



Fitchburg State University

Board of Trustees

Published on December 5, 2024 at 4:55 PM EST

Date and Time

Thursday December 12, 2024 at 1:00 PM EST

Location

Hammond Hall - Main Lounge

Notice of a meeting of the Fitchburg State University Board of Trustees on Tuesday, December 12, 2024 at 1:00 p.m.

The meeting will take place in the Main Lounge, Hammond Hall, Fitchburg, MA 01420

Public Live Stream:

<https://www.fitchburgstate.edu/live>

Agenda

	Purpose	Presenter	Time
I. Opening Items			1:00 PM
Opening Items			
A. Record Attendance and Guests			

	Purpose	Presenter	Time
B.	Call the Meeting to Order	Michael Fiorentino, Jr.	
C.	Public Comment		10 m
II.	Board Chair's Report		1:10 PM
A.	Approval of Minutes, October 17, 2024 VOTE (04.2024-2025)		5 m
B.	Approval of minutes, October 28, 2024 VOTE (05.2024-2025)		5 m
III.	Academic Affairs Committee Update		1:20 PM
A.	Update from Jennifer Flanagan, Chair of the Academic Affairs Committee	FYI Jennifer Flanagan	10 m
IV.	President's Report		1:30 PM
A.	From the President		30 m
B.	Chief of Police, Michael Cloutier: Annual Fire & Safety Report		20 m
C.	Executive Director of Housing and Residential Services/Special Assignment to President, Matt Lechter: Real Estate		30 m
V.	Break		2:50 PM
A.	Break		10 m
VI.	Student Trustee Report		3:00 PM
	Presented by Matthew Gill		
A.	Student Trustee Report		15 m
VII.	Budget Report/Updates		3:15 PM
A.	Presented by Dr. Hodge		30 m

	Purpose	Presenter	Time
VIII. Personnel Updates			3:45 PM
A. Report			5 m
IX. Closing Items			3:50 PM
A. Adjourn Meeting	Vote		10 m
Chair Fiorentino and President Hodge			

Coversheet

Approval of Minutes, October 17, 2024 VOTE (04.2024-2025)

Section: II. Board Chair's Report
Item: A. Approval of Minutes, October 17, 2024 VOTE (04.2024-2025)
Purpose:
Submitted by:
Related Material: October 17, 2024 Minutes.pdf
VOTE Minutes October 17, 2024.pdf

DRAFT



Fitchburg State University

Minutes

Board of Trustees

Date and Time

Thursday October 17, 2024 at 1:00 PM

Location

Hammond Hall - Main Lounge

Notice of a meeting of the Fitchburg State University Board of Trustees on Tuesday, October 17, 2024 at 1:00 p.m.

The meeting will take place in the Main Lounge, Hammond Hall, Fitchburg, MA 01420

Public Live Stream

Live stream link: <https://www.fitchburgstate.edu/live>

Link to meeting recording: <https://www.youtube.com/live/y6Mn6rKZt7E>

Trustees Present

C. Stimpson (remote), D. Phillips, D. Tiernan, E. Gregoire, K. Spinelli, L. Barrieau, M. Fiorentino, Jr. (remote), M. Gill, M. Morris, S. King-Goodwin

Trustees Absent

J. Flanagan

Ex Officio Members Present

D. Hodge

Non Voting Members Present

D. Hodge

Guests Present

Campus Community, K. Lundgren, M. Bruun

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

M. Fiorentino, Jr. called a meeting of the board of trustees of Fitchburg State University to order on Thursday Oct 17, 2024 at 1:15 PM.

Chair Mike Fiorentino welcomed attendees and introduced new Board member Michael Morris.

President Donna Hodge was officially welcomed to the university and her first Board meeting.

The new format and technology of the meeting was outlined to the Trustees and university community. The new format allows for a more transparent, open meeting type.

C. Public Comments

There are no public comments.

