
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.
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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 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 Investigator-Corporal, 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 performs many services, its main function is protecting the lives and property of the members of 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 website 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, 365 days a year on the STCC campus. They may be reached by calling 413-755-3911 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 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 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 call the STCC Campus Police at 3911 from any on campus phone or 413-755-3911 from a cell phone immediately. The STCC Police strongly recommends that community members pre-program their cell phones with the STCC dispatch business number 413-755-4220 and emergency number 413-755-3911. 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 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 will 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 possible, stay on the line unless otherwise advised by the dispatcher. If assistance is required from off campus, the dispatcher will summons 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 has contracted with LiveSafe to offer a free crime tip reporting app 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, who monitors the LiveSafe crime tip dashboard. While LiveSafe 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 response 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 LiveSafe will be acknowledged by the STCC Police Dispatcher who monitors LiveSafe 24/7.

The LiveSafe crime tip app 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
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 413-755-3911 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 student 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 Campus 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 LiveSafe to report crime tips anonymously. Anonymous reporting through LiveSafe 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 pro-active 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:

- Offer both Basic and Advanced R.A.D. (Rape Aggression Defense) classes to our female students, staff and faculty. This is an opportunity to gain empowerment and education as well as self-defense technique training.
- 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 LiveSafe 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 IT staff, the Vice President of Student Affairs, 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 consult 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 colleges 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 student and employees are requested to log into their STCC Alerts account annually at [https://www.getrave.com/login/stcc](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/](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 website 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/](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 3911 if you are on campus or 755-3911 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 are 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 Assistant Vice President 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 Assistant Vice President of Facilities at 413-755-4700, and/or the Director of Human Resources at 413-755-4454.

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. Regular fire alarm drills may be held to make sure 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:

- **Fire Alarm Systems** are located campus wide and monitored by STCC Police and dispatcher personnel. Drills are conducted on a regular basis to familiarize community members with proper fire alarm evacuation procedure.
- **Walking Escort** (on-campus) are available seven days a week, 24 hours a day by calling the STCC Police at 755-4220.
- **Rape Aggression Self Defense (RAD) training class** is available as an academic class.
- **Prevention Presentations** are provided for the campus through collaboration with the Affirmative Action Officer and Title IX Coordinator
- **Parking Lot Security** is maintained with well-lit parking lots and frequent patrol.
- **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.
EMERGENCY 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 and by Health Services staff.

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. During office hours, available staff from Health Services will respond to campus emergencies in addition to STCC Police Officers. For non-emergency injuries or illnesses, Student Health Services is available. The Health Services Office is located in Building 20, room 320. The Student Health Center is staffed during posted office hours. The staff consists of the Director of Health Services who is a nurse practitioner, a consulting physician and support staff.

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

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, LMHC. Please bring your health insurance information and a valid identification to your intake appointment.

When needed, the 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 sling shot, 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, paint ball 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 possess firearms and other dangerous weapons on campus.

HATE CRIMES

Hate crime 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 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 occurs in conjunction with the Student Affairs Office.

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.

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 complete statement of this law can be found in the Office of the Student Affairs.

Massachusetts General Law Chapter 269, Sections 17, 18, 19 (St. 1985, Chapter 536)
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 to extreme mental stress, including extended deprivation of sleep or rest of 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.

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.

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 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 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 organizer 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.

ALCOHOL AND DRUG 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

Alcohol Policy and Drug Policy

On December 12, 1989 Congress amended Title XII of the Higher Education Act of 1965. This amendment, known as the "Drug-Free Schools and Communities Act of 1989", requires that every educational institution receiving federal funding certify its adoption and implementation of programs designed to prevent use of illegal drugs and abuse of alcohol by students and employees. Prior federal law applicable to the College regulated only criminal drug activity of federal grant-funded employees and recipients of federal aid.

Springfield Technical Community College, in accordance with legal mandates and its philosophy of establishing and maintaining an environment of learning and a supportive environment in which to conduct the business and mission of the College, will enforce the following policies:

The unlawful manufacture, distribution, dispensing, and possession or use of alcohol or of a controlled substance is prohibited on the campus of STCC or as part of any College-related activity. Students who
violate these restrictions shall be subject to appropriate disciplinary action, up to and including suspension, expulsion, or discharge, and shall also be subject to referral for criminal prosecution. Where students are convicted of violating a criminal drug or alcohol statute related to a College activity, the College should ordinarily expel or discharge the offender absent mitigating circumstances. Mitigating circumstances shall include, but shall not be limited to, considerations of handicap under federal and state law.

STCC shall cooperate in the enforcement of federal and state laws concerning illegal drugs and alcoholic beverages. Massachusetts's statutes pertaining to illegal drugs and alcohol include:

- Mass. General Laws, Chapter 94C (Controlled Substances Act)
- Mass. General Laws, Chapter 272, Section 59 (Public Drunking)
- Mass. General Laws, Chapter 90, Section 24 (Operating Under the Influence, Open Containers)

Third offense underage possession or consumption of any alcoholic beverage following progressive discipline for the first two offenses will result in automatic suspension.

