may be arrested without a warrant
- Any licensee, patron of licensed establishment or any person who procures an alcoholic beverage for a person under the age of 21 is committing a crime punishable by a fine of \$2000.00 or a maximum of one year imprisonment, or both.
- Only a Massachusetts driver's license, an official Registry of Motor Vehicles drinking age ID card, or a military ID card will be acceptable as proof of age
- Whoever falsely makes, steals, alters, forges or counterfeits or procures or assists another in these acts regarding a learner's permit, a license to operate a motor vehicle or an identification card shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than five years in the state prison or in a house of correction for not more than two years
- No person or group may sell alcoholic beverages directly or indirectly through an admission charge or similar fee, without an appropriate license granted by the Commonwealth
- No person shall appear in a state of intoxication in a public place, or disturb the peace in any place while intoxicated
- No person shall operate a motor vehicle while under the influence of alcoholic beverages

Drug and Alcohol Policy

In 1989, Congress amended Title XII of the Higher Education Act of 1965. This amendment, the "Drug-Free Schools and Communities Act of 1989," requires that every educational institution, as a condition of receiving funds or any other form of financial assistance under any federal program, certify its adoption and implement programs designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. STCC, in accordance with legal mandates and its commitment to establishing and maintaining a supportive learning and working environment, has established the following policies for students and employees.

Springfield Technical Community College, in accordance with legal mandates and its mission and philosophy of establishing and maintaining a safe and supportive learning and working environment, will enforce the following laws and policies:

1. The presence, possession and/or consumption of any alcoholic beverages on STCC property, including parking lots and leased or licensed spaces, or at College sponsored events, is strictly prohibited. Any alcoholic beverages found on College property will be confiscated. Violations of this policy will result in disciplinary action, up to and including expulsion or termination, and may also be subject to referral for criminal prosecution.
2. The presence, possession and/or use of controlled substances on STCC property, including parking lots and leased or licensed spaces, or at College sponsored events, is strictly prohibited.

Furthermore, marijuana use and possession, even for medical purposes, is prohibited. Any individual found possessing, using, or distributing any controlled substances, including, but not limited to, narcotics, opioids, psychedelic drugs or chemicals, without a prescription from a licensed physician, will be subject to disciplinary action, up to and including expulsion or termination, and may also be subject to referral for criminal prosecution.

3. STCC shall cooperate in the enforcement of federal and state laws concerning controlled substances and alcoholic beverages. Massachusetts's statutes pertaining to controlled substances and alcohol include:
 - Mass. General Laws, Chapter 94C, (Controlled Substances Act)
 - Mass. General Laws, Chapter 272, Section 59 (Public Drinking)
 - Mass. General Laws, Chapter 90, Section 24 (Operating Under the Influence, Open Containers)
 - Mass. General Laws, Chapter 138, Section 34C (Minor in Possession of Alcohol)
 - Mass. General Laws, Chapter 138, Section 22 (Unlawful Transportation of Alcohol)
 - Acts of 2012, Chapter 369 (Medical Marijuana)
 - Mass. General Laws, Chapter 94G (Personal Use of Marijuana)
 - Federal Controlled Substances Act of 1970
 - Drug Free Workplace Act of 1988
 - Drug Free Schools and Communities Act of 1989

Penalties for violating these laws may include arrest, a fine, mandatory probation, loss of license to operate a motor vehicle, or imprisonment. Enhanced penalties are provided under law for possession with intent to distribute controlled substances and distributing of a controlled substance to a minor.

Federal judicial guidelines also exist which impose penalties for violation of federal criminal statutes related to drugs and alcohol. Cities or towns within the College's service area may have similar or additional penalties in place related to alcohol and drug use.

4. Parents or legal guardians of students under twenty-one (21) years of age may be notified each time the student has been determined to be in violation of the campus drug or alcohol policy.
5. No Student Activities funds shall be used to purchase alcoholic beverages. STCC's policy additionally prohibits alcoholic beverages at any College event (on or off campus) that is intended for students or student participation. A "College event" is one that utilizes College facilities or College funds, or is represented as being a College function. All purchase orders for student events will explicitly exclude payments for alcoholic beverages. Faculty and professional staff who serve as advisors or chaperones to such events shall understand that they are expected to monitor the implementation and enforcement of the College's Drug and Alcohol Policy.

It is a known fact that a person's physical and emotional health can be affected by the abuse of drugs and alcohol. Opioids (including fentanyl), stimulants (such as cocaine/crack or amphetamines) and depressants (such as alcohol and tranquilizers) are the most commonly abused drugs. In some cases severe, physical dependency can result after just one use.

Alcohol, even in small amounts, can slow reflexes, reduce coordination, impair judgment and cause mood changes. Research statistics have shown that the majority of violent behaviors exhibited by people, including vandalism, acquaintance rape, fights, driving accidents, has involved alcohol. Prolonged alcohol or drug use can result in brain damage, heart problems, liver damage, and/or death. Alcohol or drug use during pregnancy may cause birth defects in the child.

Marijuana may negatively affect short-term memory, coordination, depth perception, male sperm production, and the immune system. THC, the active ingredient in marijuana, is stored in the body's fat cells and testing will still show residue evidence even after a month. THC can also be recovered in hair when tested as long as six months after use, tranquilizers, such as barbiturates and benzodiazepines, are prescribed to relieve anxiety, tension and sleep problems; however, when taken in excessive amounts, can cause impaired judgment, slurred speech and loss of motor control. Tranquilizers are highly addictive, even at lower doses, and in combination with alcohol or other drugs, may cause coma or death.

Cocaine/crack, though effects are unpredictable, may cause confusion, hallucinations, destruction of nasal membranes, and when smoked, lesions in the lungs. Addiction to cocaine occurs rapidly. Cocaine withdrawal results in severe depression and fatigue. Convulsions, coma and death are possible with even small amounts.

Hallucinogens (PCP, LSD, and Mescaline/Peyote) cause hallucinations, poor perception of time and distance, paranoia, anxiety and loss of control. Since the drugs block pain receptors in the brain, violent episodes of self-inflicted injury may result. "Flashbacks" may occur even after use of the drugs has stopped.

The College will present campus-wide drug and alcohol education programs on an annual basis. This is in addition to other educational opportunities available in current or future academic offerings.

For any member of the STCC community who is experiencing alcohol or substance abuse problems, STCC stands ready to offer supportive services and referrals for treatment as appropriate. Employees should contact the Human Resources Office while students should contact the Health and Wellness Center or the Office of the Vice President of Student Affairs for assistance.

Mental Health and Substance Abuse Treatment

STCC has partnered with the [River Valley Counseling Center](#) which provides STCC students with personal counseling from licensed professional therapists. Students wishing to take advantage of the mental health counseling services available through River Valley Counseling Center can contact David Forton, MS, LMHC, at 413-755-4332 or dcforton@stcc.edu to schedule an initial referral session.

Additionally, STCC has partnered with Uwill, the leading mental health and wellness solution for colleges and students, to provide free access to tele therapy. Students have an immediate, secure, and convenient way to receive online-based counseling services should the need arise.

- Choose a therapist based on your preferences including *issue, gender, language, and ethnicity*.
- Choose a time that fits your schedule with *day, night, and weekend availability*.
- Choose your appointment type: *video, phone, chat, or message*.

For more information and to get started with tele therapy, please visit the [Uwill website](#). If you need any assistance when using Uwill, you can reach out directly to Uwill at 833-998-9455 or support@uwill.com.

Treatment covered by student health insurance. Massachusetts General Laws, Chapter 15A, 7B (St. 1988), Chapter 23, 22, and 117 Code of Massachusetts Regulations Section 3.04 require that students certify their participation in a qualifying student health insurance program, or in a health benefits program with comparable coverage. Students who do not possess adequate medical insurance must purchase the

Massachusetts community college student health insurance plan. **This plan provides the following benefits related to drug and alcohol abuse:**

Gallagher Student Health & Special Risk: This site has been designed especially to provide information about the Student Injury and Sickness Insurance Plan.

<https://www.gallagherstudent.com/students/student-home.php?idField=1197>

The College shall conduct a review of these policies and programs, and implement changes as necessary.

Marijuana Policy

Although Massachusetts law permits the use of medical marijuana and the possession, use, distribution, and cultivation of marijuana in limited amounts, federal law, including the Federal Controlled Substances Act of 1970, the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, continues to prohibit the possession, use, distribution, and/or cultivation of marijuana at educational institutions. Further, as marijuana remains classified as an illegal narcotic under federal law, institutions of higher education that receive federal funding are required to maintain policies prohibiting the possession and use of marijuana on their campuses. Accordingly, under this policy, as well as the system-wide Student Code of Conduct, the possession, use, distribution or cultivation of marijuana, even for medical purposes, is prohibited on all community college property or at College sponsored events and activities. Also prohibited is the operation of a motor vehicle while under the influence of marijuana on Community College property or at College sponsored events or activities. Further, this policy prohibits the possession, use, or distribution of all marijuana accessories and marijuana products. Marijuana accessories shall include, but are not limited to, any device or equipment used for ingesting, inhaling, or otherwise introducing marijuana into the human body. Marijuana products shall include, but are not limited to, products that are composed of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products.

Violations of this policy by any student or employee shall result in disciplinary action, up to and including expulsion or termination in accordance with applicable College policies or collective bargaining agreements.

Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (more commonly known as The Clery Act), Springfield Technical Community College publishes an annual report that includes statistics for the previous three calendar years concerning crimes that occurred on college property and on public property immediately adjacent to, and accessible from, the campus. This report also includes institutional policies concerning campus safety and security matters.

The calendar year 2022 report is accessible at <https://stcc.edu/police/cleryreport> as of October 1, 2023. A printed copy of the report is available at the STCC Police Department, Human Resources and Student Affairs. To have a copy of the report mailed to you, contact STCC Police Department at 413-755-4220.

POLICY ON AFFIRMATIVE ACTION, EQUAL OPPORTUNITY & DIVERSITY

Overall Policy Statement

The Massachusetts Community Colleges have carefully developed and outlined the major elements of an effective Affirmative Action, Equal Opportunity & Diversity Policy with the understanding that a successful

policy requires more than the knowledge of laws, regulations and current government requirements. It demands leadership, vision, and commitment to fully comprehend what challenges Community Colleges face in preparing students for the twenty-first century. The Colleges, both collectively and individually, commit themselves to not only the valuing of human dignity, but to the appreciation of the necessity of providing all members of the College Community an experience that equips them to relate to all persons and groups in the increasingly global and diverse world in which we all live and work.

The Community Colleges wish to take a role of leadership in providing an environment where equity and diversity are truly valued beyond verbal commitments and mere tolerance. This leadership role requires that we all share responsibility for making constructive campus-wide changes in response to the principles set forth in this Policy. By turning our collective energies into making Affirmative Action an integral part of campus life, we continue to fulfill our mission in developing the talents and potential of all members of our College Communities and our society.

Policy Statement on Affirmative Action, Equal Opportunity & Diversity

The Board of Higher Education of the Commonwealth of Massachusetts is responsible under Chapter 15A of the General Laws of the Commonwealth of Massachusetts for the overall governance of the public higher education system, which includes the fifteen Community Colleges. The Board of Higher Education and the Boards of Trustees of the Community Colleges maintain and promote a policy of non-discrimination on the basis of race, creed, religion, color, gender, gender identity, sexual orientation, age, disability, genetic information, maternity leave, military service and national origin (“protected class(s)/classification(s).” Further, this policy prohibits retaliation and incorporates by reference, and where applicable, the requirements of Titles VI and VII of the Civil Rights Act of 1964; Title VI of the Civil Rights Act of 1968; Titles I and II of the Civil Rights Act of 1991; Title IX of the Education Amendments of 1972 and its regulations found at 34 C.F.R. part 106; Equal Pay Act of 1963; Civil Rights Restoration Act of 1988; Sections 503 and 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Section 402 of the Vietnam-era Veterans Readjustment Act of 1974, Uniformed Services Employment and Reemployment Rights Act (USERRA); Age Discrimination Act of 1975; Age Discrimination in Employment Act of 1967, as amended; Family and Medical Leave Act of 1993; Federal Executive Order 11246 of 1965, as amended by Executive Order 11375 of 1967; Federal Executive Order 12900 of 1994; Federal Executive Order 13145 of 2000; Federal Executive Order 13160 of 2000; Federal Executive Order 13166 of 2000; Massachusetts Civil Rights Act; Massachusetts General Laws Chapters 151B, 151C, and Chapter 149; directives of the BHE, the Boards of Trustees of the Community Colleges and the Commonwealth of Massachusetts; and other applicable local, state and federal constitutions, statutes, regulations and executive orders.

Non-discrimination requires the elimination of all existing unlawful discriminatory conditions, whether purposeful or inadvertent. The Community Colleges are continuing to systematically examine all policies and procedures to be sure that they do not, if implemented as stated, operate to the detriment of any person on the basis of a protected classification. The Colleges shall require that the practices of those responsible in matters of employment and education, including all supervisors and faculty, are non-discriminatory. Should the College discover discrimination in treatment or effect in any employment, educational or service decision, action, inaction or practice within the College, all appropriate corrective and/or disciplinary actions shall be taken under the direction of the President of the College subject to any applicable collective bargaining agreement or other policy or procedure of the College.

The Community Colleges are committed to a policy of Affirmative Action, equal opportunity, equal education, non-discrimination, and diversity. They are committed to providing a learning, working and living environment for their students, employees and other members of the College Community, which values the diverse backgrounds of all people. The Colleges are committed to assuring that the “College Experience” is one that challenges, empowers, supports, and prepares its students to live in, work in, and value our increasingly global and diverse world. The Colleges believe that the diversity of socio-economic, racial, ethnic, religious, gender,

sexual orientation, age and disability backgrounds of members of the College Community enriches the institutions and their various constituencies. The Colleges will not tolerate behavior based on bigotry, which has the effect of discriminating unlawfully against any member of their communities.

The Community Colleges provide equal access to educational, co-curricular and employment opportunities at the Colleges for all applicants, students and employees in compliance with all applicable laws, regulations and policies. All benefits, privileges and opportunities offered by the Colleges are available to all students, employees and other persons having dealings with the institutions on a non-discriminatory basis. The Colleges are committed to taking a proactive Affirmative Action posture with respect to their recruitment, selection and promotion of students and employees.

The purpose of the Affirmative Action component of this Policy is to establish a set of programmatic objectives, which shall provide for the recruitment, access and advancement of qualified persons from within the protected classes/classifications recognized under this Policy with respect to employment and enrollment opportunities. The intent of this Policy is to responsibly recognize, and to whatever extent possible, resolve the effects of past societal discrimination and the impact which that discrimination has had, not only on victims of such discrimination, but on the total academic, educational and social system as well. It is not intended and should not be used to discriminate against any applicant, employee, or student because of a protected classification.