II. Board Chair's Report

A. Approval of Minutes, May 9, 2024 VOTE (01.2024-2025)

L. Barrieau made a motion to approve the minutes from May 9, 2024.

C. Stimpson seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

D. Phillips	Aye
M. Fiorentino, Jr.	Aye
S. King-Goodwin	Aye
E. Gregoire	Aye
M. Gill	Aye
M. Morris	Aye
C. Stimpson	Aye
K. Spinelli	Aye
J. Flanagan	Absent
D. Tiernan	Aye
L. Barrieau	Aye

B. Approval of minutes, June 24, 2024 VOTE (02.2024-2025)

L. Barrieau made a motion to approve the minutes from June 24, 2024.

M. Morris seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

K. Spinelli	Aye
C. Stimpson	Aye
J. Flanagan	Absent
E. Gregoire	Aye
L. Barrieau	Aye
D. Phillips	Aye
D. Tiernan	Aye
M. Fiorentino, Jr.	Aye
M. Morris	Aye
S. King-Goodwin	Aye
M. Gill	Aye

C. Assignments: Committee Membership

Chairman Fiorentino reviewed the Board of Trustee committee assignments.

D. Committee Structure, President Hodge

- **President Hodge** outlined the administrative liaisons for each committee:
 - **Student Life:** Dr. Laura Bayless and Matt Burke
 - **Academic Affairs:** Pat Marshall and Rich Toomey
 - **Budget, Finance, and Facilities:** President Hodge and Michael Cloutier
 - **Bylaw Review:** Stefan Dodd
 - **Nominations Committee:** Matt Bruun and Jeffrey Wolfman
 - **Human Resources:** Kelli Lundgren

President Hodge informed the Board that the structure of the committee meetings would be coordinated by the Cabinet Liaisons along with the Board to assure meetings are posted appropriately with any supporting documentation.

For any committees that do not have a Chair, President Hodge and Chairman Fiorentino will work with those individual committees to identify a chair based on interest of committee members.

III. President's Report

A. Division Updates

President Hodge notified the board of the detailed individual cabinet department overviews located in the packet.

She thanked her Cabinet, the technology department, the Chartwell's staff and additional key staff and students.

The President gave a special welcome to Mr. Joshua Dodds, our new Executive Director of Diversity, Equity and Belonging Programs.

She acknowledged Rhine Waahl Representatives from Germany; Dr. Klaus Hegemann, Dr. Alexander Brand, Dr. Irmgard Buder and Fitchburg State Professor Dr. Josh Spero, Economics, History and Political Science and Nelly Wadsworth, Director of International Education.

President Hodge gave her report to the Board of Trustees outlining key initiatives and accomplishments over her first 100 days at Fitchburg State University. A slide show played of various pictures that outlined Dr. Hodge's accomplishments, conferences, meetings and gatherings at the presidential residence, the Iver Johnson House.

- **President Hodge** presented a comprehensive report on the past three months, highlighting key achievements:
 - **Organizational Changes:** Changes to the president's cabinet, including the addition of University Police and Athletics.
 - **Hispanic-Serving Institution:** Progress towards achieving HSI status and the creation of an Office of Research and Sponsored Programs.
 - **Community Partnerships:** New partnerships with Fitchburg Public Schools, the Boys and Girls Club, and other local organizations.
 - **Student Success Initiatives:** Enrollment initiatives, including Falcon Express, and support programs for student athletes.
 - **Campus Improvements:** The theater block project, dining services enhancements, and the creation of the Fitchburg State University cup and \$5 meals at the dining hall for faculty and staff.
 - **Presidential Ambassadors and Fellows Programs:** Launch of new programs to engage students and faculty in university leadership.

B. Richard Toomey, AVP Enrollment Management

Key Points:

- **Enrollment Performance:**
 - Fall 2024 enrollment exceeded budget projections by 57 students.
 - Transfer student enrollment increased by 38 students.
 - Undergraduate day freshman and returning student enrollment decreased.
- **Demographic Cliff and Future Enrollment:**
 - The demographic cliff will continue to impact future enrollment.
 - The university is adapting by exploring partnerships, scholarship strategies, and residential life enhancements.
 - Focus on yield efforts to convert admitted students into enrolled students.

- **Financial Aid and FAFSA:**

- The delay in FAFSA availability impacted enrollment.
- The university is actively monitoring and preparing for potential delays in the upcoming year.
- Strategies are being implemented to communicate effectively with students and provide financial aid support.

- **Community College Partnerships:**

- The rise in community college enrollment due to free tuition programs may impact traditional college enrollment.
- The university is exploring partnerships with community colleges to facilitate seamless transfer and enhance student pathways.

- **Military and Veteran Student Recruitment:**

- The university is committed to supporting military and veteran students.
- Strategies to enhance services and recruitment efforts are being developed.