Prescribed penalties under Chapter 94 range from mandatory probation for a first conviction of possession of more than one ounce of marijuana or a Class E substance to a period of imprisonment of up to two years and a fine of $2,000 for each subsequent conviction related to sale or distribution. Prescribed penalties under Chapter 90, Section 24 range from a fine of $100 to imprisonment for not more than two years and a fine of $1000. Federal judicial guidelines also exist which suggest penalties for violation of federal criminal statutes related to drugs and alcohol. Parents or legal guardians of students under twenty-one (21) years of age will be notified each time the student has been determined to be in violation of the campus alcohol policy. STCC's Drug & Alcohol Policy can be found here: [http://catalog.stcc.edu/content.php?catoid=19&navoid=3678#Drug_And_Alcohol_Policy](http://catalog.stcc.edu/content.php?catoid=19&navoid=3678#Drug_And_Alcohol_Policy)

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 positively exclude payments for alcoholic beverages. Faculty and professional staff who serve as advisors or chaperones to such events should understand that they will be expected to monitor the implementation of the Drug and Alcohol Policy. 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.

Substance Abuse Education and Programming

The Drug Free Workplace Act of 1988 & Drug Free Schools and Communities Act Amendment of 1991 mandates that the College have a drug & alcohol abuse prevention program. To comply with this federal mandate Springfield Technical Community College drug & alcohol abuse prevention program, provides education awareness about drug and alcohol use and abuse. Information is disseminated throughout the academic year through special programs to students.

For any member of the STCC community who is experiencing substance abuse problems, STCC stands ready to offer supportive services and referrals for treatment as appropriate and rehabilitation counseling programs. Employees may seek assistance from the Employee Assistance Program by calling 1-800-252-4555 or 1-800-225-2527. Students may seek assistance from River Valley Counseling Center by calling 413-755-4332.

Contact the STCC Police at 755-4220, the Vice President of Student Affairs Office at 755-4458, or call the STCC Employee Benefits Office at 755-4643 for assistance.

Treatment Covered by Student Medical 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 Accident and Sickness Insurance Plan. Students may find more information about drug and alcohol abuse counseling as covered under this plan here:


**Alcohol and Substance Abuse Information**

Abuse of and/or addiction to alcohol and other drugs has serious physical, mental, emotional, and social consequences. An overdose of alcohol or illicit drugs can cause psychosis, convulsions, coma or death. Regular use of alcohol or drugs can lead to a real physical and/or psychological need for the substance so that daily activities come to revolve around getting more of the substance. The regular use of alcohol or drugs interferes with academic achievement and it often disrupts or destroys relationships because dependency leads to placing the need for alcohol or drugs above the need for relationships. Continued use of alcohol or drugs can be very expensive and may cause users to turn to crime to pay for their habit. Long term abuse of alcohol or other drugs can lead to organic damage, mental illness, malnutrition and death. As the result of long term abuse of alcohol, the individual often gives up on goals and plans, quits growing as a person, and turns to more alcohol or drugs as a solution.

Abuse of and/or addiction to alcohol and other drugs occurs on all college campuses. Springfield Technical Community College recognizes that this situation exists and is taking the steps necessary to address the problem on this campus. Springfield Technical Community College has resources available to assist students who wish help around issues of alcohol use. River Valley Counseling Center counselors are available to talk with students about concerns and can refer students to appropriate off campus agencies for assistance if needed. If you have any questions about your own or someone else's drug and/or alcohol use, please utilize these confidential services by calling 413-755-4332.

**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)."


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 pro-active 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’s Complaint Procedure as administered by the Affirmative Action Officer. The ADA/504 Deputy Coordinator Cyndee Shiveley can be contacted at 413-755-4454.

**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 Deputy Affirmative Action Officer is Cyndee Shiveley and can be contacted at 413-755-4454.

**COMPLAINT**: A written complaint alleging a violation of the Affirmative Action Policy.

**COMPLAINANT**: The student(s) or employee(s), or applicant for admission or employment, filing the complaint.

**CONSENT**: An agreement reached by both partners to engage in a specific activity. Engaging in sexual activity with a person who has not given or cannot give her/his consent is an act of sexual violence. In Massachusetts it is illegal to have sex with someone who is incapable of giving consent because they are: (a) intoxicated; (b) unconscious; (c) mentally incompetent; or (d) are under 16 years of age.
DAY: As used in this policy, shall mean a calendar day.