In response to that recognition, the Colleges, through their Boards of Trustees and Presidents, fully endorse the plan of action set forth in this Policy and shall oversee and monitor its implementation through the Affirmative Action Officer and other assigned personnel.

The following specific policies are established:

- Equal opportunity and affirmative action shall apply to all segments of the College; full and part-time employment; day and continuing education; the curriculum and offerings of the College.
- Equal opportunity and affirmative action shall be applied to the recruitment process for employment and/or access to education.
- Students will have access to the College, programs of study, activities, and other resources intended to serve them, according to the policies of the individual Colleges.
- Equal employment opportunity and affirmative action will be realized in all personnel employment, including recruitment, application for employment, hiring, benefits, compensation, training, promotion, and termination.
- All policies, procedures, privileges, and conditions of the College will follow and incorporate applicable equal opportunity and affirmative action rules and regulations.

The above-stated policies are intended to be applied broadly with the goal of promoting equal opportunity and diversity in Community Colleges. The Community Colleges pledge to apply all policies consistently, fairly, and vigorously. Attempts to subvert or abuse these policies will not be tolerated. Appropriate disciplinary action will be taken in the case of an infraction. Such disciplinary action shall be consistent with the appropriate collective bargaining agreement, if applicable.

All policies are made in compliance with laws and regulations and executive orders promulgated by the federal and state governments and other appropriate agencies and authorities, where applicable.

Definitions

ADA/504 COORDINATOR: A College employee assigned the responsibility for maintaining the College's compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Alleged violations of the ADA or Section 504 shall be subject to the Affirmative Action Policy Complaint Procedure as administered by the Affirmative Action Officer. The ADA Coordinator is: Dr. Kathryn C. Senie, Director of Compliance, Affirmative Action Officer, Title IX Coordinator and ADA Coordinator and can be contacted at: Office (413) 755-5642 - Fax (413) 755-6309 –Email: kcsenie@stcc.edu

ADVISOR: A single person of the Complainant's/Respondent's choice, who may be but is not required to be an attorney (for union employees this may be a union representative), who may be present in any meeting or proceeding prescribed by this Policy, and who may inspect and review evidence. It is the advisor's responsibility to conduct cross-examination during the hearing if the Title IX Sexual Harassment Process is being used. The advisor's role is otherwise strictly limited to providing direct assistance to the party that they advise.

AFFIRMATIVE ACTION OFFICER ("AAO"): A College employee assigned the responsibility of administering the College's Affirmative Action Policy. The Affirmative Action Officer may also serve as the College's Title IX Coordinator and/or the ADA/504 Coordinator. If the Affirmative Action Officer is the person against whom the complaint is filed, the President shall designate another College official to act as the Affirmative Action Officer for purposes of administering the Affirmative Action Policy. The Affirmative Action Officer is: Dr. Kathryn C. Senie, Director of Compliance, Affirmative Action Officer, Title IX Coordinator and ADA Coordinator and can be contacted at: Office (413) 755-5642 - Fax (413) 755-6309 –Email: kcsenie@stcc.edu

COMPLAINT: A written complaint alleging a violation of the Affirmative Action Policy, other than a Formal Complaint.

COMPLAINT PROCESS: The process used to address all Complaints alleging a violation of the Affirmative Action Policy, other than a Formal Complaint of Title IX Sexual Harassment.

COMPLAINANT: The student(s) or employee(s), or applicant for admission or employment, filing the complaint. In cases involving Title IX, this is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

CONFIDENTIAL REPORTING RESOURCES: Persons who have experienced prohibited forms of sexual harassment under this Affirmative Action Policy may share information confidentially with designated employees ("Confidential Employees") who cannot reveal identifying information to any third party unless one or more of the following conditions is present:

- the individual has provided written consent to disclose information;
- there is a concern about imminent harm to self or others;
- the information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- an employee is responsible for providing non-identifiable information for purposes of the Clery Act.

"Confidential Employees" include:

- licensed mental health counselors;
- licensed health care personnel; and
- other employees as designated by each College.

A list of Confidential Employees shall be posted at each College.

Please bear in mind, however, that if one requests certain supportive measures from the College (e.g., extension

for academic work or changing classes, residence halls or work locations), other College officials 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 respecting confidentiality will not impair the College's ability to provide the requested measures. One may also confidentially report any form of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and/or retaliation as well as other forms of sexual violence and gender-based harassment to community support resources, which are not required to share information with the College.

CONSENT: "Consent" must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

DAY: As used in this policy, shall mean a calendar day.

DECISION MAKER: An individual who is not the same person as the Title IX Coordinator (or designee), chosen by the Title IX Coordinator to reach a determination regarding responsibility by applying the standard of evidence the College has designated in the College's complaint procedures for use in all Formal Complaints of Title IX Sexual Harassment.

EQUAL OPPORTUNITY: A College's effort to ensure that all personnel and academic decisions, programs and policies are formulated and conducted in a manner which will ensure equal access for all people and prevent discrimination. As part of this effort, a College will ensure that employment and academic decisions, programs and policies will be based solely on the individual eligibility, merit or fitness of applicants, employees and students without regard to race, color, creed, religion, national origin, age, disability, sex, marital status, military service, gender identity, genetic information, sexual orientation or political or union affiliation.

FORMAL COMPLAINT: Formal Complaint means a document signed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent about conduct within [the College's] education program or activity and requesting initiation of the [College's] complaint procedures, [including an investigation of] the allegation of Title IX Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the College with which the Formal Complaint is filed. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator, and by any additional method designated by the College. As used in this definition the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

INSTRUCTIONAL PERIOD: The academic semester, summer session or intersession when a Complainant knows or should have known of an act or inaction in violation of this Policy. The Instructional Period shall end on the last day of final exams.

PREPONDERANCE OF EVIDENCE: The evidentiary standard used in resolving all complaints filed under this Policy's Complaint Procedures. The standard is met if the proposition is more likely to be true than not true

(i.e.; more probable than not). Effectively, the standard is satisfied if there is greater than 50 percent chance that the proposition is true.

PROHIBITED CONDUCT: The following conduct is prohibited under this policy:

1. **Discrimination:** An intentional or unintentional act which adversely affects employment and/or educational opportunities because of a person's membership in a protected class or association with a member(s) of a protected class. Discrimination may be classified as either disparate impact (practices that are facially neutral in their treatment of different groups but that in fact fall more harshly on one group than another and cannot be justified by business necessity) or disparate treatment (treatment of an individual that is less favorable than treatment of others based on discriminatory reasons). A single act of discrimination or discriminatory harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman may relate to sex, marital status, or both; or discrimination against a transgender individual may relate to gender identity, sex or sexual orientation.

Examples of behavior that may constitute discrimination, include, but are not limited to:

- a. Differences in salaries or other benefits that are paid to one or more men or women if the differences are not based on a bona fide occupational qualification.
- b. Differences in terms, conditions and privileges of employment (including, but not limited to hiring, promotion, reassignment, termination, salary, salary increases, discipline, granting of tenure, selection for awards, etc.) on a prohibited basis.
- c. Unlawful disparity of treatment in educational programs and related support services on the basis of membership in a legally protected class.
- d. Developing position descriptions or qualifications, which, without lawful justification, are so specific as to have a disparate exclusionary impact on a group of individuals because of their membership in a protected class.
- e. Singling out, treating or causing to treat persons of one protected class differently from others because of assumptions about or stereotypes of the intellectual ability, interest, or aptitudes of persons of those aforementioned groups.
- f. Limiting access to housing, or participation in athletic, social, cultural or other activities to students because of membership in a protected class not based on a bona fide requirement or distinction.
- g. Failing or refusing to hire or promote a person because of their age.
- h. Classifying a position or positions as unsuitable for persons of certain religions.
- i. Forcing employees or students to participate or not participate in a religious activity as a condition of their employment or education.
- j. Excluding members of a certain race or national origin from a category of positions or from a department or division.
- k. Restricting the number of Vietnam era veterans or qualified persons with disabilities in a category of positions or in a department or division.
- l. Using information on marital or parental status for employment decisions where the use of such information has a disparate impact on persons of one gender or sexual orientation.
- m. Advising students of similar interests and backgrounds differently because of their gender or gender identity.
- n. Diverting a discussion of a student's or employee's work toward a discussion of his or her physical attributes or appearances.
- o. Forcing female students to sit in the back of the class on the stereotyped assumption that each of them has a lower aptitude for learning that particular subject than male students.
- p. Placing unreasonable expectations upon students of particular races or national origins on the

basis of stereotyped assumptions that members of those protected classes have a better aptitude for certain academic subjects than students not of those races or national origins.

2. **Discriminatory Harassment:** Discriminatory harassment. A form of unlawful discrimination including verbal and/or physical conduct based on legally protected characteristics and/or membership in a protected class that:
 - a. has the purpose or effect of creating an objectively intimidating, hostile or offensive work or educational environment;
 - b. has the purpose or effect of unreasonably interfering with an individual's work or learning performance; or
 - c. otherwise unreasonably adversely affects an individual's employment or educational opportunities.

For purposes of this Policy, conduct constitutes hostile environment harassment when it:

- a. is targeted against an individual(s) on the basis of his or her membership in a protected class;
- b. is not welcomed by the individual(s); and
- c. is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile or offensive.

The determination of whether an environment is "hostile" is based on the totality of the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating. Simple teasing, offhand comments and isolated incidents (unless extremely serious) will not amount to hostile environment harassment under this Policy.

Examples of behavior that may constitute discriminatory harassment include, but are not limited to:

- a. Physically harassing another individual (or group of individuals) because of that person's or persons' membership in a protected class by assaulting, touching, patting, pinching, grabbing, staring, leering at them, making lewd gestures, invading their personal space, blocking their normal movement, or other physical interference.
 - b. Encouraging others to physically or verbally abuse an individual (or group of individuals) because of that person or persons' membership in a protected class.
 - c. Threatening to harm an individual (or group of individuals) because of that person or persons' membership in a protected class.
 - d. Directing epithets or slurs at an individual (or group of individuals) because of that person or persons' membership in a protected class.
 - e. Displaying hostile, derogatory and/or intimidating symbols/objects to an individual (or group of individuals) because of that person or persons' membership in a protected class.
3. **Gender-Based Harassment:** Unwelcome conduct of a nonsexual nature based on a student's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, where:
 - 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.

4. **Retaliation:** Taking adverse employment or educational action against a person who files claims, complaints or charges under these procedures, or under applicable local, state or federal statute, who is suspected of having filed such claims, complaints or charges, who has assisted or participated in an investigation or resolution of such claims, complaints or charges, or who has protested practices alleged to be violative of the non-discrimination policy of the College, the BHE, or local, state or federal regulation or statute. Retaliation, even in the absence of provable discrimination in the original complaint or charge, constitutes as serious a violation of this Policy as proved discrimination under the original claim, complaint or charge.

Examples of behavior that may constitute retaliation, include, but are not limited to:

- a. Terminating an employee for expressing an intention to file or for filing a charge of discrimination.
- b. Refusing to hire an employee due to the employee's pursuit of a discrimination charge against a former employer.
- c. Denying a promotion to an employee for complaining to anyone about alleged discrimination or harassment.
- d. Refusing tenure to a faculty member for filing a complaint of discrimination or harassment pursuant to the Discrimination Complaint Procedures.
- e. Issuing an unjustified negative evaluation to an employee for testifying in a legal proceeding concerning a complaint of discrimination, harassment or retaliation.
- f. Assigning a student an unearned, poor grade for requesting a reasonable course accommodation based on religion.
- g. Assigning a student an unearned, failing grade for cooperating with an internal investigation of alleged discriminatory practices or a complaint of discrimination or harassment.
- h. Refusing to admit a student for requesting a reasonable accommodation based on disability in the admission process.
- i. Refusing to hire a job applicant for requesting a reasonable accommodation based on disability in the application process.

Members of the academic community should not assume that any of the forms of speech described above are protected by the principles of academic freedom or the First Amendment to the United States Constitution.

5. **Title IX Sexual Harassment**

Title IX regulations require institutions of higher education to implement a policy to address sexual harassment, which shall include sexual violence, as specifically defined by the U.S. Department of Education. Accordingly, Formal Complaints of Title IX Sexual Harassment will be subject to review in accordance with the Title IX Sexual Harassment Complaint Process (found herein at Section L, III.). Notwithstanding, where a Formal Complaint of Title IX Sexual Harassment is not filed, the College reserves the right to address such other complaints under the Complaint Process (found herein at Section L, II.) and using the definitions of sexual assault, dating violence, domestic violence or stalking as provided herein under paragraph 5 (3.)(A-D) or the sexual harassment definition as provided herein under paragraph 6.

"Title IX Sexual Harassment" for purposes of Title IX and this Policy means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the College conditioning the provision of an aid, benefit, or service on another employee's or student's participation in unwelcome sexual conduct ("quid pro quo" harassment by an employee); or

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College education program or activity; or
3. Any instance of sexual assault (as defined in the Cleary Act (20 U.S.C. 1092(f) 6) (A) (v)), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA) (34 U.S.C. 12291 et. seq.) (for ease of reference the definitions as they appear in those laws are provided below):

(A) Sexual assault means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation including:

(i) Rape, defined as the carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;

(ii) Sodomy is oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;

(iii) Sexual Assault With An Object, defined as the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;

(iv) Fondling, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the person, including instances where the victim is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;

(v) Incest, defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;

(vi) Statutory Rape, defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

(B) Dating violence means violence committed by a person-

(i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on the consideration of the following factors:

(a) The length of the relationship;

(b) The type of relationship;

(c) The frequency of interaction between the persons involved in the relationship;

(C) Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitation with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction;

(D) Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to-(i) fear for their own safety or the safety of others; or (ii) suffer substantial emotional distress.

6. Sexual Harassment:

When a Formal Complaint of Title IX Sexual Harassment is not filed, and therefore the Title IX Sexual Harassment Complaint Process (found herein at Section L, III.) is not activated, the College reserves the right to address such other complaints of sexual harassment/sexual violence under the Complaint Process (found herein at Section L, II.) by using the above-mentioned definitions of sexual assault, dating violence, domestic violence or stalking under paragraph 5 (3.)(A-D), or by using the following definition of sexual harassment.

Sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment or academic decisions; or
- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating or sexually offensive learning or working environment.

Under these definitions, direct or implied requests by a supervisor or instructor for sexual favors in exchange for actual or promised job or academic benefits constitute sexual harassment. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work or educational environment that is hostile, offensive, intimidating, or humiliating to another may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and/or its pervasiveness:

- a. Unwelcome sexual advances -whether they involve physical touching or not.
- b. Repeated, unsolicited propositions for dates and/or sexual intercourse.
- c. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.
- d. Displaying sexually suggestive objects, pictures, cartoons.
- e. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- f. Verbal harassment or abuse on the basis of sex.
- g. Inquiries into another person's sexual activities, practices or experiences.
- h. Discussion of one's own sexual activities, practices or experiences.