- **Strategic Enrollment Planning:**

- A comprehensive five-year strategic enrollment plan is being developed to address challenges and opportunities.
- This plan will focus on various student populations, including adult learners and international students.
- The university will prioritize recruitment efforts in the local area and explore partnerships with community colleges.

Action Items:

- Develop a 5 year enrollment management plan.
- Continue to monitor enrollment trends and adjust strategies as needed.
- Enhance communication and support for students throughout the enrollment process.
- Strengthen partnerships with community colleges and other institutions.
- Develop strategies to attract and retain adult learners and international students.
- Implement a comprehensive plan to support military and veteran students.

Overall, the discussion emphasized the importance of a strategic approach to enrollment management, including targeted recruitment, financial aid support, and student success initiatives.

C. Dr. Patricia Marshall, Provost and Executive Vice President

Key Points:

- **Academic Priorities:**

- Integration of day and evening programs.
- Internationalization initiatives.
- Academic program review and assessment.

- **Program Review Process:**

- Eduventures has been selected as a potential partner for a program strengths assessment.
- The assessment will evaluate programs based on internal and external metrics.
- The goal is to identify programs for investment, monitoring, or potential discontinuation.

• **Faculty and Staff Involvement:**

- Faculty and staff will be involved in the program review process.
- Feedback and input will be sought to ensure a collaborative and transparent approach.

• **Alignment with Strategic Plan:**

- The program review process aligns with the university's strategic plan and academic plan.
- It will help to shape the future of the university's academic offerings.

Action Items:

- Finalize the selection of Eduventures as the vendor for the program review.
- Develop a timeline for the program review process.
- Engage faculty, staff, and administrators in the review process.
- Utilize the findings of the review to inform strategic planning and decision-making.

Overall, the discussion emphasized the importance of a rigorous and data-driven approach to academic program review. The goal is to ensure that Fitchburg State offers high-quality programs that meet the needs of students and the labor market.

IV. Student Trustee Report

A. Student Trustee Report

Presenter: Matthew Gill, Student Trustee

Key Points/Events:

- **Rock the Block:** Successful event with strong freshman turnout.
- **Student Government Association:** Elected new members and formed committees.
- **Ride Share Program:** Exploring a potential ride-sharing program with e-scooters and e-bikes.
- **Election Results Party:** Planning an event to foster discussion and support.
- **Voter Registration:** Promoting voter registration and encouraging student participation.
- **Budgetary Challenges:** Addressing a \$25,000 deficit and exploring solutions for future budget constraints.

Action Items:

- Continue to promote student engagement and involvement.
- Explore the feasibility of a ride-sharing program.
- Plan and execute the election results party.
- Support voter registration and education initiatives.
- Develop strategies to address budget constraints and ensure student funding.

Overall, the Student Government Association is actively working to enhance the student experience, promote civic engagement, and address financial challenges.

Upcoming events:

SGA - Town Hall coming up with panel. Trustees can sit on panel if interested.

Halloween

Homecoming

Center for Italian Culture Trivia night

Dwali Night

V. Annual Physical Plant Report

A. Presented by JD Head, AVP Capital Planning and Maintenance

Key Points:

- **Building Portfolio:** Fitchburg State University has a significant building portfolio, including academic buildings, residence halls, and support facilities.
- **Facilities Condition Index (FCI):** The university is actively monitoring the condition of its buildings and implementing necessary repairs and improvements.
- **Decarbonization:** The university is committed to reducing its carbon footprint and is exploring various strategies to achieve decarbonization goals.
- **Capital Planning Process:** A comprehensive capital planning process will be implemented to prioritize projects and allocate resources effectively.
- **Financial Sustainability:** The university will continue to explore funding opportunities, including state funding and private donations, to support capital projects.

Action Items:

- Develop a long-term capital plan.
- Prioritize projects based on need and impact.
- Explore opportunities for energy efficiency and sustainability.
- Seek funding for critical repairs and improvements.

Overall, the university is committed to maintaining its facilities and ensuring a safe and sustainable campus environment for students, faculty, and staff.

VI. Preview Updated Budget Reporting FY25

A. Updated Budget Reporting FY25

Presenter: Dr. Donna Hodge, President

Key Points:

• **Past Fiscal Year:**

- The university ended the fiscal year with a \$5 million surplus.
- Previously reported deficits were inaccurate due to accounting discrepancies within SGOCE revenue reporting.