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 discrimination, which are prohibited by this policy, include, but are not limited to:

- 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.
- 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.
- Unlawful disparity of treatment in educational programs and related support services on the basis of membership in a legally protected class.
- 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.
- 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.
- 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.
- Failing or refusing to hire or promote a person because of their age.
- Classifying a position or positions as unsuitable for persons of certain religions.
- Forcing employees or students to participate or not participate in a religious activity as a condition of their employment or education.
- Excluding members of a certain race or national origin from a category of positions or from a department or division.
- Restricting the number of Vietnam era veterans or qualified persons with disabilities in a category of positions or in a department or division.
- 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.
- Advising students of similar interests and backgrounds differently because of their gender or gender identity.
- Diverting a discussion of a student’s or employee’s work toward a discussion of his or her physical attributes or appearances.
- 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.
- 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.
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:

- has the purpose or effect of creating an objectively intimidating, hostile or offensive work or educational environment;
- has the purpose or effect of unreasonably interfering with an individual's work or learning performance; or
- otherwise unreasonably adversely affects an individual's employment or educational opportunities.

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

- is targeted against an individual(s) on the basis of his or her membership in a protected class;
- is not welcomed by the individual(s); and
- 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 discriminatory harassment, which are prohibited by this policy, include, but are not limited to:

- 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.
- Encouraging others to physically or verbally abuse an individual (or group of individuals) because of that person or persons' membership in a protected class.
- Threatening to harm an individual (or group of individuals) because of that person or persons' membership in a protected class.
- Directing epithets, slurs, derogatory comments, unwelcome jokes or stories at an individual (or group of individuals) because of that person or persons' membership in a protected class.
- Displaying hostile, derogatory and/or intimidating symbols/objects, such as offensive posters, cartoons, bulletins, drawings, photographs, magazines, written articles or stories, screen savers, or electronic communications, to an individual (or group of individuals) because of that person or persons' membership in a protected class.

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.

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.
PERSONAL ADVISOR: As referred to under the Complaint Procedure of this Policy, a personal advisor for a unit member shall be a union representative or College employee, for a non-unit employee it shall be a College employee, and for a student it shall be another student, a College administrator or faculty member.

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

- Age - Persons 40 years of age or older.
- Color - Variations in skin tone among persons of the same race.
- 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.
- Ethnicity - See National Origin.
- Gender - A person’s sex, either male or female.
- 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.
- 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.
- National Origin - A “national origin group” or “ethnic group” is a group sharing a common language, culture, ancestry, and/or other similar social characteristics.
- Persons of Color - Members of the following racial classifications: Black, American Indian/Native Alaskan, Asian/Pacific Islander, and Hispanic/Latino.
- 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.
- Religion - “Religion” and “creed” have the same or equivalent meaning: all religious and spiritual observances, practices, and sincerely held beliefs.
• Sexual Orientation - Actual or perceived heterosexuality, homosexuality or bisexuality, either by orientation or by practice.
• 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.

**RETAIATION:** 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 retaliation, which are prohibited by this policy, include, but are not limited to:

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

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

• 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
• 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 following are some examples of conduct, that either alone or in combination, which may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not.
- Repeated, unsolicited propositions for dates and/or sexual intercourse.
- 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.
- Displaying sexually suggestive objects, pictures, cartoons.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Verbal harassment or abuse on the basis of sex.
- Inquiries into another person’s sexual activities, practices or experiences.
- Discussion of one’s own sexual activities, practices or experience.

**SEXUAL VIOLENCE:** Any sexual activity where consent is not obtained or able to be freely given, and shall include the following categories:

- **Rape** - Defined in Massachusetts as the oral, anal, or vaginal penetration by an inanimate object, penis, or other bodily part without consent. In Massachusetts, it is illegal to have sex with someone who is incapable of giving consent because they are: (1) intoxicated; (2) unconscious; (3) mentally incompetent; or (4) under 16 years of age.
- **Acquaintance Rape** - Rape upon someone by a person he or she knows.
- **Sexual Assault** - Any unwanted sexual activity that is forced or coerced by one person on another.
- **Intimate Partner Violence** as follows:
  - **Stalking** – Defined in Massachusetts as whoever (a) willfully and maliciously engages in a knowing pattern of conduct or series of acts (at least 3) over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (b) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking. Defined federally for purposes of Clery: Engaging willfully and maliciously in a knowing pattern of conduct or series of acts over a period of time (two or more acts) directed at a specific person (by any action) that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress and makes a threat with the intent to place the person in imminent fear of death or bodily injury.
  - **Dating Violence** – Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
  - **Domestic Violence** - Mass. General Laws, Chapter 209A, Section 1. Occurrence of one or more of the following abusive acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress. “Family or household members” include persons who: (a) are or were married to
one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by a court upon considering the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

**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 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. The Title IX Coordinator may also serve as the College's Affirmative Action Officer. 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 Cyndee Shiveley and can be contacted at 413-755-4454.