PROTECTED CLASS(S)/CLASSIFICATION(S): Characteristics or groups of persons protected from discrimination by law and under this Policy, including:

- a. **Age** - Persons 40 years of age or older.
- b. **Color** - Variations in skin tone among persons of the same race.
- c. **Disability** - A person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Examples include, but are not limited to, the following: Acquired Immune Deficiency Syndrome (AIDS), Alcoholism; Asthma; Blindness or other visual impairments; Cancer;

Cerebral palsy; Depression; Diabetes, Epilepsy; Hearing or speech impairments; Heart Disease; Migraine Headaches; Multiple sclerosis; Muscular dystrophy; Orthopedic impairments; Paralysis; Thyroid gland disorders; Tuberculosis; loss of body parts.

- d. **Ethnicity** - See National Origin.
- e. **Gender** - A person's sex, either male or female.
- f. **Gender Identity** - Gender identity is a term that covers a multitude of sexual identities including, but not limited to, transgender individuals, who are persons whose gender identity or gender presentation falls outside of stereotypical gender norms.
- g. **Genetic Information** - Any written, recorded individually identifiable result of a genetic test or explanation of such a result or family history pertaining to the presence, absence, variation, alteration, or modification of a human gene or genes.
- h. **National Origin** - A "national origin group" or "ethnic group" is a group sharing a common language, culture, ancestry, and/or other similar social characteristics.
- i. **Persons of Color** - Members of the following racial classifications: Black, American Indian/Native Alaskan, Asian/Pacific Islander, and Hispanic/Latino.
- j. **Race** - Discrimination laws do not contain a definition of "race," but are interpreted to prohibit discrimination on the basis of ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features, and on the basis of stereotypes and assumptions about abilities, traits, or the performance of individuals of certain racial groups. All individuals, including persons of more than one race and the following racial classifications, are protected from discrimination:
 - Black: All persons having origins in any of the Black racial groups of Africa.
 - White (not of Hispanic origin): Persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
 - Hispanic/Latino: All persons of Mexican, Puerto Rican, Cuban, Central, Latin or South American or other Spanish culture or origin, regardless of race.
 - Cape Verdean: All persons having origins in the Cape Verde Islands.
 - Asian or Pacific Islander: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands, including, for example, the areas of China, India, Japan, Korea, the Philippine Islands and Samoa.
 - American Indian or Alaskan Native: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- k. **Religion** - "Religion" and "creed" have the same or equivalent meaning: all religious and spiritual observances, practices, and sincerely held beliefs.
- l. **Sexual Orientation** - Actual or perceived heterosexuality, homosexuality or bisexuality, either by orientation or by practice.
- m. **Veteran** - Any person who is a member of, applies to perform, or has an obligation to perform, service in a uniformed military service of the United States, including the National Guard.

If at any time subsequent to the implementation of this Policy, additional protected classifications are established under applicable law, individuals in those classifications shall be protected against discrimination under this Policy.

RESPONDENT OR RESPONDING PARTY: The person against whom a complaint is directed, including an individual who has been reported to be the perpetrator of conduct that could constitute Title IX Sexual

Harassment.

RESPONSIBLE EMPLOYEES: Allegations involving sex discrimination, sexual harassment, sexual violence, stalking, domestic and dating violence, shall be reported by all “Responsible Employees” to the Title IX coordinator or official designee as soon as the employee becomes aware of it. A Responsible Employee includes any College employee: who has the authority to take action to redress these offenses; who has been given the duty of reporting to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty. Responsible Employees shall include, but are not limited to, College trustees, administrators, department chairs, program coordinators, campus police*, club/activity advisors, coaches, managers or supervisors.

**Although STCC Police Officers are designated as responsible employees, if a student or employee reporting domestic violence or sexual assault requests confidentiality, the STCC officer must not disclose their name to the Title IX Coordinator. (Massachusetts General Law Chapter 41 Section 97D)*

TIME: The number of days indicated at each level shall be considered as a maximum. All reasonable efforts shall be made to expedite the process, but the President or his/her designee may extend the time limits in extenuating circumstances with notice to both parties in writing, or by mutual written agreement between the Complainant and the Responding Party.

TITLE IX SEXUAL HARASSMENT COMPLAINT: The process used to address Formal Complaints of Title IX Sexual Harassment.

TITLE IX COORDINATOR: A College employee assigned the responsibility for maintaining the College’s compliance with Title IX. The Title IX Coordinator is responsible for administering this Policy relative to complaints of sex discrimination, sexual harassment or sexual violence. If these positions are held by different individuals, the AAO and the Title IX Coordinator may collaborate on the enforcement of any aspect of this Policy. The Title IX Coordinator should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX Coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest. There may also be a Deputy Title IX Coordinator designated to assist the Title IX Coordinator in the performance of his/her duties. The Title IX Coordinator is: Dr. Kathryn C. Senie, Director of Compliance, Affirmative Action Officer, Title IX Coordinator and ADA Coordinator and can be contacted at: Office (413) 755-5642 - Fax (413) 755-6309 –Email: kcsenie@stcc.edu

Specific Policies

Support of and Commitment to Diversity

The Community Colleges have historically been a major contributing element to the emergence of our nation as one of the most technologically and economically advanced societies of the world. The important role that the Community Colleges can play is profoundly dependent upon the extent to which they may draw from the full collective of intellectual resources within each College's community of scholars, students, and administrators. Any condition or force that impedes the fullest utilization of the human and intellectual resources available represents a force of destructive consequence for the development of our Commonwealth, and ultimately, our nation.

Community College students, faculty, staff and visitors must be free from conduct that has the purpose or effect of interfering with an individual's academic or professional performance and creating an intimidating, hostile or demeaning educational or employment environment. Therefore, the Community Colleges establish a policy of unequivocal condemnation of all forms of ethnic, religious, cultural, or racial intolerance within the fifteen

College communities.

This policy condemns all conditions and all actions or omissions, including all acts of verbal harassment or abuse, which deny or have the effect of denying to an individual his/her rights to equality, dignity and security in violation of his/her rights guaranteed under the law. The policy reaffirms the doctrine of civility, appreciation for pluralism and the pre-eminence of individual human dignity as preconditions to the achievement of an academic community that recognizes and utilizes the resources of all persons while recognizing and reaffirming the tenets of academic freedom as stated in applicable collective bargaining agreements. The Community Colleges recognize their obligation to protect the rights of free inquiry and expression, and nothing herein shall be construed or applied so as to abridge the exercise of rights under the Constitution of the United States and other federal and state laws.

The Community Colleges will vigorously strive to achieve diversity sufficiently reflective of our society. However, diversity alone will not suffice. There must be a unity and cohesion in the diversity that we seek to achieve, thereby creating an environment of pluralism.

The Community Colleges bear a responsibility by edict and an obligation by social morality to promote understanding and acceptance of ethnic, cultural, religious and racial diversity as we strive to create an atmosphere of dignity for all individuals and groups within our system of public higher education. The President or his/her designee will take reasonable measures to prevent and discourage harassment and will act positively to investigate alleged harassment and to affect a remedy or resolution when an allegation is determined to be valid.

Policy against Prohibited Conduct

Introduction

The mission of the Community Colleges is to educate, train and prepare our students to live and work in our increasingly global and diverse workforce. It is our commitment to take all possible steps to provide an inclusive and diverse learning, living, and work environment that values diversity and cultural tolerance and looks with disfavor on intolerance and bigotry. Any condition or force that impedes the fullest utilization of the human and intellectual resources available represents a force of destructive consequences for the development of our Commonwealth and ultimately, our nation.

Definitions

Prohibited Conduct includes: Discrimination, Discriminatory Harassment, Gender-Based Harassment, Sexual Harassment and Retaliation. These terms and all Protected Class(s)/Classification(s) are defined under the "Definitions" section of this Policy.

Policy Prohibitions

The Policy prohibits all conditions and all actions or omissions, which deny or have the effect of denying to any person their rights to equity and security on the basis of their membership in or association with a member(s) of any protected class. This policy reaffirms the values of civility, appreciation for racial/ethnic/cultural/religious pluralism and pre-eminence of individual human dignity as preconditions to the achievement of an academic community, which recognizes and utilizes the resources of all people.

In order to promote an atmosphere in which diversity is valued and the worth of individuals is recognized, the Colleges will distribute policy statements and conduct educational programs to combat all Prohibited Conduct.

The prohibition on Prohibited Conduct contained in this Policy shall apply to and be enforced against all members of the College community, including, but not limited to, faculty, librarians, administrators, staff, students, vendors, contractors and all others having dealings with the institution.

Conduct that is Not Prohibited

The Community Colleges are 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 College community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Accordingly, any form of speech or conduct that is protected by the principles of academic freedom or the First Amendment to the United States Constitution is not subject to this policy.

Complaint Procedures

The Community Colleges have established a specific internal Complaint Procedure to help resolve claims and complaints of violation to this Policy on their campuses (see Section L). Any applicant for employment or admission, any student or employee, and any other member of the College community who believes that he or she has been subjected to Prohibited Conduct may initiate a complaint as outlined herein. Further advice or information may be obtained by contacting the Affirmative Action Officer or Title IX Coordinator.

Duty to Cooperate

Every faculty member, librarian, administrator, staff member and College employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to this Policy's Complaint Procedure, subject to the provisions of any relevant collective bargaining agreements.

This duty includes, among other things, speaking with the Affirmative Action Officer, Title IX Coordinator or other authorized personnel or investigator and voluntarily providing all information and documentation which relates to the claim being investigated. The failure and/or refusal of any employee to cooperate in an investigation may result in disciplinary action up to and including termination.

Duty to Report

● General Responsibility to Report Prohibited Conduct

No member of the College community who receives a complaint of Prohibited Conduct can ignore it; he or she should give to the person making the complaint as much assistance in bringing it to the attention of the Affirmative Action Officer or Title IX Coordinator as is reasonably appropriate given his or her position at the College and relationship with the person making the complaint. Therefore, all students, faculty, staff, and administrators are strongly encouraged to report to the Affirmative Action Officer or the Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes a violation of this Policy.

● Reporting of Title IX Sexual Harassment by Responsible Employees

Allegations involving Title IX Sexual Harassment shall be reported by all "Responsible Employees" to the Title IX coordinator or official designee as soon as the employee becomes aware of it. A Responsible Employee includes any College employee: who has the authority to take action to redress Title IX Sexual Harassment; who has been given the duty of reporting Title IX Sexual Harassment to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty. Responsible Employees shall include, but are not be limited to, College trustees, administrators, department chairs, program coordinators, campus police, club/activity advisors, coaches, managers or supervisors.

● Mandatory Reporting of Abuse Under State Law

Children (a person under the age of 18) may be students at the College, or may be engaged in activities sponsored by the College or by third-parties utilizing College facilities. In such instances, where an employee has reasonable cause to believe that a child is suffering physical or emotional injury, resulting from among

other causes, sexual abuse, the employee and the College may be obligated to comply with the mandatory reporting requirements established at M.G.L. Chapter 119, Section 51AE. In such cases, the employee is directed to immediately report the matter to the College's Affirmative Action and/or Title IX Coordinator, who, in consultation with other officials, shall contact the Commonwealth's Department of Children and Families and/or law enforcement. An employee may also contact local law enforcement authorities or the Department of Children and Families directly in cases of suspected abuse or neglect. State law also maintains mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. For more information on these reporting requirements please contact the College's Affirmative Action Officer.

Any member of the College community who has a question about his or her responsibilities under this Policy should contact the Affirmative Action Officer or Title IX Coordinator.

Title IX Sexual Harassment Policy

Introduction

It is the goal of the Community Colleges to promote an educational environment and workplace that is free of sexual harassment. Sexual harassment of students or employees occurring in the classroom or the workplace is unlawful and will not be tolerated by the Community College. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by students or employees.

Because the Community Colleges take allegations of Title IX Sexual Harassment seriously, we will respond promptly to complaints of Title IX Sexual Harassment and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective measures, including disciplinary action where appropriate and consistent with applicable collective bargaining agreements.

The College does not discriminate on the basis of sex in any education program or activity that it operates, and it is required by Title IX and 34 C.F.R Part 106, §106.8 (b) not to discriminate in such a manner.

Definition of Title IX Sexual Harassment

Title IX Sexual Harassment is defined under the "Definitions" section of this Policy.

All employees and students should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, or retaliation against individuals who have cooperated with an investigation of Title IX Sexual Harassment is unlawful and will not be tolerated by the Community Colleges.

Complaints of Title IX Sexual Harassment

All Formal Complaints of Title IX Sexual Harassment shall proceed under this Policy's Title IX Sexual Harassment Complaint Process. To file a complaint a person may do so by contacting the College's Title IX Coordinator, or designee. A report of an allegation of sexual harassment may also be presented to other "Responsible Employees" at the College. These persons are also available to discuss any concerns a person may have and to provide information about the Policy.

Victims may report by contacting the Department of Human Resources in Building 16, 2nd floor, or by visiting the website and completing the online submission form or downloading and submitting it to Human Resources. The online form can be found here: <https://www.stcc.edu/about-stcc/employment/affirmative-action--title-ix/>

Sexual Harassment Investigation

A Formal Complaint of Title IX Sexual Harassment will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will be conducted in accordance with this Policy's Title IX Sexual Harassment Complaint Process and may include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed Title IX Sexual Harassment will also be interviewed. Once the investigation is completed, the College will, to the extent appropriate, inform the parties of the results of that investigation.

If it is determined that a violation of this Policy has occurred, the College will act promptly to eliminate the offending conduct, and where it is appropriate also impose disciplinary action.

Disciplinary Action

Discipline for violating this Policy may include, but is not limited to, mandatory counseling or training, verbal or written warnings, suspension, termination from employment, or expulsion from the College.

Consensual Relationships

- **Faculty/Administrator/Staff Member Relationships with Students**

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. 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 College program or activity

- **Relationships Between Supervisors, Subordinates or 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 sexual harassment, discrimination or retaliation. Therefore, such workplace relationships are strongly discouraged.

Identification

Personal identifiable information about parties of sexual violence will be treated as confidential and only shared with persons with a specific need to know and/or who are investigating and/or adjudicating the complaint, delivering resources or support services to the Complainant or as public safety requires. The College does not publish the names or other identifiable information of parties of sexual violence in the campus police department's Daily Crime Log, in any Timely Warnings issued or online. In accordance with the Family

Educational Rights and Privacy Act, an individual may request that no directory information maintained by the College be released absent his/her prior, written consent.