• **Current Fiscal Year:**

- The university is operating with a more accurate budget that reflects actual costs and revenues.
- Significant changes have been made to the budget presentation, including separating tuition and fees, highlighting SGOCE revenue and expenses, and detailing capital expenditures.
- A focus on financial sustainability and long-term planning is essential.

• **Future Financial Strategy:**

- The university will continue to monitor expenses and explore opportunities for cost savings.
- A comprehensive approach to capital planning will be implemented.
- The impact of enrollment trends and state funding on the university's financial health will be closely monitored.

Action Items:

- Review the detailed financial reports provided by the Finance team.
- Participate in the joint finance committee meeting to discuss the budget in detail.
- Provide feedback on the proposed budget and financial strategies.
- Support efforts to improve financial transparency and accountability.

Overall, the university is committed to fiscal responsibility and long-term financial stability. By implementing a more accurate and transparent budgeting process, the university can make informed decisions and allocate resources effectively.

VII. Personnel Updates

A. Report

The board received a briefing on personnel updates, which did not require a vote.

VIII. Closing Items

A. Adjourn Meeting

Conclusion of Meeting

- **Personnel Updates:** The board received a briefing on personnel updates, which did not require a vote.
- **Meeting Format:** The board thanked attendees for their participation and encouraged feedback on the new meeting format and structure.

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:15 PM.

Respectfully Submitted,

M. Fiorentino, Jr.

L. Barrieau made a motion to Adjourn the meeting.

C. Stimpson seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

D. Tiernan	Aye
L. Barrieau	Aye
E. Gregoire	Aye
S. King-Goodwin	Aye
M. Morris	Aye
C. Stimpson	Aye
M. Fiorentino, Jr.	Aye
M. Gill	Aye
K. Spinelli	Aye
D. Phillips	Aye
J. Flanagan	Absent

**Fitchburg State University
REQUEST FOR BOARD ACTION**

TO: Board of Trustees	DATE: December 12, 2024
FROM: The President	REQUEST NUMBER: 04.2024-2025
SUBJECT: Approval of Minutes from October 17, 2024	

It is requested that the Fitchburg State University Board of Trustees vote to approve the minutes from the October 17, 2024 Board Meeting.

Coversheet

Approval of minutes, October 28, 2024 VOTE (05.2024-2025)

Section: II. Board Chair's Report
Item: B. Approval of minutes, October 28, 2024 VOTE (05.2024-2025)
Purpose:
Submitted by:
Related Material: October 28, 2024 Minutes.pdf
VOTE Minutes October 28, 2024.pdf

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Fitchburg State University

Minutes

Board of Trustees

Date and Time

Monday October 28, 2024 at 12:00 PM

Location

This is a virtual meeting and will be live streamed

Trustees Present

D. Phillips (remote), D. Tiernan (remote), E. Gregoire (remote), K. Spinelli (remote), L. Barrieau (remote), M. Fiorentino, Jr. (remote), M. Morris (remote)

Trustees Absent

C. Stimpson, J. Flanagan, M. Gill, S. King-Goodwin

Ex Officio Members Present

D. Hodge

Non Voting Members Present

D. Hodge

Guests Present

Carin Bullis, James Johnston (Bollus Lynch) (remote), Jeffrey Wolfman, K. Lundgren, Laura Bayless, Matthew Burke, Michael Cloutier, Patricia Marshall, Richard Toomey, Stefan Dodd, Yvonne Malcolm

I. Opening Items

A. Record Attendance

B.

Call the Meeting to Order

M. Fiorentino, Jr. called a meeting of the board of trustees of Fitchburg State University to order on Monday Oct 28, 2024 at 12:09 PM.

II. Vote to approve the FY24 Financials

A. Discuss and VOTE 03.2024-2025 - FY24 Financials

Chairman Fiorentino welcomed everyone and asked if there was any questions or discussion regarding the FY24 Audited Financials that were presented on October 23, 2024 by Bollus Lynch, LLC.

Eric Gregoire asked for clarification of the Composite Financial Index (CFI) that was tabled from the October 23, 2024 meeting.