**VICTIM:** A person who reports being subject to an alleged act of sexual violence.
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 Discrimination, Discriminatory Harassment and Retaliation

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

Discrimination, Discriminatory Harassment, Protected Class(s)/Classification(s) and Retaliation are defined under the “Definitions” section of this Policy.

Prohibited Conduct

The Policy prohibits all conditions and all actions or omissions, including all acts of discrimination, discriminatory harassment and retaliation, 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 discrimination, discriminatory harassment and retaliation.

The 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 discrimination, discriminatory harassment and retaliation 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 a victim of discrimination, discriminatory harassment or retaliation may initiate complaint as outlined in the Policy’s Complaint Procedures. Further advice or information may be obtained by contacting the Affirmative Action Officer.
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

No member of the College community who receives a complaint of discrimination, discriminatory harassment or retaliation 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. Any trustee, administrator, department chair, program coordinator, manager or supervisor who receives a complaint of discrimination, discriminatory harassment or retaliation from a student or other member of the College community is obligated to report the complaint to the Affirmative Action Officer as soon as he or she becomes aware of it. In the case of claims of sexual harassment or sexual violence, reports shall be made to the Title IX Coordinator. Any investigation of such allegations shall be conducted by the College’s Affirmative Action Officer and/or the Title IX Coordinator.

Similarly, all students, faculty, staff, administrators, and others having dealings with the institution are 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 discrimination, discriminatory harassment or retaliation in violation of this Policy.

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

False Charges

Filing a false charge of discrimination, discriminatory harassment or retaliation 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 Plan.
Policy against Sexual Harassment

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 sexual harassment seriously, we will respond promptly to complaints of 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.

Definition of Sexual Harassment

Sexual Harassment is defined under the “Definitions” section of this Policy.

The legal definition of sexual harassment is broad and applies to any individual of either gender who participates in the college community, including a student, faculty member, administrator or any other person having dealings with the college. In addition, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a hostile, offensive, intimidating, or humiliating workplace or academic environment to male or female workers or students may also constitute sexual harassment.

It is important to note that when assessing whether conduct constitutes sexual harassment, a “reasonable person standard” shall be applied. The term “reasonable person” is used to describe an objective standard to determine if harassment has occurred. Under the standard, in order for conduct and behavior to be considered sexual harassment, a reasonable person under similar circumstance would have to conclude that the behavior was harassing or discriminatory.

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 sexual harassment is unlawful and will not be tolerated by the Community Colleges.

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.

Complaints of Sexual Harassment

If any student or employee believes that he or she has been subjected to sexual harassment, the student or employee has the right to file an Affirmative Action Discrimination Complaint Form (see Appendix A) with the College. For more information or assistance with filing a complaint, please contact the College’s Affirmative Action Officer or Title IX Coordinator. If the Affirmative Action Officer or the Title IX Coordinator is the subject of a complaint, the President shall designate another College official to administer the Complaint Procedures.

All complaints will be investigated in such a way as to maintain confidentiality to the extent practicable under the circumstances. If it is determined that a violation of this Policy has occurred, the College will act promptly to eliminate the harassing conduct, and take disciplinary action where warranted. All disciplinary action taken shall be consistent with any applicable collective bargaining agreement. The Duty to Cooperate, Duty to Report, and the obligation to avoid making False Charges, as discussed previously in this Policy, shall be fully applicable under this section.

Institutional Measures to Confront Sexual Harassment

The Community Colleges are committed to promoting, to the greatest degree possible, an environment free from sexual harassment. To this end, the Colleges will take the following steps:

- Distribute this Policy against sexual harassment to all segments of the College community on an annual basis;
- Post this Policy against sexual harassment; and
- Conduct educational programs for the College community regarding the causes, character and consequences of sexual harassment as well as the steps available to stop such practices on the campus.

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.

**United States Equal Employment Opportunity Commission ("EEOC")**

John F. Kennedy Federal Building
Government Center – 4th Floor
Room 475
Boston, MA 02203
(617) 565-3204.

**The Office For Civil Rights, U.S. Department of Education ("OCR")**

Department of Education
5 Post Office Square
8th Floor
Boston, MA 02109
(617) 289-0111
Massachusetts Commission Against Discrimination ("MCAD")

**Boston Office:**
One Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

**Worcester Office:**
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

**Springfield Office:**
436 Dwight Street, Room 220
Springfield, MA 01103
(413) 739-2145

**New Bedford Office:**
128 Union St. Suite 206
New Bedford, MA 02740
(781) 510-5801

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**Policy against Sexual Violence**

**Introduction**

Sexual violence is prohibited under state law and the College's Policy on Affirmative Action. Sexual violence is prohibited pursuant to Title IX of the Educational Amendment Act of 1972, which states: *No person in the United States, shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance.*

All reported or suspected cases of sexual violence shall be reported to the College’s Affirmative Action and/or Title IX Coordinator. Please refer to the Complaint Procedures for specific complaint procedures and guidelines (see Section L).