Supportive Measures

Title IX requires the College to take non-disciplinary/non-punitive reasonable steps to preserve or restore equal access to its education programs and activities and protect individuals from any Title IX Sexual Harassment or other Prohibited Conduct, including offering supportive measures before the final outcome of an investigation, irrespective of whether the complainant ever chooses to file a Formal Complaint. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter all forms of sexual harassment. The College shall take these steps promptly once it has notice of an allegation of Title IX Sexual Harassment, including sexual violence. Examples of interim protective measures include, but are not limited to, the following:

- Counseling;
- Extensions of deadlines or other course-related adjustments (for example: changing class schedule, withdrawal without penalty, providing student services such as tutoring, alternate class completion options);
- Modifications of work schedules or job assignments;
- Campus escort services;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations (if applicable);
- Leaves of absence, increased security and monitoring of certain areas of the campus; and
- Other similar measures.

The specific supportive measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what supportive measures to take, including, for example, the specific needs expressed by either party; the severity or pervasiveness of the allegations; any continuing effects on either party; whether the parties share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures have been taken to protect either/both parties (e.g., civil protection orders).

In general, when taking supportive measures, the College shall minimize the burden on either party. The College must maintain as confidential any supportive measures provided to either party, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Amnesty

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College's drug/alcohol policy and/or the Student Code of Conduct. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

Protections for Complainant Regarding Sexual Violence

A person subjected to sexual violence shall:

- Be provided with a copy of the College's *Sexual Violence – Complainant's Rights and Information Advisory*, which shall include information concerning counseling, health, and mental health services,

victim advocacy and support, law enforcement assistance, and other services available on and off campus;

- Have the right to pursue, or not pursue, assistance from campus administration officials or campus law enforcement;
- Not be discouraged by College officials from reporting an incident to both on-campus and off-campus authorities;
- Be provided assistance in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of campus personnel should a civil and/or criminal complaint be pursued;
- Be free from any suggestion that they somehow contributed to or had a shared responsibility in the violent act;
- Receive the same level of support at any proceeding before College officials as is permitted to the accused party, including the presence of an advisor during any disciplinary proceeding and the right to be notified in a timely manner of the outcome of such proceedings and any appeal right available;
- Receive full and prompt cooperation from College personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings;
- Have access to existing College counseling and medical professionals, victim support services, and to obtain referrals to off-campus counseling and support services if desired;
- Be permitted to attend classes, work and participate in College activities free from unwanted contact or proximity to the respondent insofar as the College is permitted and able;
- Be permitted to request changes to an academic schedule if such changes are requested by the alleged victim and are reasonably available; and
- Be informed of any no-contact or no-trespass orders issued to the respondent by the College and the College's commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

Recommended Procedures for a Victim of Sexual Violence

For a person subjected to an act of sexual violence, there can be time-sensitive decisions to make about sexually transmitted infections, pregnancy, and collecting physical evidence in the event of prosecution. Individuals who have been victims of sexual violence are advised as follows:

- **Protect yourself and Get Medical Attention** – A victim should be advised to go to a safe place as soon as possible and seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and collect important evidence. It is recommended that a physical exam be conducted within 72 hours of the violence. Submitting to a physical exam does not mean that a victim is required to press charges. This action merely preserves the option to do so. Designated College personnel can assist in providing transportation to the hospital.
- **Preserve Evidence** -It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event criminal prosecution is pursued. If possible, a victim should be advised not to wash, eat, drink, douche, clean, use the bathroom, or change clothes. If clothes are changed, all clothes that were worn at the time of the incident should not be cleaned and should be placed into an unused or a clean paper bag.
- **Health and Support Services** -Various health and support services are available on and off campus for students and employees who have experienced sexual violence. For information about such services, including counseling, please contact the Affirmative Action and/or Title IX Coordinator.

Rape Crisis Center Contact Information

The following is a list of Rape Crisis Centers in Massachusetts. As the following contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at the Commonwealth's Executive Office of Health and Human Services' Website under "Consumer" information at <http://www.mass.gov/eohhs/>.

Metro Boston
Greater Boston Area
[Boston Area Rape Crisis Center](#)
99 Bishop Allen Drive
Cambridge, MA 02139
Additional sites in Boston, Chelsea
Hotline: (800) 841-8371
Office: (617) 492-8306
TTY: (617) 492-6434

Metro West
Greater Framingham Area
[Voices Against Violence](#): A program of South Middlesex Opportunity Council
7 Bishop Street (SMOC)
Framingham, MA 01702
Hotline: (800) 593-1125
Office: (508) 820-0834
TTY: (508) 626-8686

Northeast
Lawrence and North Shore Area
[YWCA Northeastern Massachusetts](#)
38 Lawrence Street
Lawrence, MA 01840
Phone: 978.687.0331
Fax: 978.689.4080
TTY: (978) 686-8840

YWCA Fina House
203 Haverhill Street
Lawrence, MA 01840
Phone: 978.682.3039
www.ywcansrcc.org
Rape Crisis 24-Hour Hotline: 877.509.YWCA [9922], Spanish: 800.223.5001
Hours: 9:00 a.m. to 5:30 p.m. Monday – Friday

YWCA Northeastern Massachusetts [formerly YWCA Haverhill]
107 Winter Street
Haverhill, MA 01830
Phone: 978.374.6121
www.ywcahaverhill.org
Hours: 9 a.m. to 5:30 p.m. Monday – Friday

YWCA Northeastern Massachusetts
20 Central Avenue, Suite 510

Lynn, MA 01901
Phone: 781.477.2313
Rape Crisis 24-Hour Hotline: 800.922.8772, Spanish: 800.223.5001
Hours: 9 a.m. to 5 p.m. Monday – Friday

Southeast
Norfolk/Bristol Counties
[New Hope](#)
140 Park Street
Attleboro, MA 02703

Additional sites in Taunton, Webster
Hotline: (800) 323-4673
Office: (508) 226-4015
TTY: (508) 323-4673

Plymouth County/South Shore
[A New Day](#): A program of Health Imperatives
950 West Chestnut Street
Brockton, MA 02301

Additional sites in Quincy, Weymouth, Plymouth
Hotline: (508) 588-8255
Office: (508) 580-3964
TTY: (508) 894-2869

Cape Cod
[Independence House](#)
160 Bassett Lane
Hyannis, MA 02601
Additional sites in Falmouth, Orleans, Provincetown
Hotline: (800) 439-6507
Office: (508) 771-6507
TTY: (508) 771-6782

Nantucket
[A Safe Place](#)
5B Windy Way
Nantucket, MA 02554
Hotline: (508) 228-2111
Office: (508) 228-0561
TTY: (508) 228-7095

Greater New Bedford Area
New Bedford Women's Center/[The Women's Center](#)

405 County Street
New Bedford, MA 02740
Additional site in Fall River
Hotline: (508) 996-6636
Office: (508) 996-3343
TTY: (508) 996-1177

Martha's Vineyard
Martha's Vineyard Community Services [CONNECT to End Violence](#)
111 Edgartown Road
Vineyard Haven, MA 02568
Additional site in Edgartown
Hotline: (508) 696-7233
Office: (774)-549-9667
TTY: (774)-549-9659

Central
Assabet/Blackstone Valleys
[Wayside Trauma Intervention Services/Valley Rape Crisis Program](#)
10 Asylum Street
Milford, MA 01757
Hotline: (800) 511-5070
Office: (508) 478-6888
TTY: (508) 478-4205

Worcester County
[Pathways for Change](#)
588 Main Street
Worcester, MA 01608-2014
Additional site in Fitchburg, Southbridge, North Brookfield
Hotline: (800) 870-5905
Office: (508) 852-7600
TTY: (888) 887-7130

West
Hampshire County
[Center for Women and Community](#)
at UMass Amherst
180 Infirmary Way
Amherst, MA 01003
Hotline: (413) 545-0800
Office: (413) 545-0883
TTY: (413) 577-0940

Franklin County/North Quabbin

[NELCWIT](#)

479 Main Street
Greenfield, MA 01301
Additional site in Orange
Hotline: (413) 772-0806
Office: (413) 772-0871
TTY: (413) 772-0815

Berkshire County

[Elizabeth Freeman Center](#)

43 Francis Avenue
Pittsfield, MA 01201
Additional sites in Adams, North Adams, Great Barrington
Hotline: (866) 401-2425
Office: (413) 499-2425
TTY: (413) 499-2425

Hampden County

[YWCA of Western Mass.](#)

1 Clough Street
Springfield, MA 01118
Additional sites in Westfield, Huntington
Hotline: (800) 796-8711
Office: (413) 732-3121
TTY: (413) 733-7100

En Espanol

Llámanos Spanish Language Helpline

24-hour Helpline: (800) 223-5001
c/o YWCA of Western Mass.
1 Clough Street
Springfield, MA 01118

These Rape Crisis Centers offer FREE services to survivors of sexual violence, including:

- 24/7 hotline counseling, information, and referral;
- Will go with survivors to hospitals and/or police stations 24/7;
- Will go with a survivor to court;
- Provide one-to-one counseling and support group counseling; and
- Provide primary prevention education; professional training; outreach.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with the governmental agencies set forth below. Filing a complaint under this Policy does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC -300 days; MCAD -300 days).

United States Equal Employment Opportunity Commission ("EEOC")

JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone 1-800-669-4000
Fax (617) 565-3196.
TTY: 1-800-669-6820

The Office for Civil Rights ("OCR")

U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111
TDD: 800-877-8339
Facsimile: (617) 289-0150
Email: OCR.Boston@ed.gov

Massachusetts Commission Against Discrimination ("MCAD")

Boston Office:

One Ashburton Place, Rm 601
Boston, MA 02108
(617) 994-6000
TTY: (617) 994-6196

Springfield Office:

436 Dwight St., Rm. 220
Springfield, MA 01103
(413) 739-2145

Non-Discrimination and Accommodation for Persons with Disabilities

It is illegal to discriminate against an otherwise qualified individual with a disability. The Community Colleges recognize the multitude of barriers that confront persons with disabilities in access to both employment and education. Consistent with state and federal statutes that affirm and protect the equal opportunity rights of persons with disabilities, the Community Colleges adopt a policy of non-discrimination and equal opportunity for otherwise qualified persons with disabilities. Any employee or student who believes he/she has been a victim of discrimination due to a disability may file a complaint pursuant to the Complaint Procedures found at Section L of this Policy.

In Employment

The Community Colleges will take constructive measures to ensure equal opportunity in all areas of employment including recruitment, selection, upgrading, opportunities for training and development, rate of compensation, benefits and all other terms and conditions of employment. Further, the Colleges will periodically examine all existing employment policies, practices and facilities to ensure that they do not pose a disparate impact for otherwise qualified persons with disabilities. Where such disparity is found, it will be

corrected as quickly and completely as is reasonable under existing circumstances. Accordingly, all College facilities may not be available and accessible at a particular time.

In Education

The Colleges will periodically examine all existing admissions, student support and other student life policies, practices and facilities to assure that they do not pose a disparate impact for otherwise qualified disabled students. Where such disparity is found, it will be corrected as quickly and completely as is reasonable under existing circumstances. Accordingly, all College facilities may not be available and accessible at a particular time. The Colleges will adopt a policy of non-discrimination with respect to admissions, access to programs and facilities and services for all otherwise qualified disabled persons.

Reasonable Accommodations

A “reasonable accommodation” under state and federal law is defined as “modifications or adjustments to an application process, job, work environment, the way in which work is customarily performed, or a course of study that permit a qualified individual with a disability to perform the essential functions of a position or to enjoy the benefits and privileges of employment or education equally with persons without disabilities.”

Reasonable accommodations in employment may include, but are not limited to:

- making existing facilities used by employees readily accessible to and usable by persons with disabilities;
- job restructuring;
- modification of work schedules;
- providing additional unpaid leave;
- acquiring or modifying equipment or devices; and
- providing qualified readers or interpreters.

The Community Colleges are not required to lower performance standards to make an accommodation and are not obligated to provide personal use items, such as eyeglasses or hearing aids.

Reasonable accommodations in education may include, but are not limited to:

- in-class aids, such as note takers;
- extended time for examination;
- quiet rooms or alternate locations for testing;
- alternatively formatted testing; alternatively formatted textbooks and other course materials; and/or
- access to assistive technology.

Possible course reductions or substitutions on the basis of a disability will be carefully evaluated. Students with disabilities must meet the essential requirements of all academic degree programs.

Interactive Process

State and federal laws define the “interactive process” as an ongoing communication between, among other parties, employer and employee, college and student, with a known disability in an effort to provide reasonable accommodation. Both parties must engage in the interactive process and communicate directly with each other in order to formulate an effective accommodation plan. Neither party can delay nor interfere with the process.

Undue Hardship and Fundamental Alteration

The Community Colleges are required to make reasonable accommodations to qualified individuals with disabilities unless doing so would impose an undue hardship on the operation of a College's business or result in a fundamental alteration of a job or academic course or program. Undue hardship means an action that requires significant difficulty or expense when considered in relation to factors such as a College's size, financial resources, and the nature and structure of its operation. Fundamental alteration is a change that is so significant that it alters the essential nature of a job or an academic course or program.

Process for Requesting a Reasonable Accommodation

An employee or job applicant seeking a reasonable accommodation for a disability may contact the College's Office for Human Resources. A student or student applicant seeking a reasonable accommodation for a disability may contact the College's Disability Services Office. All requests for an accommodation are evaluated on a case-by-case basis. Individuals seeking accommodations should be prepared to submit current medical documentation for review in the accommodation process.

Contracting and Purchasing

When selecting contractors, suppliers, and vendors of goods and services, including goods and services secured in connection with construction projects, the Colleges will offer equal opportunity to all qualified persons and entities and will not discriminate on the basis of a protected classification.

The College shall use reasonable efforts to attract and encourage bid proposals from a diverse pool of qualified contractors, subcontractors, vendors and suppliers. The College is strongly encouraged to identify businesses primarily operated by individuals within the protected classifications with the help of the Commonwealth's Supplier Diversity Office.

When transacting business with contractors, vendors and suppliers, the Community Colleges shall include in all contracts the following statement:

Non-Discrimination in Employment: The Contractor shall not discriminate against any qualified employee or applicant for employment because of race, color, national origin, age, sex, sexual orientation, gender identity, religion, genetic information, maternity leave, military service, marital status or disability. The Contractor agrees to comply with applicable federal and state statutes, rules and regulations prohibiting discrimination in employment, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, Massachusetts General Laws, Chapter 151B and all administrative and executive orders, where applicable.

The Colleges reserve the right to disqualify any contractor, person or entity seeking to provide services to a Community College that fails to adhere to the prohibitions against discrimination in employment that are contained in this section.