James Johnston from Bollus Lynch mentioned the reason the numbers look like they have declined a point year over year is because in FY21 and FY22, the university received grant money related to the Higher Education Emergency Relief Fund (HERF) which inflated our CFI numbers. In FY23 and FY24, we did not receive HERF and therefore have stabilized to pre-pandemic numbers.

III. Closing Items

A. Adjourn Meeting

D. Phillips made a motion to Adjourn the October 28, 2024.

M. Morris seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

K. Spinelli	Aye
M. Gill	Absent
C. Stimpson	Absent
D. Phillips	Aye
S. King-Goodwin	Absent
L. Barrieau	Aye
M. Fiorentino, Jr.	Aye
M. Morris	Aye
E. Gregoire	Aye
D. Tiernan	Aye
J. Flanagan	Absent

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 12:35 PM.

Respectfully Submitted,

M. Fiorentino, Jr.

**Fitchburg State University
REQUEST FOR BOARD ACTION**

TO: Board of Trustees	DATE: December 12, 2024
FROM: The President	REQUEST NUMBER: 05.2024-2025
SUBJECT: Approval of Minutes from October 28, 2024	

It is requested that the Fitchburg State University Board of Trustees vote to approve the minutes from the October 28, 2024 Board Meeting.

Coversheet

Update from Jennifer Flanagan, Chair of the Academic Affairs Committee

Section: III. Academic Affairs Committee Update
Item: A. Update from Jennifer Flanagan, Chair of the Academic Affairs Committee
Purpose: FYI
Submitted by:
Related Material: Academic Affairs Committee Meeting Draft Minutes 12022024.pdf

DRAFT



Fitchburg State University

Minutes

Fitchburg State University

Board of Trustees Academic Affairs Committee Meeting

Date and Time

Monday December 2, 2024 at 2:00 PM

Location

This is a virtual meeting and will be live streamed

Committee Members Present

E. Gregoire (remote), J. Flanagan (remote), L. Barrieau (remote), M. Morris (remote)

Committee Members Absent

None

Guests Present

Nathalie Torres-Serrano (remote), Patricia Marshall (remote), Richard Toomey (remote)

I. Opening Items

A. Record Attendance

B. Call the Meeting to Order

J. Flanagan called a meeting of the Academic Affairs Committee of Fitchburg State University to order on Monday Dec 2, 2024 at 2:00 PM.

C. Approve Minutes from the November 7, 2023 Meeting - VOTE (06.2024-2025)

Motion to approve the minutes from Board of Trustees Academic Affairs Committee Meeting on 11-07-23.

The committee **VOTED** unanimously to approve the motion.

II. Academic Affairs

A. Review and Discuss Subcommittee Charge

Review and Discuss Subcommittee Charge – Patricia Marshall

- Bi-Laws excerpt was reviewed regarding powers and duties of this subcommittee.

1. Considering policies regarding the quality, character, and extent of instruction.
2. To consider policies related to the educational purposes and responsibilities of the

University and evaluate the same on a long-range basis, and to make recommendations to the Board of Trustees with respect thereto.

1. To advise the President on any matter within the scope of the Committee's duties.

- Past Focus Areas:

- Introduction of new programs: Three new programs were introduced, with the rationale for each presented, highlighting the connections to the academic plan and the university's strategic goals.
- Public service activities, including civic learning and engagement services, were outlined.
- Sabbatical leaves were identified as a possible discussion topic for future meetings.
- Presentations were delivered on personnel actions related to faculty.

- Admissions – Richard Toomey

- Updates on Admissions requirements and guidelines that are influenced by state rules but university-specific exceptions are also shared.

B. OER Update by Connie Strittmatter and Jackie Kremer

OER Update – Connie Strittmatter and Jackie Kremer

- Initiative based on equity and affordability, that increases access to no-cost and low-cost textbook resources that started back in 2018. Fitchburg State formally established its OER program in Fall 2019.
 - Highlighted efforts to promote open pedagogy, where faculty collaborate with students to develop curriculum materials.
 - Performance Metrics:
 - Achieved \$7.6 million in savings for students across the Commonwealth.
 - From AY22 to AY24, FSU students saved a total of \$2,911,434, including \$1,106,802 in AY24 alone.
 - Nearly half of general education courses now fall into the no-cost category.