The College prohibits retaliation against any person who presents a formal or informal complaint of sexual violence or who testifies or offers evidence connected with a complaint. Retaliation is a violation of this policy whether or not the underlying claim of sexual violence is confirmed.

**Sexual Violence Defined**

Sexual violence is defined under the “Definitions” section of this Policy and includes rape, acquaintance rape, sexual assault, stalking, domestic and dating violence.

**Reporting Complaints of Sexual Violence**

A victim of sexual violence has the right to file (or not file) an Affirmative Action Discrimination Complaint Form with the College. The process for filing a complaint is outlined under the Policy on Affirmative Action’s Complaint Procedure. For more information or assistance with filing a complaint, please contact the College’s Title IX Coordinator. If the Title IX Coordinator is the subject of a complaint, the President shall designate another College official to administer the Complaint Procedures. A victim may also choose to file a criminal complaint, in which case the Title IX Coordinator and/or Campus Police can assist the victim with that process. Reporting the incident to the Title IX Coordinator or Campus Police does not obligate the victim to file criminal charges. Victims may report by visiting the Department of Human Resources in Building 16, 2nd floor, or by
visiting the website and either completing the online submission form or downloading the complaint from, completing it and submitting it to Human Resources. The online location for these two options is https://www.stcc.edu/about-stcc/employment/affirmative-action--title-ix/

College's Investigation

The College is obligated to investigate allegations of sexual violence, even if the alleged victim chooses not to file a formal complaint and/or participate in the investigation. Additionally, a complaint filed in another forum, including a criminal or civil complaint, shall not delay the College's investigation of a complaint of sexual violence. The College shall promptly and thoroughly investigate all such allegations in accordance with the Policy on Affirmative Action. The College may also institute protective measures, such as a no-trespass order, restricted access to campus, adjusted class or work schedule, or a leave of absence, during the investigative process and/or upon completion of the disciplinary process.

Sanctions: The College reserves the right to take whatever measures it deems necessary in response to an allegation of Title IX and to protect students' and employee's rights and personal safety.

- Such measures include, but are not limited to, interim suspension from campus pending a hearing, placing student or employee on probation, issuing a no contact order and changing student class participation, employee worksite and reporting to campus police.
- Not all forms of misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose differing sanctions to a person found to have committed an act of sexual violence, ranging from oral warning to suspension or expulsion, terminations, depending on the severity of the offense and any mitigating or aggravating facts in connection with offense, as well as criminal prosecution.

Victim Identification

Personal identifiable information about a victim 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 victim or as public safety requires. The College does not publish the names or other identifiable information of victims 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, a victim may request that no directory information maintained by the College be released absent his/her prior, written consent.

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the College honors the request for confidentiality, a victim must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the College may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

When arranging protective measures for a student or employee, the Title IX investigator will meet with the victim and discuss the scope of identifying information that may be shared to ensure a protective measure is secured. The identifying information will be kept confidential to the extent possible and limited information shared when absolutely necessary to arrange for interim or long term protective measures. Reporting parties will be informed of the information shared and to whom it will be share with. Parties that receive the information will be notified of their obligation to maintain confidentiality and prevent further disclosures.
The College has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee receives a report. The College has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

Cyndee Shiveley  
Director of Human Resources/Title IX Coordinator  
413-755-4454; cmshiveley@stcc.edu  
Building 16, 2nd Floor, Suite 245

Protections for Victims of Sexual Violence

A person who is subjected to sexual violence shall:

- Be provided with a copy of the College’s *Sexual Violence – Victim’s Rights and Information form*;

- Have the right to, or not to, seek assistance from campus administration 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 a representative 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 with the accused individual(s) 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 accused 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/

**Greater Boston Area**
Metro Boston Area Rape Crisis Center, Cambridge, 617-492-8306, Hotline 800-841-8371, 617-492-6434 TTY
Metro West Voices Against Violence, Framingham, 508-820-0834, Hotline 800-593-1125, 508-626-8686 TTY

**Northeastern Massachusetts**
YWCA of Greater Lawrence, 877-509-9922 SA Hotline, 978-509-9922, 978-686-8840 TTY
YWCA North Shore Rape Crises Center, Lynn, Hotline, 800-922-8772
Rape Crisis Services of Greater Lowell, 800-542-5212 Hotline, 978-452-5212, 978-452-8723 TTY

**Central Massachusetts**
Pathways for Change, Worcester-Fitchburg-Southbridge-No. Brookfield, 800-870-5905 Hotline, 888-887-7130 TTY
Wayside Victim Services, Milford, 800-511-5070 Hotline, 508-478-4205 TTY