Implementation of Affirmative Action Policy

The implementation of an effective affirmative action policy is ultimately the responsibility of the President of each Community College. The President will direct the Affirmative Action Officer to coordinate the overall development, administration and monitoring of all affirmative action programs, policies, procedures and regulations. The Affirmative Action Officer will report directly to the President, or his/her designee, and will bear responsibility for the preparation and execution of all affirmative action policies and programs.

Consistent with all collective bargaining and non-unit employee agreements, each supervisor will seek to ensure that affirmative action and equal opportunity are integrally tied to all aspects of any recruitment, hiring, training or advancement related decisions to which they are a party. They will be aware of goals and will consult with the Affirmative Action Officer prior to and in the course of such actions.

Affirmative Action Officer and Title IX Coordinator

See “Definition” Section of this Policy for Affirmative Action Officer and Title IX Coordinator contact information.

Affirmative Action Officer

The Affirmative Action Officer (“AAO”) shall have the task of infusing affirmative action into all aspects of the College. He/she shall be responsible for the development, administration and evaluation of affirmative action policies, procedures, programs and goals; serve as monitor of local, state and federal laws and regulations relating to affirmative action and equal opportunity and compliance thereof; and administer to all segments of the College - students and employees.

The AAO will analyze the College’s work force composition. The AAO may also analyze specific work areas or divisions within the College to determine if under-utilization of any protected group exists. The development of goals and timetables to correct any identified under-utilization shall be the responsibility of the AAO with input from the appropriate administrative officers. Although the basic responsibility for implementation of the affirmative action/equal opportunity program necessarily rests with the administrative officers of the College, the Affirmative Action Officer is responsible for providing advice and assistance.

The AAO shall be an ex-officio member of the Affirmative Action Committee and shall facilitate this Policy’s Complaint Procedures.

Title IX Coordinator

The College shall employ a Title IX Coordinator. The Title IX Coordinator may also serve as the College’s AAO. The College’s Title IX Coordinator has primary responsibility for coordinating the College’s efforts to comply with and carry out its responsibilities under Title IX, which prohibits all sex discrimination and Title IX Sexual Harassment in all College operations, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The Title IX Coordinator shall be adequately trained to perform her/his duties, including understanding the legal aspects of Title IX, conducting investigations of all sex discrimination and Title IX Sexual Harassment, administering an investigative process that protects the safety of victims and promotes accountability and providing campus-wide training to members of the College community.

Members of the College community should contact the Title IX Coordinator in order to: seek information or training about students’ and employees’ rights and courses of action available to resolve complaints that involve sex discrimination, not limited to Title IX Sexual Harassment; file a complaint or make a report of a sex discrimination, not limited to Title IX Sexual Harassment; notify the College of an incident that may raise potential Title IX concerns; provide information about available resources; and periodically evaluate and review the College’s policies and procedures related to sex discrimination, not limited to Title IX Sexual Harassment.

The Title IX Coordinator’s functions and responsibilities include:

- Coordinate Title IX efforts including the development, implementation, and monitoring of appropriate disclosures, policies, procedures and practices designed to comply with federal and state legislation, regulation, and case law requiring the prompt and equitable resolution of all complaints pursuant to Title IX;

- Provide leadership, direction and supervision for all activities and personnel of the Title IX program including consulting with relevant policy-making bodies and senior personnel for the purpose of advising, clarifying and identifying necessary action to eliminate sex discrimination in all educational programs and activities, to ensure that access to facilities, opportunities, and resources is gender equitable throughout the College;
- Provide ongoing training, consultation, and technical assistance on Title IX for all students including: students' rights under Title IX, identifying behaviors that constitute Title IX Sexual Harassment ; how to report Title IX Sexual Harassment; reporting options; understanding the College's Complaint Procedure and Complaint Processes; the potential consequences for violating College policies; the role of alcohol and/or drug use; amnesty; consent; the importance of seeking prompt medical attention; prohibition against retaliation; and Bystander Intervention training;
- Provide ongoing training, consultation, and technical assistance on Title IX for all employees in areas including: how to identify and report Title IX Sexual Harassment; the College's responsibilities to address Title IX Sexual Harassment; recognizing warning signals; reporting Title IX Sexual Harassment to appropriate College officials; and information regarding confidential reporting options.
- Provide ongoing training, consultation, and technical assistance on Title IX for all Responsible Employees including: understanding their reporting obligations; confidentiality; students' rights and remedies; and available student services.
- Develop, implement and coordinate campus and/or school-based strategic efforts aimed at the prevention of sexual violence and other forms of sex discrimination;
- Develop and disseminate educational materials, including brochures, posters, and web-based materials that inform members of the College community of Title IX rights, responsibilities and resources both within and external to the College;
- Oversee prompt, effective, and equitable intake, investigation, processing, issuing of findings of fact or management of hearing process, and timely resolution of all Title IX Sexual Harassment matters, or cases otherwise involving sex discrimination made known to responsible employees and/or reported or filed by students, faculty, employees, third parties, or by members of the broader community;
- Provide appropriate notice of an investigation; determine the extent of an investigation; oversee investigation efforts; ensure provision of initial remedial actions; assure compliance with timelines; deliver appropriate notice of charge, notice of investigation, notice of outcome, duty to warn, and remedies, and provide a repository for and source of institutional record-keeping;
- Provide guidance and assistance to alleged victims of Prohibited Conduct, including referral to support resources, notice of right to file internal grievances, notice of the right to grieve to the US Department of Education Office for Civil Rights, and notice of the right to report incidents to law enforcement;
- Coordinate the College's notice to all applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions, of the name or title, office address, electronic mail address, and telephone number of their designation as the Title IX Coordinator;
- Organize and maintain grievance files, disposition reports, and other records regarding Title IX compliance, including annual reports of the number and nature of filed complaints and the disposition of said complaints, data collection, climate assessment, pattern monitoring; and
- Serve as principal contact for government inquiries pursuant to Title IX.

See Definition Section for Affirmative Action Officer and Title IX Coordinator contact information.

Dissemination of Policy

The Affirmative Action Policy will be widely distributed and discussed within the College Community. A copy of the Policy will be distributed to every major work area at each College and a copy will be maintained in the Library and the Affirmative Action Office. Copies of the Policy will be made available upon request to any student, employee, and applicant for student status or for employment or member of the community. The

Policy is available upon request from the College's Affirmative Action Officer and on the College's website. Colleges may implement procedures requiring employees to annually confirm their receipt of this Policy.

In accordance with state and federal requirements, the following notice will be included in all vacancy postings and other appropriate college publications, contracts, solicitations for bids, purchase orders, and leases:

Springfield Technical Community College is an affirmative action/equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, genetic information, gender identity or sexual orientation in its programs and activities as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable statutes and college policies. The College prohibits sexual harassment, including sexual violence. Inquiries or complaints concerning discrimination, harassment, retaliation or sexual violence shall be referred to the College's Affirmative Action and/or Title IX Coordinator, the Massachusetts Commission Against Discrimination, the Equal Employment Opportunities Commission or the United States Department of Education's Office for Civil Rights.

Plan of Action

Program Purpose and Intent

The Community Colleges are committed to a policy of equal opportunity and affirmative action. The purpose of this Policy is to establish programmatic objectives that will provide for the access and advancement of qualified minorities, women, and persons with disabilities with respect to both employment and education. The intent of this Policy is to acknowledge and responsibly alleviate the effects of societal discrimination and its impact on the protected group.

Scope

Affirmative action and equal opportunity shall be viewed as an integral part of the mission and purpose of each Community College. The Affirmative Action Policy by its very nature shall affect and apply to all aspects of recruitment, employment and education.

The opportunity for education for students in the protected classifications will be an imperative. Affirmative action programs should support not only student admissions to the College but also its programs.

In employment, affirmative action will affect recruitment, terms and conditions of employment, administrative procedures and relevant policies and practices of the College.

Workforce and Utilization Analysis

A procedure for implementation of the Policy will be undertaken and it will include opportunities for maximum communication between the responsible parties, i.e., supervisors, the Affirmative Action Officer and the President. A workforce and utilization analysis shall be conducted annually.

Under-Utilization

Under-utilization exists when the number of individuals in protected classifications in an occupational category is fewer than would reasonably be expected based upon the availability of qualified persons for employment within a specific geographic area. When under-utilization is identified for appropriate organizational units and occupational categories, goals and timetables are established as a means of increasing the employment of qualified individuals in protected classifications at the earliest possible time.

This section shall be applied in a manner consistent with the appropriate collective bargaining agreement, if applicable.

Goals

Hiring goals are targets for increasing the employment of qualified individuals in protected classifications in appropriate organizational units and/or occupational categories of the College workforce. Hiring goals are not rigid quotas. They are reasonable estimates of what is attainable and are established separately for individuals in protected classifications.

Program goals include special efforts to remove barriers, to improve awareness or sensitivity, to address problem areas identified within the College Affirmative Action Policy, to bring about conditions that will promote the hiring goals, or to address changes taking place within the institution. General timetables are to be established for the implementation of the goals. The time period shall normally be between two (2) and five (5) years.

Identification of Problem Areas and Remedial Approaches

At the request of the Commissioner, the President shall submit a report to the Commissioner as referenced in Auditing and Reporting and shall include an analysis of under-utilized areas and possible solutions and may cover such issues as curricular concerns, employment and student recruitment, hiring, retention of employees, resignations, and College activity and program availability. The report will also consider and give an analysis of the established goals and timetables.

Programmatic & Collaborative Efforts

The Community Colleges have, as a group, committed themselves to a policy of affirmative action/equal opportunity and non-discrimination throughout this Policy. The Colleges realize, however, that the development and implementation of specific programmatic efforts, both individually and collaboratively, will be essential to the establishment of an action oriented program. Rather than rendering affirmative action policies that merely represent a compilation of policies, procedures and prohibited practices solely designed to avoid discrimination, these action-oriented elements ensure that this Policy becomes a pro-active, aggressive tool as opposed to a passive document.

In an effort to fully establish joint collaborative programs that will enhance the implementation of the Community Colleges' Affirmative Action Policy, the Affirmative Action Officers of the fifteen institutions are encouraged to work collaboratively on the following initiatives:

Recruitment Directory: A directory of recruitment resources may be developed for each major category of positions (i.e., academic discipline, administrative area, field of focus) listing the various known sources for contact. This directory will list individuals, departments, institutions, organizations, professional associations and their various caucuses that are known to be good sources of candidates from protected classifications. In addition, the directory will also contain a listing of major publications such as newspapers, journals or other periodicals that print job advertisements and have substantial circulation among individuals in protected classifications and other underrepresented persons or groups. Trade or professional journals for each academic discipline and professional area will also be included.

- **Program of Professional Enrichment for Personnel of Affirmative Action Offices:** The Affirmative Action Officers will meet regularly and jointly participate in workshops, seminars and other kinds of enrichment opportunities that will assist them in the performance of their duties. Insofar as possible, reliance will be placed on the expertise of persons within the public higher education system, local, state and federal agencies, and professional organizations and associations in order to keep costs to a minimum.

- **Educational Seminars:** The Affirmative Action Officers, collectively or individually, may develop seminars to strengthen the understanding and sensitivity of all employees, and in particular senior administrators and supervising managers, to the importance of their respective roles in fostering a workplace free of discrimination, harassment and retaliation. All members of the College community shall be encouraged to attend such programs.

Individual Campus Efforts

Specific programmatic efforts determined by the individual Colleges may take any of several forms: projects, programs, defined strategies, structured activities or other tactical steps that contribute to fulfillment of the Colleges' affirmative action and equal opportunity goals and objectives. Each College may develop specific programs to assist in identifying and overcoming deficiencies, increasing representation of qualified individuals in protected classifications within the work force and the student body and providing increased opportunities for under-represented groups, both in the area of employment and in the area of the student learning environment. Cross-cultural programming, sensitization of all members of the College communities to the rights and needs of all persons, including individuals in protected classifications will play a major part. The involvement of all segments of the College community in both the planning and the implementation of such programming will be an essential factor in its success.

Hiring Guidelines

Proper hiring guidelines are crucial to the success of attracting and hiring a qualified, diverse workforce. The Human Resources Office shall work in consultation with the Affirmative Action Officer in developing proper hiring guidelines. The hiring process is generally initiated with the development of a recruitment plan, which shall be reviewed by the Affirmative Action Officer before commencing with advertisement. The plan will be reviewed in light of the College's affirmative action goals and will include the use of applicable mailing lists of contacts and resume file, if any, developed and maintained for affirmative action recruiting. Goals will be reviewed at the time of recruitment.

When practicable, the time permitted between the initial public announcement of an available position and the deadline for submission of applications must allow for adequate selective notification of qualified individuals in protected classifications.

For vacancies for positions that are half-time or greater, the Affirmative Action Officer will consult with the hiring manager to determine an appropriate recruitment time frame which will allow sufficient time to recruit under-utilized persons while simultaneously meeting the organization's need to fill the position as soon as possible.

Deans and Vice Presidents are encouraged to plan ahead and schedule all searches so as to allow sufficient time to conduct effective affirmative action searches.

If the recruitment process fails to yield sufficient numbers of qualified candidates from a designated protected group, consideration may be given to reposting the position. This section shall be applied in a manner consistent with the appropriate collective bargaining agreement, if applicable.

The Affirmative Action Officer shall have access to all applications for the purpose of reviewing and certifying the process and the outcome and for the purpose of collecting data to conduct applicant flow studies, etc. Additionally, the Affirmative Action Officer may make recommendations for interviewing affirmative action candidates.

The hiring process will generally include an interview with a search committee, which may include the position's direct supervisor and/or other appropriate persons who have responsibility in the work area. The Affirmative Action Officer will review a committee's recommendation for appointment and sign it to verify compliance with affirmative action procedures. If the Affirmative Action Officer finds that the recruitment and/or selection process does not satisfy affirmative action requirements, he/she should submit his/her reservations to the President.

In regard to hiring/promotions, the College will comply with all applicable collective bargaining provisions when making such decisions.

College Affirmative Action Committee

An Affirmative Action Committee shall be established consisting of at least seven (7) members representative of faculty, administrators, non-teaching professionals, classified staff and students. The Committee shall include protected classification representation. The members shall be appointed by the President. The Affirmative Action Officer shall be an ex-officio member of the Committee.

The Committee shall act as a policy advisory body to the President in all matters concerning affirmative action and equal opportunity. Specific responsibilities of the Committee may include, but are not limited to, the following:

- Advise and assist the President and the Affirmative Action Officer in developing, implementing and evaluating the College's Affirmative Action Program;
- Recommend changes in the programs or policies;
- Represent the concerns of all employment areas of the College as these concerns relate to equal opportunity;
- Be informed about the rules and procedures of the College as well as federal and state laws and regulations governing affirmative action and equal opportunity;
- Meet as necessary, but not fewer than two (2) times a year; and
- Help sensitize and educate the College community regarding the affirmative action issues facing higher education and the larger society and to help broaden understanding of diversity in our society as well as to encourage behaviors appropriate to a pluralistic society.