- Faculty Participation:
 - From Fall 2020 to Spring 2024, 73 adoption grants were awarded to 47 faculty members, covering 66 courses, 218 course sections, and covering all academic departments.
 - Established four Communities of Practice to support faculty in adopting OER.
- Upcoming Projects:
 - Course Markings: Implement searchable course markings to help students make informed registration decisions (e.g., cost-free/no-cost courses).
 - ROTEL Project: Department of Ed secured a grant to create and adapt textbook material that incorporates DEIB concepts. (10 books published by FSU authors)
- Other Points Discussed:
 - Current data collection primarily focuses on undergraduate courses, with plans to expand to graduate and online programs.
 - Richness of data allows for departmental analysis of high-cost programs and opportunities to reduce costs.
 - Faculty have varying levels of comfort when deciding on transitioning to OER due to individual preferences.
 - Academic freedom remains a priority, as faculty retain the right to select their course materials.
 - Admissions – Opportunities to leverage OER as a differentiator for FSU by demonstrating financial benefits to prospective students.

C. Discussion of Potential Topics for Future Meetings

Eric Gregoire

- Suggested a yearly refresher on the status of the Academic Plan and active projects.
- Strategic preparations in response to Massachusetts’ free community college initiative.

Patricia Marshall

- Proposed updates on NECHE projections and enrollment planning for the SGOCE (School of Graduate, Continuing, and Online Education).
- Emphasized the need to address admissions strategies and advertising in a post-COVID world.
- Overview of the Early College initiative and its financial implications.
- Sabbatical presentations (2–3 per year)

III. Closing Items

A.

Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 3:00 PM.

Respectfully Submitted,
J. Flanagan

Coversheet

From the President

Section: IV. President's Report

Item: A. From the President

Purpose:

Submitted by:

Related Material:

PRESIDENT'S REPORT TO THE BOARD OF TRUSTEES, December 12, 2024.pdf
Sabbatical ReportAY24_25.pdf

PRESIDENT'S REPORT TO THE BOARD OF TRUSTEES, December 12, 2024

Summary: This report outlines presidential activities and engagements from October 11, 2024, to December 2, 2024.

The past months have been marked by robust activity at Fitchburg State University, showcasing our commitment to academic excellence, community engagement, and institutional growth. Here are the key highlights:

October began with a warm reception for a delegation from Rhein-Waal University, including a gathering of academic and community leaders at the President's home. We celebrated our veteran and military community with a quad meet-and-greet, hosted the Superintendents Breakfast for education leaders, and strengthened local ties through an Emergency Management Team meeting with the City of Fitchburg.

The October 17 Board of Trustees meeting was a highlight, featuring student interactions over lunch with the Office of International Education and a reception with the University Police Department to celebrate a Board member's generous gift that supported the purchase of a motorized bike.

Homecoming Weekend was a resounding success, fostering community spirit with alumni, families, and donors during events such as the pep rally, athletic games, and a casino night with the alumni board and students. The Athletics Hall of Fame Breakfast provided a meaningful conclusion to a spirited weekend.

Later in the month, we hosted MSCBA state leaders, engaged NECHE during a key meeting, and welcomed prospective students at our two Open Houses. Our October concluded with festive community-building events, including a Diwali celebration, a Halloween meet-and-greet with local leaders, and a campus Halloween event at the President's House.

November opened with a series of impactful engagements, including meetings with the Fitchburg Mayor, donors, and key institutional partners. Among the topics discussed were cleanup efforts at the theater block, including updated signage about upcoming repairs and improvements. We also engaged in productive discussions with partners at FMC Ice Sports concerning functional and aesthetic improvements to the Wallace Civic Center. Athletics events such as the field hockey and cross-country championships highlighted our vibrant campus life, while the Veterans Day celebration honored our military community.

The month continued with significant outreach, including hosting union stewards, meeting with AASCU mentor Chancellor Kelli Brown, and a keynote address at the North Central Chamber of Commerce Breakfast. The lighting of the campus and student theatre production showcased the talent and spirit of our students.

I attended the AASCU Annual Presidents and Chancellors Meeting, closing the New Presidents Academy, and returned to host Thanksgiving for students at the President's Home, ensuring our international and student government communities felt supported and celebrated.

We ushered in December by participating in the Downtown Fitchburg Holiday Lighting and engaging with the Division of Capital Asset Management and Maintenance leadership during their visit. Early December also saw continued collaboration with the In Town CORE team and meaningful student engagement, including a session with Dr. Kisha Tracy's class on disability studies.