**Southeastern Massachusetts**
A Safe Place, Nantucket, 508-228-2111 Hotline, 508-228-7095 TTY
Independence House, Hyannis, 800-439-6507 Hotline, 508-771-6782 TTY
Martha’s Vineyard Community Services, Vineyard Haven, 508-696-7233 Hotline, 774-549-9659 TTY
Greater New Bedford Women Center, New Bedford, 508-996-6636 Hotline, 508-996-1177 TTY
New Hope, Attleboro, 800-323-4673 Hotline, 508-323-4673 TTY
A New Day, Brockton, 508-588-8255 Hotline, 508-894-2869 TTY
Western Massachusetts
Elizabeth Freeman Center, Pittsfield, 866-401-2425 Hotline, 413-499-2425 TTY
Center of Women & Community, Amherst, 413-545-0800 Hotline, 413-577-0940 TTY
NELCWIIT, Greenfield, 413-772-0806 Hotline, 413-772-0815 TTY
YWCA, Springfield, 800-796-8711 Hotline, 413-733-7100 TTY

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.

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don’t know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse
• Don't allow yourself to be isolated with someone you don’t trust or someone you don’t know.

• Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

• When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

• Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

• Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

• Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

• Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

• If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

• If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  – Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  – Be true to yourself. Don’t feel obligated to do anything you don’t want to do. "I don’t want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  – Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  – Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

• Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

• If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

**Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

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.
Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students. STCC offers many ongoing activities across the campus to provide students with information and tips for intervention and prevention:

The Violence Awareness Program (VAP) program is a STCC program designed to provide students with a variety of culturally relevant educational activities and events around issues of sexual assault, dating violence, domestic violence, and stalking. All continuing students must attend a minimum of one awareness and prevention activity per year.

During the 2017-2018 Academic Year, STCC offered the following programs to students and employees.

Fall Semester 2017

In the Fall of 2017, STCC began implementation of prevention activities supporting by our Department of Justice Office of Violence Against Women (OVW) Campus Program Grant. During the month of October 2017, STCC honored Domestic Violence Awareness Month with multiple prevention initiatives on campus. Throughout the month, the Violence Prevention Committee organized the Red Flag Campaign to engage students, faculty and staff in recognizing signs of healthy vs. unhealthy relationships. The Red Flag Campaign is a bystander intervention campaign and is based on the idea that if you see a "red flag" or warning sign of relationship violence, then say something. Red Flag Campaign activities included placing a visual display of red flags along the sidewalk on the Campus Green, distributing and posting Red Flag Campaign educational posters across campus, and tabling around campus to engage students, faculty and staff around recognizing "red flags" and practicing how we can intervene to help someone.

Another activity was the Be Empowered Fair, an interactive educational fair held to engage the campus community in a dialogue on healthy relationships. The fair was attended by approximately 150 students, and in addition to multiple educational activities around healthy relationships, it featured informational tables for campus and community resources, as well as a DJ and food. Last but not least, in collaboration with the YWCA, STCC hosted the Clothesline Project, a visual display meant to raise awareness about issues of sexual assault, dating/domestic violence and stalking, and provide a space for healing through artistic expression. The Clothesline Project was attended by around 50 community members and also provided an opportunity to continue to educate campus members around signs of healthy vs. unhealthy relationships. The Clothesline Project culminated in a Candle Light Vigil on the Campus Green that highlighted survivor voices and honored those who have lost their lives due to domestic violence.

Spring Semester 2018

STCC honored Sexual Assault Awareness Month in April 2018 through supporting student leadership around ending campus sexual assault, as well as tabling at the annual Spring Fling Campus Picnic. In April of 2018, student leaders from across the state of Massachusetts were invited to an advocacy day at the Statehouse in Boston in support of building awareness around prevention of sexual assault on college campuses. STCC student leaders took the initiative to organize a group of nine STCC students to attend and participate in the event. The STCC delegation had the opportunity to meet with State Representative Carlos Gonzalez and share their unique experiences and insight on the issue of campus sexual assault prevention from the perspective of a community college. The leader of the STCC delegation was also a featured speaker at the student rally, the only representative from a community college to speak at the event.

Back at STCC, Violence Prevention Committee members honored Sexual Assault Awareness Month by sending out an all campus educational email as well as tabling at the annual Spring Fling Campus Picnic. At the Spring Fling, prevention volunteers engaged students, faculty and staff in the “No More” campaign, a national campaign focused on shifting the culture of victim blaming to a culture of believing survivors.
Fall Semester 2018

In September 2017, STCC offered a consent education theater event as a part of “Welcome Week” on campus. “Consensual Sensual” was an interactive theater performance offered by local Five College students exploring the theme of practicing consent. To promote the event, over 500 flyers were distributed by “Welcome Week” staff and faculty volunteers as they welcomed students to campus. In addition to promoting the event, these flyers offered a simple but effective consent education using the “I LOVE F.R.I.E.S” acronym to understand consent: F: Freely given; R: Reversible; I: Informed; E: Enthusiastic; and S: Specific. The theater performance itself was attended by around 30 students and was supported and introduced by STCC Student Government Association (SGA) leaders. As an incentive to attend the event, free fries were distributed after the performance itself. An “I LOVE F.R.I.E.S” label was printed with the STCC logo and was affixed to the containers of these french fries as a means of further educating and marketing this simple but effective way of understanding consent.