Auditing and Reporting

The Affirmative Action Officer shall be primarily responsible for monitoring compliance and auditing the implementation of the Policy on Affirmative Action, Equal Opportunity and Diversity. The Affirmative Action Officer shall furnish the President with progress reports and shall inform the President of practices or policies that may not be in compliance with the Policy.

The Affirmative Action Officer will annually review the progress being made toward achievement of the College's affirmative action goals. The review shall include the strategies and timetables for achieving its affirmative action goals, availability figures, institutional performance or other circumstances that affect the implementation of this Policy's goals... In addition, he/she will assure that annual compliance reports required by the Board of Higher Education and other state and federal agencies are completed.

To ensure compliance with this Policy, the Affirmative Action Officer will also review and evaluate the applicable policies, programs and activities related to job requirements, performance criteria, personnel benefit plans, students support services, facilities and programmatic access, vendor contract submission and services, media advertising and public relations materials, including all College publications. Recruitment and

hiring procedures will be monitored using the methods described in this Policy. All monitoring and analyses will be conducted as necessary to identify problem areas and provide recommendations to remedy them.

The Affirmative Action Officer shall conduct periodic audits of the utilization analysis and goals. The purpose of the audit will be to assess progress toward established goals and to apprise other persons responsible for recruitment of the findings. Continuous monitoring is important to the success of the Policy. The findings, while utilized throughout the year, will be reported formally in the annual report. Problem areas and successes will be reported. Additionally, compliance reports requested by other agencies should be included as an internal audit mechanism.

Complaint Procedures

General Information for All Complaints

Application of Policy

Both below-listed procedures are intended to provide a mechanism to investigate and where possible resolve complaints of alleged violations of this Policy against employees and students. The procedures outlined below are intended to ensure that the College will conduct an impartial, fair, effective, and efficient investigation of all allegations of violation of this Policy without fear of retaliation. The complaint procedure is available to any employee or student, or applicant for employment or admission, who believes he/she has been subject to Prohibited Conduct or Title IX Sexual Harassment as defined under this Policy. A complaint filed in another forum does not preclude a student or employee from filing a complaint under this Policy. Further, a complaint filed in another forum, including a criminal or civil complaint, shall not delay an investigation of a complaint filed under this Policy.

Confidentiality of Process

The complaint procedure will be conducted as confidentially as reasonably possible to protect the privacy rights of all individuals involved. The College may share information concerning the complaint with parties, witnesses and/or others during any phase of the procedure on a need-to-know basis and shall share information with union representatives as provided for in G.L.c.150E. All individuals with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss the matter with anyone other than an advisor, if applicable.

Complainant Requests Confidentiality

Where a Complainant requests that no action be taken by the College or requests that her/his identity not be revealed, the College shall take reasonable steps to investigate and respond to the complaint, but shall inform the Complainant that such a request may hamper its ability to fully investigate an alleged violation of this Policy and/or to take appropriate remedial steps, including disciplinary action. Where an allegation of Prohibited Conduct involves the potential of an ongoing threat to the health, safety or security of the College or a potential adverse employment action, the Affirmative Action Officer, or in the case of Title IX Sexual Harassment, the Title IX Coordinator, shall inform the Complainant that it cannot ensure confidentiality and disclosure of their name may likely be required.

Off Campus Behavior

The College reserves the right to investigate alleged Prohibited Conduct under this Policy occurring off-campus when such conduct adversely affects the College Community, poses a threat of harm to the College Community; interferes with the College's pursuit of its educational objectives and mission, and/or if a student or employee is charged with a serious violation of state or federal law. Title IX Sexual Harassment occurs in the College's

education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the conduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

Supportive Measures

Title IX requires the College to take non-disciplinary/non-punitive reasonable steps to preserve or restore equal access to its education programs and activities and protect individuals from Prohibited Conduct and Title IX Sexual Harassment, including offering supportive measures before the final outcome of an investigation, irrespective of whether the complainant ever chooses to file a Formal Complaint. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter all forms of sexual harassment. The College shall take these steps promptly once it has notice of an allegation of Prohibited Conduct or Title IX Sexual Harassment. Examples of supportive measures include, but are not limited to, the following:

- Counseling;
- Extensions of deadlines or other course-related adjustments (for example: changing class schedule, withdrawal without penalty, providing student services such as tutoring, alternate class completion options);
- Modifications of work schedules or job assignments;
- Campus escort services;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations (if applicable);
- Leaves of absence, increased security and monitoring of certain areas of the campus; and
- Other similar measures.

The specific supportive measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what supportive measures to take, including, for example, the specific needs expressed by each party; the severity or pervasiveness of the allegations; any continuing effects on each party; whether the parties share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures have been taken to protect the victim (e.g., civil protection orders).

In general, when taking supportive measures, the College shall minimize the burden on each party. The College must maintain as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Interim Action and Emergency Removal

The College reserves the right to 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 a student or employee: (a) poses a threat to health or safety; (b) poses a threat to College property or equipment; (c) is disruptive or interferes with the normal operations of the College; or (d) is charged with a serious violation of state or federal law. In such cases, the College shall provide the employee or student of the specific reason(s) for the interim action. During a student's interim suspension or an employee's leave, the College reserves the right to prohibit the individual from entering upon the College's property or participating in any College activities absent written authorization from an appropriate official of the College.

In the case of a Title IX Sexual Harassment claim, the College must base its decision to institute interim action an (i.e., emergency removal) on the following factors: (1) It undertakes an individualized safety and risk

analysis, (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Sexual Harassment justifies removal, and (3) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. A respondent subject to emergency removal from the Title IX Coordinator may appeal the decision per the Appeal procedure below in Step 4 of the Title IX Sexual Harassment Complaint Process. The College shall make reasonable efforts to minimize disruption in the professional or educational experience of all affected parties. The College, Complainant, and Respondent will take reasonable efforts to preserve all relevant

Joint Investigation

In some circumstances a Responding Party's conduct may constitute a potential violation of this Policy and/or other conduct policies applicable to employees or students. In such cases, in order to avoid duplicative investigatory efforts, a joint investigation under this Policy may be conducted by the AAO or, in the case of Title IX Sexual Harassment, the Title IX Coordinator, and the administrator charged with enforcing conduct policies. For example, if the Responding Party is a student, the Affirmative Action Officer (or the Title IX Coordinator if a Title IX Sexual Harassment is alleged) and Student Code of Conduct Officer may jointly investigate the complaint. Based on the findings of their joint investigation, the student may be subject to disciplinary action for violations of the Affirmative Action Policy and/or the Student Code of Conduct. Where the Responding Party is an employee, a joint investigation may be conducted by the Affirmative Action Officer and the employee's supervisor. Based on the findings of their joint investigation, the employee may be subject to disciplinary action for violations of the Affirmative Action Policy and/or for inappropriate and unprofessional conduct.

Collateral Rights of Employees

Any disciplinary action taken against an employee shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements.

Anonymous Report

Any individual may file an anonymous report concerning any Prohibited Conduct or Title IX Sexual Harassment referenced under this Policy. An individual may report the incident without disclosing his/her name, identifying the respondent or requesting any action. An anonymous report may be filed with the Affirmative Action Officer or, in the case of an allegation of Title IX Sexual Harassment, the Title IX Coordinator. Depending on the level of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited (e.g. offering supportive measures to a Complainant of Title IX Sexual Harassment).

Amnesty

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College's drug/alcohol policies. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

False Charges

Filing a false charge under this Policy is a serious offense. If an investigation reveals that a complainant knowingly filed false charges, the College shall take appropriate actions and issue sanctions pursuant to other applicable College policies, including any applicable collective bargaining agreement. The imposition of such

sanctions does not constitute retaliation under 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.

Informal Procedures

Where appropriate, the parties to a dispute and/or the Affirmative Action Officer or Title IX Coordinator may attempt to reach an informal and prompt resolution of the matter. Informal resolution is encouraged and any of the parties involved may request the intervention of the Affirmative Action Officer/Title IX Coordinator to assist in resolving the matter informally. An informal resolution is achieved through open or closed dialogue between the parties that allows for the airing of any misunderstandings or disputed issues. The informal procedure shall not be used in an effort to resolve student allegations of any type of sexual harassment/violence asserted against an employee, or in cases involving sexual harassment/violence unless a Formal Complaint is filed. If the parties accept the informal resolution, its terms shall be reduced to writing, signed by both parties, and the Affirmative Action Officer/Title IX Coordinator shall retain the document, with copies to the parties; thereafter, the matter shall be considered resolved between the parties. In the case where the Respondent is an employee, prior to execution of a resolution, they will be notified that a copy of the informal resolution may be placed in their personnel file. The parties may request from the College that an informal resolution not be placed in the Respondent's personnel file; however, the College retains the sole discretion to approve or to deny this request. In cases where such a request is denied, each party reserves their right to withdraw from the informal resolution process and resume the Complaint process. All other documents related to the informal resolution of a Complaint shall be kept separate from the personnel file. Further, at no time shall a responding party question or confront a Complainant, or engage a third party to do so, as such conduct may constitute intimidation and/or retaliation, which are strictly prohibited under this Policy.

Complaint Process

The following rules apply throughout all phases of the complaint process, (except where there is a formal complaint of Title IX Sexual Harassment): (1) all parties to a complaint may have an advisor;; (2) the role of an advisor is limited to providing discrete advice and counsel to the party; (3) the filing of a complaint under this Policy shall not preclude a Complainant from pursuing a complaint in a separate legal forum; (4) a grade dispute based on alleged Prohibited Conduct shall proceed under this Policy and not the Grade Appeal Process contained in the Student Grievance Procedure; and (5) all findings reached under Complaint Procedure must be based on a "preponderance of evidence" (i.e.; more likely than not) standard.

At any point during the complaint procedure, either party may request mediation by contacting the Affirmative Action Officer. The purpose of mediation is to resolve the dispute to the satisfaction of both parties. Mediation shall be mutually agreed upon by the parties. The Affirmative Action Officer, or designee, shall select an impartial mediator, who shall be mutually agreed upon and not unreasonably refused by either party, and inform the parties in writing of the mediation process and schedule. The mediator must have training or experience in mediating matters subject to this complaint process. Where practicable, a mediation session shall be conducted no later than thirty (30) days after agreed to by the parties. The timelines presented under the Complaint Procedure shall be tolled pending the outcome of mediation. If mediation is successful in resolving the complaint, the Affirmative Action Officer 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.

Step 1 – Investigation

When a Complainant believes that he/she has been subject to Prohibited Conduct, the Complainant may file a formal written complaint in writing with the Affirmative Action Officer. For student Complainants, a formal complaint may be filed within thirty (30) days following the end of the instructional period when the Complainant knew or should have known of the grievable act. For employee Complainants, a formal complaint

may be filed within thirty (30) days from when the Complainant knew or should have known of the grievable act. The complaint shall contain a statement of all known facts pertaining to the alleged violation and shall be filed preferably on the Affirmative Action Discrimination Complaint Form (see Appendix A), which shall be available from the Affirmative Action Officer. If a student is involved, the Affirmative Action Officer shall notify the Vice President or Dean of Student Services.

During Step 1, the Affirmative Action Officer has the authority to seek to resolve the complaint through an administrative remedy. If the parties accept the administrative remedy proposed, its terms shall be reduced to writing, signed by both parties and the Affirmative Action Officer shall retain the document, with copies to the parties. Thereafter, the matter shall be considered resolved between the parties.

Upon receiving a written complaint, the Affirmative Action Officer will notify the Responding Party in writing, of the complaint (see Appendix B), and provide the Responding Party with a copy thereof. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Responding Party shall have ten (10) days from receipt of notice to submit to the Affirmative Action Officer a written response to the complaint.

Where practicable, within thirty (30) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Affirmative Action Officer shall conduct an investigation and prepare and issue a Report of Preliminary Findings to the parties. The investigation shall include, but is not limited to, an analysis of the allegations and defenses presented, consideration of all relevant documents, including materials presented by the parties, interviews of the parties and other individuals and/or witnesses, and/or reviewing certain documents or materials in the possession of either party that the Affirmative Action Officer has deemed relevant to the complaint. The Affirmative Action Officer's report shall specify the investigation undertaken and summarize his/her preliminary findings. The report shall be delivered to the parties in hand or by certified mail. If the investigation is not completed within thirty (30) days, status updates shall be provided to the parties every thirty (30) days until its completion. Any request by a party to extend a deadline established under this procedure shall be presented in writing to the Affirmative Action Officer.

Thereafter, the parties will have ten (10) days from the date of their receipt of the Report of Preliminary Findings to submit Rebuttal Statements to the Affirmative Action Officer. The parties may present no new allegations at that time. Where practicable, within seven (7) days of receiving the parties' Rebuttal Statements, the Affirmative Action Officer shall review the rebuttal Statements and prepare and submit a Report of Final Findings and Recommendations to the President's Designee for consideration.

Step 2 – Review and Decision by the President's Designee

Where practicable, within ten (10) days of receipt of the Affirmative Action Officer's Report of Final Findings and Recommendations, the President's Designee shall issue a written decision to the parties. The written decision shall accept, reject or modify the Affirmative Action Officer's Final Findings and Recommendations. The Designee's written decision shall be delivered in hand or by certified mail and shall include the Report of Final Findings and Recommendations. If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall designate a Board member(s) as Designee to administer Step 2 of the Complaint Process.

Step 3 – Appeal to President

A party who is not satisfied with the Designee's written decision may file an appeal with the President within five (5) days of receiving the Designee's decision. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision accepting, rejecting or modifying the Designee's decision. The President's decision is final provided that any corrective action and/or discipline imposed is subject to applicable collective bargaining agreements.

If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

Title IX Sexual Harassment Complaint Process

Formal Complaint Requirement

This Title IX Sexual Harassment Complaint Process shall be available for allegations involving a Formal Complaint of Title IX Sexual Harassment.¹ The College may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances. A party may raise concerns to the Title IX Coordinator (or designee) as to any consolidation; however, the College retains the right to proceed with any consolidation in its sole discretion.

Jurisdiction of the College

By simultaneous written notice to the parties, the College must dismiss any Formal Complaint with regard to that conduct for purposes of Title IX Sexual Harassment, if the conduct alleged:

- Would not constitute Title IX Sexual Harassment as defined, even if proven;
- Did not occur in the College's education program or activity; or
- Did not occur against a person in the United States.

The College *may* dismiss any Formal Complaint for the purposes of Title IX Sexual Harassment if:

- A Complainant withdraws the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.²

In the case that a Formal Complaint is precluded from review under the Title IX Sexual Harassment Complaint Procedure for jurisdiction purposes, the College reserves the right to address such other complaints under the Complaint Process (*found herein at Section L, II.*).