Finally, attached to this report you will find a summary of approved sabbatical requests, shared with the Board of Trustees Chair, Dr. Michael Fiorentino. These were reviewed and submitted by Dr. Marshall, and then approved by Dr. Hodge on November 12, 2024.

These activities reflect the dynamic energy of Fitchburg State University as we cultivate relationships, enhance campus life, and advance our institutional priorities. Thank you for your unwavering support as we continue to build a thriving community together.

October 2024 Highlights:

- October 13-17: Hosted Rhein-Waal delegation on campus. Reception for academic and community leaders at the President's home, October 15, 2024.
- October 15: Veteran and Military Affairs meet and greet event on quad.
- October 16: Superintendent's Breakfast, School of Education. Emergency Management Team meeting, FSU/City of Fitchburg; at City of Fitchburg Fire Department.
- October 17: Board of Trustees meeting, 12-5pm. Included luncheon with OIE and students and reception with University Police Department recognizing trustee gift to department.
- October 18-20: Homecoming Weekend. Pep rally on the quad; community engagement with the Fitchburg High School Band; men's soccer game; hosted alums, families, and donors at President's Pavilion at Elliot Field. Attended homecoming carnival. Saturday hosted tailgate at Wallace Civic Center parking lot at Elliot Field; football game at noon; hosted employees, alums, families, and donors at President's Pavilion at Elliot Field. Field Hockey game at 3pm; casino night with alumni board and students 7pm-11pm. Sunday, Athletics Hall of Fame Breakfast 10am-12pm in Hammond Hall Main Lounge.
- October 21-26: Hosted MSCBA state leaders on campus; brunch for September 4th committee at President's House; dinner with employees (10, Marketing and Communications) at President's House; BOT audit meeting (Oct. 23); NECHE meeting in Wakefield, MA; CIC Trivia Night event at Falcon Hub; Open House for future Falcons (Saturday event). Soccer game at 11am and Football game at 3pm; hosted alums, families, and donors at President's Pavilion at Elliot Field.
- October 28-30: Dinner with donor; BOT meeting on audited financials; Diwali Celebration of Light (Dustin Hodge attended on behalf of the President).
- October 31: Search committee meeting for the Chief of Police, City of Fitchburg; Halloween event on campus with employees and students; met with VIPs and downtown leaders for meet and greet with State Representative, Mindy Domb (at FAM); hosted Halloween event at President's House (SGA handed out candy to community; opened

house to employees and families to stop by).

November 2024 Highlights:

- Nov. 1-3: Fitchburg Mayor Meeting. Donor meetings; ice hockey, hosted alums, families, and donors at President's Pavilion at Wallace Civic Center. Women's championship cross country meet at Doyle Conservancy (11am); men's cross country championship meet at 12pm; Field Hockey semi-finals championship game (12pm); ice hockey at 4pm, hosted alums, families, and donors at President's Pavilion at Wallace Civic Center.
- Nov. 4-9: Hosted employee dinner at President's House (Education); met with AASCU mentor, Chancellor Kelli Brown (Western Carolina); hosted In Town CORE meeting with downtown Fitchburg (and City) team at Idea Lab; MSCA union steward meeting; student ambassador meeting 4:45-7pm. FMC (Civic Center mgmt team) meeting; AFSCME union steward meeting with VP. Met with Fitchburg Art Museum (FAM) Executive Director and Board Chair at President's Conference room; men's championship soccer game (3pm); women's championship soccer game (6pm); Education staff meeting; hosted Veteran's Day celebration on quad. Field Hockey playoff game (6pm), hosted alums, families, and donors at President's Pavilion at Elliot Field. Keynote speaker at North Central Chamber of Commerce Breakfast at Great Wolf (7am); City of Leominster meeting – Economic Development team meeting at FSU. Interview with *The Point*. Meeting with President of AASCU, Chuck Welch. Football game, hosted alums, families, and donors at President's Pavilion at Elliot Field.
- November 12-20: Hosted Executive Committee, BOT. Tour of North Star family Services (Leominster) with Jon Hogue (alum) and community leader. Commuter meet and greet with President (OSD) at Hammond Hall; meeting with Presidential Fellows (5pm); attended opening night of student theatre production "American Underground" at McKay (7pm). Lighting of campus event; men's basketball home opener. Attended AASCU Annual President's and Chancellor's meeting, Nov. 15-20 (closing of AASCU's "New Presidents Academy.")
- November 21-22: Interviews, Search Committee for City of Fitchburg Chief of Police. Men's basketball game; Moot Court meeting and welcome to Rollstone Bank partners delivering "Kindness Kits" for new international students. Attended Dance Club Winter Showcase at Weston Auditorium.
- November 23: Alumni Basketball event (at men's basketball game). Classes of 1977-1982.
- November 28: Hosted Thanksgiving at President's home with Fitchburg State students, including SGA and international students.