Similar to 2017, multiple activities were held to honor Domestic Violence Awareness Month in October 2018. The Red Flag Campaign was promoted across campus to engage students, faculty and staff in recognizing signs of healthy vs. unhealthy relationships. The Red Flag Campaign is a bystander intervention campaign and is based on the idea that if you see a “red flag” or warning sign of relationship violence, then say something. Red Flag Campaign activities included placing a visual display of red flags along the sidewalks across campus, distributing and posting Red Flag Campaign educational posters across campus, and tabling around campus to engage students, faculty and staff around recognizing “red flags” and practicing how we can intervene to help someone. A Clothesline Project event was held with over 60 students, faculty, staff and community members in attendance, and in addition to the powerful educational visual display, featured informational tables from local community resources. After the Clothesline Project, a vigil was held in honor of people who have lost their lives due to domestic violence. Last but not least, a screening of the documentary Little Stones was offered at the end of the month, offering a global perspective on the issue of gender-based violence through the stories of four women working to heal from and prevent this violence in their own communities.

STCC Police also presented information on personal safety at New Employee Orientation, New Student Orientation, and Employee Professional Development Day’s. Public engagements routinely provide information on preventing domestic and sexual violence, stalking and dating violence. A variety of resources on support services in the local community are offered and posted throughout the campus community. Brochures are available in English and Spanish and in other languages upon request.

In recognition of a growing population of students whose primary language is not English, STCC continues to ensure the inclusion and support of bilingual students. The College’s Bilingual Services department makes it the first and primary point of contact for students who speak other languages. This office provides the necessary referrals to other offices on campus and translation services when necessary; all of the office’s staff are bilingual in either Spanish or Russian.

The College continues to partner with the local rape and domestic violence provider, the YWCA of Western Massachusetts and arranged for students to receive referrals and access to a free and confidential counselling program called RSVP, Responsive Support for Youth Experiencing Violence. The College has a Memorandum of Understanding with the YWCA which outlines a collaborative working relationship to support students and employees with accessing free and confidential services as needed. The College and YWCA have developed collaborative relationships to ensure access to trauma informed counseling, advocacy and emergency reproductive care, testing and treatment after a sexual assault. Ongoing efforts include finalizing referral process; response protocols; and supports that ensure 24 hr. accessibility to confidential victim services and advocacy for all survivors.

Ongoing training includes offering Preventing Discrimination and Sexual Violence: Title IX, VAWA, and Clery Act for faculty, employees and all students. Training selected will exceed Title IX and Clery Act VAWA training requirements. STCC strives to provide useful, accurate, and effective training to all parties on campus who may deal with issues of sexual assault, intimate partner violence, and stalking. Each member of the campus
community must complete this prevention, intervention, and support training annually.

**Rape Aggression Defense Training:**
STCC offers R.A.D. classes to our female students, staff and faculty. This is an opportunity to gain empowerment and education as well as self-defense technique training.

**Mandatory Reporting 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 51A-E. 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.

**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 and 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 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**

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.
The College shall also employ a Title IX Coordinator. The Title IX Coordinator may also serve as the College's AAO. The Title IX Coordinator shall have experience and training in responding to and administering complaints involving sex discrimination, sexual violence and sexual harassment. The Title IX Coordinator shall implement preventive education programs and make victim resources, including comprehensive victim services, available. Education programs may be part of (1) orientation programs for new students, faculty, staff, and employees; (2) training for student athletes and coaches; and (3) other College activities. These programs should include a discussion of what constitutes sex discrimination and sexual violence, the College's policies and disciplinary procedures, and the consequences of violating these policies. The education programs also should include information aimed at encouraging students to report incidents of sex discrimination, sexual violence or sexual harassment to the appropriate College and law enforcement authorities.

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, 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

Primary responsibility for monitoring compliance and auditing the implementation of the Affirmative Action Policy rests with the Affirmative Action Officer and the Title IX/Section 504 Coordinator. These officers 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 of affirmative action, non-discrimination and equal opportunity.

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 goals and timetables in order to recommend revisions that may be required as a result of changes in federal or state law, availability figures, institutional performance or other circumstances that affect the implementation of this policy. 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. The Title IX/Section 504 Coordinator will review annually the progress made toward complying with current legislation, the Affirmative Action Policy, and the actions taken to ensure equal opportunity and affirmative action to all disabled students and employees.