Step 1 - Investigation

Upon receipt of a Formal Complaint (preferably in the format of Appendix C), the Title IX Coordinator (or designee) must promptly contact the Complainant confidentially to discuss the availability of supportive measures and resources, consider the Complainant's wishes with respect to these supportive measures, and explain to the Complainant the Title IX Sexual Harassment Complaint Process. If a student is involved, the Title IX Coordinator shall notify the Vice President or Dean of Student Services.

Within five (5) days of receiving a Formal Complaint, the Title IX Coordinator will notify the Respondent in writing of the Formal Complaint (see Appendix D), provide the Respondent with a copy thereof and discuss supportive measures. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Respondent shall have five (5) days from receipt of notice to submit to the Title IX Coordinator a written response to the Formal Complaint.

¹ A College may address sexual harassment affecting its students or employees that falls outside Title IX's jurisdiction, including by providing supportive measures or pursuing discipline consistent with applicable policies.

² This decision may be appealed consistent with the appeal procedure in Step 4 below.

Where practicable, within fifteen (15) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Title IX Coordinator shall conduct an investigation and issue all evidence³ gathered to the parties (and Advisors) for review and written response within ten (10) days upon their receipt.⁴ Upon receipt of said parties' written response(s), or the date they were due if none were submitted, the Title IX Coordinator will have ten (10) days to complete and send an investigative report that fairly summarizes the relevant evidence to each party (and Advisor) for their review and written response within ten (10) days upon their receipt. Within ten (10) days of receipt, the Title IX Coordinator shall review the responses (if any) and prepare and submit the final investigative report including all relevant evidence (and including a section denoting all evidence submitted that was found by the Title IX Coordinator not to be relevant) to the Decision Maker; simultaneously, the Title IX Coordinator shall notice all parties of a hearing date that shall take place no later than ten (10) days later. Any request by a party to extend a deadline established under this Procedure shall be presented in writing to the Title IX Coordinator.

Step 2 - Hearing

The Title IX Coordinator (or designee) will be responsible for coordinating the hearing process. The Decision Maker shall be responsible for conducting the hearing. The duties of the Title IX Coordinator will include: scheduling the hearing; notifying the parties, advisors, and witnesses of the hearing; ensuring that the trained Decision Maker is provided with appropriate materials including a copy of the final investigative report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Title IX Coordinator will also act as liaison between the parties and the Decision Maker on procedural matters. A hearing is conducted in private. If a Respondent or Complainant has a good faith belief that the individual selected as the Decision Maker has a specific bias or conflict of interest, they may file a request with the Title IX Coordinator (or in instances where the Title IX Coordinator is serving as the Decision Maker, the request shall be directed to the individual selected as the designee in Step 1 -Investigation) for a replacement within two (2) calendar days of being noticed of the Decision Maker's identity. The Title IX Coordinator (or designee) shall review the request and make a decision in no more than three (3) calendar days either granting the request or providing reasons for denying the request. All procedural questions are subject to the final decision of the Decision Maker.

In general, hearings will proceed as follows:

- The Decision Maker⁵ shall summarize the Hearing Policy and allow the Title IX Coordinator the opportunity to briefly state the allegations and summarize the investigative report.
- Each party's advisor will be given the opportunity to question the other party and any witnesses by presenting questions to the Decision Maker (including questions on credibility). If the Decision Maker determines a question is relevant, the other party will be asked to respond.
- The Decision Maker shall have a final opportunity to question the parties.
- The Decisions Maker will conclude the hearing by informing the parties that they will issue a decision to the parties and their advisors within ten (10) days, and that it will be based upon a Preponderance of the Evidence standard (i.e.; more likely than not).

Hearing Policy

³ A College cannot access or use a party's medical, psychological or similar treatment record unless it obtains the party's voluntary, written consent to do so.

⁴ All parties (and their Advisors) are strictly prohibited from disseminating any of the evidence subject to inspection and review, or from using such evidence for any purpose unrelated to the Title IX Sexual Harassment Complaint Process.

⁵ A College's Title IX Coordinator, Decision Maker, investigators and any college-chosen advisor must receive training on this Policy, issues of relevance, and how to apply the rape shield protections (see first paragraph of Hearing Policy) provided only for Complainants.

Questions and evidence about a Complainant’s prior sexual behavior will be deemed irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove consent.

If a party does not have an advisor present at the live hearing, the College will choose a trained member of the community, to conduct cross examination on behalf of that party. All advisors are limited to active participation in the question and follow-up cross-examination part of the live hearing. Further, Advisors are the only parties allowed to present questions (cross-examination or otherwise) to the Decision Maker.

Generally, live hearings may be conducted with all parties physically present in the same geographic location. At the request of either party, the College must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision Maker and parties to simultaneously see and hear the party or the witness answering questions.

Only relevant questions or cross-examination questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain to the party’s Advisor asking cross-examination questions any decision to exclude a question as not relevant. If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

Formal rules of evidence applied in courtroom proceedings (e.g., Massachusetts Evidence Code) do not apply in the hearing. The Decision Maker will make an official audio recording of the hearing. The recording is College property. No other recording of the hearing is permitted. The audio recording will be retained by the Title IX Coordinator in accordance with the College’s records/information retention and disposition schedule. Access to the recording will be made available to the parties for inspection and review, however, parties are prohibited from making any copies of such recording. The recording shall only be released in compliance with applicable discovery proceedings in any future legal/administrative proceedings. The Decision Maker controls the hearing, is responsible for maintaining order during the hearing, and makes whatever rulings are necessary to ensure a fair hearing. The Decision Maker’s decisions in this regard are final.

Step 3 – Review and Decision by the Decision Maker

The Decision-Maker must issue a written determination regarding responsibility to all parties (and their Advisors) simultaneously, within ten (10) days of the hearing. The written determination must include — Identification of the allegations potentially constituting sexual harassment; A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; Findings of fact supporting the determination; Conclusions regarding the application of the College’s code of conduct to the facts; A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College’s education program or activity will be provided by the College to the Complainant; and The College’s procedures and permissible bases for the Complainant and Respondent to appeal. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effectuating any remedies including referral to appropriate College administrators as may be applicable.

Step 4 – Appeal to the President

A party who is not satisfied with the Title IX Coordinator's decision to implement an emergency removal or dismiss a Formal Complaint; or, the Decision Maker's written decision may file an appeal with the President within five (5) days of receiving said decision, respectively on the following bases: procedural irregularity that affected the outcome of the matter, newly discovered evidence that could affect the outcome of the matter, and/or that any Title IX personnel (including the Decision Maker) had a conflict of interest or bias, that affected the outcome of the matter. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision simultaneously to all parties, accepting, rejecting or modifying the decision, describing the result of the appeal and the rationale for the result. The President's decision is final provided that any corrective action and/or discipline imposed are subject to applicable collective bargaining agreements. If the President is the Respondent, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

Domestic Violence, Dating Violence, Sexual Assault & Stalking Prevention Programs

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

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

STCC engages students, faculty and staff in ongoing and multifaceted prevention programming led by the SAFE Grant Project Director and Prevention Committee of the STCC Coordinated Community Response Team, with the support of the Office of Violence against Women (OVW) Campus Program Grant. The STCC Coordinated Community Response Team (CCRT) is a multidisciplinary team of campus and community partners working to reduce sexual assault, domestic/dating violence, and stalking through a comprehensive approach to prevention, education, and responsive support. STCC actively develops and implements programming that reflects research based best practices for prevention and attempts to reach students, faculty and staff with multiple doses of prevention exposure over the course of their time at the College.

Prevention programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students. Comprehensive prevention efforts include but are not limited to:

- Prevention presentation in the New Student Orientation (both in-person and online) that engages students in playing an active role in prevention, provides College policy definitions of domestic/dating violence, sexual assault and stalking, and shares confidential/non-confidential campus resources
- Mandatory online prevention training for all registered students
- Bystander intervention training for students, faculty and staff and ongoing bystander initiatives
- Ongoing education and awareness campaigns, keynote speakers, campus conversations and activities that engage students in topics related to consent, healthy relationships, and playing an active role in creating a safe and supportive campus community free of sexual and relationship violence.

Fall 2021

In the Fall of 2021, prevention and awareness programs continued to include 1) the prevention presentation within online New Student Orientation, and 2) mandatory online prevention training entitled "Voices for Change," through a new vendor, Get Inclusive. This mandatory online training is now required not only for incoming students but for all registered students at STCC. The SAFE Grant Project Director offered the "Supporting Students during COVID-19: Resources for Domestic Violence, Sexual Assault and Stalking" training

to faculty and staff at the August 2021 Professional Day, and offered a brief presentation on prevention and campus victim services resources at the New Faculty Orientation.

Other Fall 2021 awareness events focused on Domestic Violence Awareness Month. The CCRT Prevention Committee, along with Student Activities and the Student Government Association, held the annual Clothesline Project event in-person on STCC campus and attracted over 80 students, employees, and community members, even receiving coverage from local TV news. The Clothesline Project is a visual display centering the experiences of survivors to build awareness of domestic violence through artistic expression. In addition to designing t-shirts, students completed an online Bystander Intervention activity focused on identifying warning signs for domestic violence, acknowledging barriers to taking action, brainstorming multiple realistic options for intervening, and being proactive in contributing to a safe and supportive campus. The event was a huge success and offered students and employees a sense of connection and hope within the ongoing challenges of the COVID-19 pandemic. As a result of the event, the SAFE Project also gained more followers on Instagram where ongoing posts are shared with prevention messages and information on campus and community resources for victims of domestic violence, dating violence, sexual assault, and stalking.

Spring 2022

During the Spring of 2022, prevention and awareness programming included 1) Prevention slides in the Online New Student Orientation, 2) the online “Voices for Change” Prevention training for all registered students, and 3) the “Finding Your Inner Strength” Sexual Assault Awareness Month event for students. This event was held in partnership with the LEAD female leadership program and the Office of Community Engagement and featured trauma-informed yoga, self-defense, and a bystander intervention activity. Other prevention activities included bystander intervention training for students in the LEAD program, and for the incoming nursing students during their Summer Seminar in June 2022.

During this same time period, twenty members of the STCC CCRT received training from the Stalking Prevention, Awareness and Resource Center (SPARC). SPARC is a national leader on stalking prevention and response and trainer Dana Fleitman delivered a multidisciplinary training focused on understanding stalking and the use of technology to stalk. Mandatory training was also provided to STCC Police that covered 1) definitions and dynamics of domestic violence, dating violence, sexual assault and stalking, 2) the neurobiology of trauma, 3) report writing and 4) the STCC Police Domestic Violence Patrol Guide which offers step by step guidance on responding to reports of domestic violence and assisting victims in applying for restraining orders (209A and 258E).

Fall 2022

In Fall 2022, comprehensive prevention programming continued with the same initiatives and programs as in past semesters, including 1) Online and In-Person New Student Orientation, 2) online “Voices for Change” prevention training, and 3) the annual Domestic Violence Awareness Month event, the Clothesline Project. New activities included *STCC To It!*, a wellness series for students organized in partnership with LEAD and the Office of Community Engagement. This monthly series focuses on holistic health and healing, and incorporates both physical wellness with topics focused on healthy relationships.

During this period, the SAFE Project also offered multiple opportunities for bystander intervention training and activities for both students and employees. A new SAFE Project website was launched with information on both prevention initiatives and campus and community support resources for those impacted by domestic violence, dating violence, sexual assault and stalking (DVSAS). The Introduction to the SAFE Project presentation was offered at both Professional Day and to all employees in the Student Affairs Division. This presentation gives an overview of definitions and dynamics of DVSAS, identifies the impact of DVSAS on STCC students, shares information on both prevention and response resources, and offers a practice scenario for how to respond to a student who shares that they are experiencing one of these forms of violence. Finally, SAFE

Project Resource Cards with confidential and non-confidential campus resources are distributed at all prevention events, as well as all staff and faculty training.

Free and Confidential Advocacy and Counseling

Through the support of the U.S. Department of Justice Office of Violence Against Women (OVW) Campus Program Grant, STCC has established a partnership with the YWCA of Western Massachusetts to provide on-campus free and confidential advocacy and counseling for victims/survivors of domestic/dating violence, sexual assault and stalking. The STCC YWCA Campus Advocate has regular office hours reserved for STCC students, faculty and staff who are in need of confidential victim services including but not limited to crisis response, advocacy, counseling, and referrals to campus and community resources for legal advocacy, medical advocacy, housing, food, and other social services assistance. In partnership with the YWCA and the STCC YWCA Campus Advocate, the CCRT has developed clear and concise campus sexual assault response protocols to guide staff, faculty and students in accessing needed confidential and non-confidential resources. STCC actively disseminates information on the STCC YWCA Campus Advocate and the YWCA 24 hour hotline through presentations, informational flyers and brochures, online resources, and ongoing student, faculty and staff prevention and response training.

APPENDIX A - AFFIRMATIVE ACTION DISCRIMINATION COMPLAINT FORM

AFFIRMATIVE ACTION DISCRIMINATION COMPLAINT FORM

The purpose of this form is to record information required to initiate an investigation into an alleged violation of the College’s Affirmative Action Policy. All reasonable efforts will be made to maintain the confidentiality of the parties involved during the complaint procedure in accordance with the Affirmative Action Policy.

It is unlawful to retaliate against a student, employee or any other person in the College for filing a complaint or for cooperating in an investigation of a complaint. All parties to a complaint may have an advisor (for union employees this may be a union representative) assist them throughout the process.

Date Filed: _____ Date(s) of Alleged Discrimination: _____

A. Name (Print): _____

B. Check One: Student: _____ Employee: _____

Department/Division: _____

C. Type of alleged discrimination or act:

- | | | |
|--|---|--|
| <input type="checkbox"/> Race/Color | <input type="checkbox"/> Religion/Creed | <input type="checkbox"/> Age |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Maternity Leave | <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Military Service |
| <input type="checkbox"/> Retaliation | <input type="checkbox"/> Sexual Violence | Other: _____ |

D. Name of individual(s) you believe discriminated against you:

E. List any witnesses:

**This form is used for sexual harassment/sexual violence complaints when a Formal Complaint is not filed and the Title IX Sexual Harassment Process is not activated.*

APPENDIX B - NOTICE TO RESPONDENT

Date: _____

To: _____, Responding Party

From: _____, Affirmative Action Officer

Subject: Affirmative Action Discrimination Complaint

Date: _____

This is to notify you that on _____ a complaint alleging a violation of the College's Affirmative Action Policy was filed against you with the College. A copy of the complaint is attached, as is a copy of the complaint procedure. Within ten (10) days of your receipt of this notice, please submit to me a written response to the complaint.

I will be contacting you to schedule an appointment to discuss this matter. Please be advised that it is unlawful to retaliate against a student, employee or any other person for filing a complaint or for cooperating in an investigation related thereto.

All reasonable efforts will be made to maintain confidentiality during the complaint procedure in accordance with the Affirmative Action Policy. Further, if any disciplinary sanctions are imposed as a result of an investigation under the Affirmative Action Policy, all such sanctions shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements or personnel policies.

All questions concerning this matter should be addressed to the Affirmative Action Officer. Further, all parties to a complaint may have an advisor (for union employees this may be a union representative) assist them throughout the process.

APPENDIX C – TITLE IX SEXUAL HARASSMENT COMPLAINT FORM

TITLE IX SEXUAL HARASSMENT COMPLAINT FORM

The purpose of this form is to record information required to initiate an investigation into an alleged violation of the College’s Title IX Sexual Harassment Policy. All reasonable efforts will be made to maintain the confidentiality of the parties involved during the process in accordance with the Affirmative Action Policy.

It is unlawful to retaliate against a student, employee or any other person in the College for filing a complaint or for cooperating in an investigation of a complaint. All parties to a complaint may have an advisor (for union employees this may be a union representative) assist them throughout the process.

Date Filed: _____ Date(s) of Alleged Discrimination: _____

A. Name (Print): _____

B. Check One: Student: _____ Employee: _____ Department/Division: _____

C. Type of alleged discrimination or act meets Title IX Sexual Harassment⁶ as defined in the Affirmative Action Policy: _____ (Check here if yes)

*If sexual violence is alleged, specify type as defined under this Policy: _____

D. Name of individual(s) you believe discriminated against you _____

E. List any witnesses: _____

F. Description of Complaint -please list the sequence of events, including dates, if possible, and any relevant facts and statements:

(If additional writing space is needed, please attach additional sheets)

To the best of my knowledge and belief, the above information is complete, true and accurate and not a “false charge” as defined under this Policy. I hereby submit this complaint under the College’s Affirmative Action Complaint Procedure.

⁶ Title IX regulations require institutions of higher education to implement a policy to address sexual harassment/sexual violence as specifically defined by the U.S. Department of Education. Accordingly, Formal Complaints of Title IX Sexual Harassment will be subject to review in accordance with the Title IX Sexual Harassment Complaint Process (Section L., III.). Notwithstanding, the College reserves the right to address all complaints of sexual harassment/sexual violence under the Complaint Process (Section L., II.).

Signature of Complainant & Date

Received by (College Official's name/title): _____

Date Received: _____

APPENDIX D -NOTICE TO RESPONDENT (RE FORMAL COMPLAINT)

College Letterhead

To: _____, Responding Party

From: _____, (Title of College Official)

Subject: Title IX Sexual Harassment Formal Complaint

Date: _____

This is to notify you that on _____ a complaint alleging a violation of the College's Policy on Affirmative Action was filed against you with the College. A copy of the Formal Complaint is attached, as is a copy of the Title IX Sexual Harassment Complaint process. Within five (5) days of your receipt of this notice, please submit to me a written response to this Formal Complaint.

I will be contacting you to schedule an appointment to discuss this matter. Please be advised that it is unlawful to retaliate against a student, employee or any other person for filing a complaint or for cooperating in an investigation related thereto.

All reasonable efforts will be made to maintain confidentiality during this process in accordance with the Policy on Affirmative Action. Further, if any disciplinary sanctions are imposed as a result of an investigation under this Policy, all such sanctions shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements.

All questions concerning this matter should be addressed to the College official referenced above. Further, all parties to a complaint may have an advisor (for union employees this may be a union representative) assist them throughout the process.

CAMPUS SEX CRIMES PREVENTION ACT & SEX OFFENDER REGISTRY INFORMATION

The Federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the college community about where they may obtain information concerning registered sex offenders. The act also requires registered sex offenders to provide notice to each institution of higher education in the state in which he or she is employed or enrolled as a student. Sex offenders are required to register with the Sex Offender Registry Board, herein after referred to as "SORB". Following a sex offender's registration, the Board issues a recommended classification level. An offender may appeal that classification through an administrative hearing. Following the administrative hearing an offender will receive a final classification. The SORB transmits the offender's registration data and final classification to the institution of higher education where the offender works, intends to work, is enrolled as a student or intends to enroll as a student.

- Level 1 classification information is NOT public information. No public access to Level 1 information is permitted.
- Level 2 classification information is public information. Level 2 information is available to the general public upon written request.
- Level 3 classification information is public information. Level 3 information is available to the general public through local police departments upon written request or by accessing the Board's website at www.mass.gov/sorb.

For written requests requestors may use this form

<https://www.mass.gov/files/documents/2018/12/28/SOR%20Form%20004%20-%20178I%20Inquiry%20for%20Publicrev121918.pdf>.

- Additionally, local police departments are obligated to make community notification of Level 3 information. Community notification shall be made to all organizations or individuals which provide services to children, the elderly, or other vulnerable members of the community and are likely to encounter such an offender.

COLLEGE OFFICIALS MEET WITH OFFENDER

Once STCC receives notification from the SORB that a student or employee has been finally classified as a Level 2 or 3 sex offender, STCC Chief of Police or designee **and** a designee of the President (Student Affairs or Human Resources personnel administrator depending on whether the offender is a student or an employee), shall meet with the offender to:

- Inform the offender of the college's knowledge of his/her final classification
- Outline the college's obligation to provide public access to Level 2 (if classified after July 12, 2013) & all Level 3 sex offender information through the STCC police department
- If the offender is classified as a Level 3 offender, he/she is further informed of the college's policy of community notification
- Provide the offender with a copy of the public notification the college intends to release.

Public Access to Level 2 & 3 Sex Offender Information

In accordance with federal law, the college is required to advise the campus community where information concerning registered sex offenders may be obtained. Information concerning Level 2 (if classified after July 12, 2013) and all Level 3 offenders is also available to the general public by contacting your local police department or the Commonwealth of Massachusetts' SORB, P.O. Box 4547, Salem, MA 01970-4547, 978.740.6400. Level 2 (if classified after July 12, 2013) and Level 3 offender information is also available on-line at www.mass.gov/sorb. If you have any questions regarding access to sex offender information, please feel free to contact STCC police at 413.755.4220 or x.4220 from an on campus phone.

- Level 2 offenders classified after July 12, 2013 & 3 offender information received by STCC's Police is available to the public upon written request. Recognizing that STCC may not possess complete notification information on all sex offenders within its community, individuals seeking public information on sex offenders shall also be advised to contact their local police department or the Sex Offender Registry Board.
- STCC Police shall not respond to a request for Level 2 or 3 sex offender information unless the request is presented in writing utilizing the Board's "*Request for Sex Offender Information from City/Town Police Departments*" form.
- Level 2 & 3 sex offender information shall be maintained in a binder located in the STCC police station lobby. The binder shall be available for public inspection and copies of Level 2 and 3 notices may be provided upon appropriate written request.

Community Notification of Level 3 Sex Offender Information

Local Police departments in the Commonwealth are required by law to provide community notification to all organizations or individuals which provide services to children, the elderly, or other vulnerable members of the community and are likely to encounter such an offender. Unlike local police departments, a community college's Department of Public Safety - Campus Police is not obligated under the Sex Offender Regulations to perform community notification of Level 3 offender information. Notwithstanding, it is recommended that a College's Department of Public Safety – Campus Police perform community notification of Level 3 offender information as follows:

- Level 3 offender notices shall be posted in at least one conspicuous location.

The STCC locations are as follows and may be updated according to the needs of the college:

Building 2	Café & Gym
Building 17	1st floor near wireless lounge
Building 19	Library & Forum Area

- Direct distribution of Level 3 notices shall be made to any college department, organization located on campus, or personnel which provide services to children, the elderly, or other vulnerable members of the college community and are likely to encounter such an offender, including, but not limited to: child care centers, early childhood education programs, libraries, fitness center, summer camps, elder care programs, and college run elementary or secondary schools.
- Community notification must be made within 2 days of receiving notice from the Board of a final classification of a Level 3 offender.

These recommendations establish minimal standards for community notification. A community college may engage in broader community notification efforts as it determines appropriate under the circumstances.

Penalties for Improper Use of Sex Offender Registry Information

Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one-half years in the house of correction, or by a fine of not more than \$1,000, or by both such fine and imprisonment.

CAMPUS CRIME STATISTICS

Definitions of each offense may be found at <http://www.ed.gov/admins/lead/safety/campus.html> in the Handbook for Campus Crime Reporting, U.S. Department of Education Office of Postsecondary Education, 2005. Campus Crime Statistics for STCC and other colleges and universities may be searched through the Department of Education website found online at <http://ope.ed.gov/security/index.aspx>.

Definitions

Campus Security Authorities

The following are defined by the Jeanne Clery Act as Campus Security Authorities:

Campus Police Department – The campus law enforcement/public safety agency responsible for the safety and security of all members of the college community.

Individuals with Campus Security Responsibility - Any individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property. Examples of this category are: parking enforcement staff, event security staff and bicycle patrol staff.

Individuals Designated by the Campus - Any individual or organization specified in an institution's statement of campus security policy as one to which students and employees should report criminal offenses. Examples are the Dean of Students Office or the Title IX Investigator.

Officials with Significant Responsibility for Student and Campus Activities - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting in those capacities. Examples of this category are: Deans of Students, Student Housing Officials, Students Discipline Officials, Students Judicial Affairs Officials, Officials who oversee a student center, and Officials who oversee student extracurricular activities, Director of Athletics, Team Coaches and Faculty Advisors to student groups.

Crime Definitions

- **Murder and Non-negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter** – The killing of another person through gross negligence.
- **Sex Offense Forcible (F)** – 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: forcible rape; forcible sodomy; sexual assault with an object; and forcible fondling.

- **Sex Offense Non Forcible (N)** – Unlawful, non-forcible sexual intercourse: incest; statutory rape.
- **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.
- **Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary for an injury to result when a gun, knife or other weapon is used in the commission of the crime.
- **Simple Assault** – Assaults and attempted assaults where no weapon was used and which did not result in a serious or aggravated injury to the victim. (Currently, this crime category only applies to hate crimes.)
- **Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned. In July 2010, the FBI Uniform Crime Reporting program revised the burglary vs. larceny classification. The classification now states that an incident of burglary must meet three conditions to be classified as such;
 - There must be evidence of an unlawful entry (trespass). Both forcible entry and unlawful entry-no force are counted.
 - The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door.
 - The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.
- **Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joyriding.)
- **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.
- **Liquor Law Violation** – The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still, furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; or any attempts to commit any of the foregoing violations. **Note: this list does not include public drunkenness and driving under the influence.**
- **Drug Law Violation** – Violations of State and local laws related to the possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include; opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone(s); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Weapon Law Violation** – The violation of laws or ordinances regulating weapons.
- **Domestic Violence** - A crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
- **Dating Violence** - Violence committed by a person who is or had been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Does not include acts covered under domestic violence.

- **Stalking** - The definition of the Massachusetts crime of “stalking” is different from the federal definition. The statistics below reflect the **federal definition** reportable under the Clery Act. “Stalking” under Massachusetts law requires that the suspect engage in a pattern of conduct or series of acts in at least **3 incidents** directed at a specific person that would cause a reasonable person to suffer substantial emotional distress **and involves a threat with intent to** cause imminent fear of death or serious bodily harm. **Stalking under the federal definition** and as reflected in the statistics below requires that the suspect engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress. Under this federal definition. “course of conduct” means **two or more acts**, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. A threat is **not** required under the federal definition.
- **Hate Crimes** – Any crime that manifests evidence that the victim was intentionally selected because of the victim’s actual or perceived race; religion; gender; sexual orientation; ethnicity; physical/mental disabilities; or national origin and gender identity.
- **Disciplinary Referrals** – incidents in which a student was not arrested but was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Clery Geography Locations

Campus: (i) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

Non-Campus: (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Housing: Residence Halls or other university-owned residences. Springfield Technical Community College does not utilize any residential housing facilities on or off campus.

Public Property: Public property is defined by the Clery Act regulations as all public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. Include the sidewalk across the street from your campus, but do not include public property beyond the sidewalk.

SPRINGFIELD TECHNICAL COMMUNITY COLLEGE

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). The College is a non-residential institution.

	2020			2021			2022		
OFFENSES	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offense: Rape	0	0	0	0	0	0	0	0	0
Sex Offense: Fondling	0	0	0	0	0	0	0	0	0
Sex Offense: Incest	0	0	0	0	0	0	0	0	0
Sex Offense: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	2	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	1	0	0
Burglary	1	0	1	0	0	3	0	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
0									
VAWA OFFENSES									
Domestic Violence	0	1	0	0	1	0	0	1	0
Dating Violence	0	0	0	0	0	0	0	0	0

Stalking*	0	1	0	1	0	0	0	0	0	0
ARRESTS										
Weapon Law Violation	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	1	0
Alcohol Law Violation	0	1	0	0	0	0	0	0	0	0
REFERRALS										
Weapon Law Violation	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0
HATE CRIMES										
	On Campu s	Public Propert y	Non Campus	On Campus	Public Propert y	Non Campu s	On Campu s	Public Property	Non Campu s	
<i>Murder/Non-negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0
<i>Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0
<i>Sex Offenses</i>	0	0	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0	0
<i>Robbery</i>	0	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	0	0	0	0	0	0	0	0	0	0
<i>Burglary</i>	0	0	0	0	0	0	0	0	0	0

<i>Motor Vehicle Theft</i>	0	0	0	0	0	0	0	0	0	0
<i>Arson</i>	0	0	0	0	0	0	0	0	0	0
<i>Larceny</i>	0	0	0	0	0	0	0	0	0	0
<i>Simple Assault</i>	0	0	0	0	0	0	0	0	0	0
<i>Intimidation</i>	0	0	0	0	0	0	0	0	0	0
<i>Vandalism</i>	0	0	0	0	0	0	0	0	0	0
Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity										

The definition of the Massachusetts crime of “stalking” is different from the federal definition. The statistics above reflect the **federal definition reportable under the Clery Act. “Stalking” under Massachusetts law requires that the suspect engage in a pattern of conduct or series of acts in at least **3 incidents** directed at a specific person that would cause a reasonable person to suffer substantial emotional distress **and involves a threat with intent to cause imminent fear of death or serious bodily harm**. Stalking under the federal definition and as reflected in the statistics above requires that the suspect engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress. Under this federal definition. “course of conduct” means **two or more acts**, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. A threat is **not** required under the federal definition.*

There were no unfounded crimes for on-campus property in 2020, 2021, or 2022.

Springfield Police Department does not track hate crimes and could not provide statistics.

END OF REPORT