To ensure compliance with this Policy, the Affirmative Action Officer and the Title IX/Section 504 Coordinator 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 Procedure

General Information

Application of Policy

The complaint procedure is 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 discrimination without fear of retaliation. The complaint procedure is available to any employee or student who believes he/she has been discriminated against on the basis of a protected classification or retaliation. 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 a personal 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 includes 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 shall inform the Complainant that it cannot ensure confidentiality and disclosure of their name may likely be required.

Anonymous Complaints

To the extent possible, the College is obliged to investigate and respond to anonymous complaints.

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.

Interim Action

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. Other interim protective measures include but are not limited to:

- Assisting the complainant with access to counseling services and assistance in scheduling an appointment, on or off campus;
- Imposing an interim suspension or on-campus “no-contact” order against the alleged respondent;
- Rescheduling exams and assignments;
- Providing alternative course completion options;
- Changing class schedules, including withdrawing from a course without penalty;
- Changing work schedules or job assignments;
- Limiting access to certain College facilities or activities pending resolution of the matter;
- Approving voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities; an
- Providing academic support services, such as tutoring.
- Coordinating support with local Rape Crisis or Domestic Violence Programs
- Offering transportation to a SANE medical exam and arrange for confidential RC advocate to accompany the victim, if requested.
- Providing written information or referrals for information to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.
The College will consider a number of factors in determining what interim measures to take, including:

- the specific needs expressed by the victim;
- the severity or pervasiveness of the allegations;
- any continuing effects on the victim; whether the victim and respondent share the same classes, dining hall schedule, activities, transportation, or job location; and whether other legal/judicial measures have been taken to protect the victim (e.g., civil protection orders).

**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 and the administrator charged with enforcing conduct policies. For example, if the Responding Party is a student, the Affirmative Action Officer 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 or personnel policies.

**Complaints of Sex Discrimination, Sexual Harassment or Sexual Violence**

The Title IX Coordinator shall have the responsibility for administering this Policy relative to complaints of sex discrimination, sexual harassment and sexual violence.

**Complaint Procedure**

The complaint process is comprised of two procedures - the informal procedure and the formal procedure.

**Informal Procedure**

Where appropriate, the parties to a dispute and/or the Affirmative Action Officer, may attempt to reach an informal and prompt resolution of the potential complaint. Informal resolution is encouraged and any of the parties involved may request the intervention of the Affirmative Action Officer to assist in resolving the matter informally. An informal resolution is achieved through open 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 allegations of sexual harassment or sexual violence. 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.

**Formal Procedure**

The following rules apply throughout all phases of the formal complaint process: (1) all parties to a complaint may have a personal advisor (for union employees this may be a union representative); (2) the role of a personal 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 complaint involving a grade dispute shall proceed under this Policy when a student alleges that a grade was improper because of discrimination, discriminatory harassment, sexual violence or retaliation; and (5) all
findings reached under this procedure must be based on a “preponderance of evidence” (i.e.; more likely than not) standard.

At any point during the formal 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. The mediation process shall not be used in an effort to resolve allegations of sexual harassment or sexual violence. 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 – Affirmative Action Officer Investigation**

When a Complainant believes that he/she has been discriminated against because of his/her race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, genetic information, veteran status, maternity leave and/or subjected to sexual harassment, sexual violence, or retaliation, 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. 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. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. 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.

Issued: Oct. 11, 2013
Amended and Reissued: September 2014
## 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 a personal 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:

- [ ] Race/Color
- [ ] Religion/Creed
- [ ] Age
- [ ] National Origin
- [ ] Gender
- [ ] Disability
- [ ] Sexual Harassment
- [ ] Sexual Orientation
- [ ] Genetic Information
- [ ] Maternity Leave
- [ ] Gender Identity
- [ ] Military Service
- [ ] Retaliation
- [ ] Sexual Violence
- [ ] Other: ________________________________

### 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:
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
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____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
To the best of my knowledge and belief, the above information is complete, true and accurate and not a "false charge" as defined under Section D II. of this Policy and I hereby submit this complaint under the College's Affirmative Action Complaint Procedure.

__________________________________________________
Signature of Complainant

Received by the Affirmative Action Officer on: ________________________________
APPENDIX B - NOTICE TO RESPONDENT

Date:

To: __________________________________________, Responding Party
From: __________________________________________, Affirmative Action Officer

Subject: Affirmative Action Discrimination Complaint

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 a personal advisor (for union employees this may be a union representative) assist them throughout the process.
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

- 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 online 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

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 but 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 than 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 is 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.

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<tr>
<td>Alcohol Law Violation</td>
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</table>
The definition of the Massachusetts crime of “stalking” is different than 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 three 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 defined under any of the above categories for 2016. In 2017 & 2018 there was one (1) unfounded crime for on-campus property only in each year.

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

There were no relevant statistics from the Massachusetts State Police for the three reportable years 2016, 2017, and 2018.
END OF REPORT