December 2024 Highlights:

- December 1: Spoke and joined in at Downtown Fitchburg Holiday Lighting at upper common.
- December 2: Hosted Division of Capital Asset Management and Maintenance (DCAMM) Commissioner, Adam Baacke on campus
- December 3: hosted In Town CORE meeting with downtown Fitchburg (and City) team at Idea Lab. Meet and greet with Dr. Kisha Tracy's Writing I: Disabilities Studies class.

These activities reflect the dynamic energy of Fitchburg State University as we cultivate relationships, enhance campus life, and advance our institutional priorities. Thank you for your unwavering support as we continue to build a thriving community together.

Strategic Enrollment, Next Steps and Level-Setting

Though you will see details of the (past) enrollment management strategies employed by both the AVP of Enrollment Management and the SGOCE (under the leadership of AA), the next strategic goal for our cabinet is to bring all enrollment strategies under a single “umbrella,” and, as we create a more transparent process for budget development, work together with a single campuswide goal for enrollment growth across undergraduate and graduate in-person and online programs. For reference, final Fall 2024 data* on enrollment is as follows:

ENROLLMENT_LEVEL	DEG_SEEKING_HC	DEG_SEEKING_FTE	NONDEG_SEEKING_HC	NONDEG_SEEKING_FTE	TOTAL_HC	TOTAL_FTE
Undergraduate	2756	2390.5	275	73.1	3031	2463.7
Graduate/Professional	2336	1110.9	536	141.7	2872	1252.7
TOTAL	5092	3501.5	811	214.9	5903	3716.3

Students Enrolled by Degree Level

Download report data as a comma delimited text file: [\(TXT\)](#)

DEGREE_LEVEL	UNDGRD_HC	GRD_HC	TOTAL_HC
No Award	275	536	811
Certificate (1-2 Years)	9	0	9
Bachelor	2747	0	2747
Post-Bacc. Certificate	0	111	111
Master	0	2138	2138
Certificate of Adv. Grad. Study	0	87	87
TOTAL	3031	2872	5903

For comparison, final 2023 enrollment data (state reported) is as follows:

ENROLLMENT_LEVEL	DEG_SEEKING_HC	DEG_SEEKING_FTE	NONDEG_SEEKING_HC	NONDEG_SEEKING_FTE	TOTAL_HC	TOTAL_FTE
Undergraduate	2830	2466.7	308	82.6	3138	2549.3
Graduate/Professional	2467	1193.3	696	190.9	3163	1384.2
TOTAL	5297	3660.1	1004	273.5	6301	3933.6

Students Enrolled by Degree Level

Download report data as a comma delimited text file: [\(TXT\)](#)

DEGREE_LEVEL	UNDGRD_HC	GRD_HC	TOTAL_HC
No Award	308	696	1004
Certificate (1-2 Years)	7	0	7
Bachelor	2823	0	2823
Post-Bacc. Certificate	0	104	104
Master	0	2260	2260
Certificate of Adv. Grad. Study	0	103	103
TOTAL	3138	3163	6301

**Final reporting for fall 2024 may vary slightly after December 7, as state reports are finalized at that time (after board document due dates have passed).*

The following summary reports represent a selection of Cabinet-level activities since October 17, 2024:

ACADEMIC AFFAIRS

Academic Programs, Accreditation, and Strategic Planning

The Office of Institutional Research and Planning (OIRP), in collaboration with IT, launched Explorance, the new course evaluation software negotiated by the MSCA.

Per a commitment made in our 2022 NECHE Self-Study, the OIRP administered the *Graduate Student Exit Survey* and the *Alumni Surveys*, with significantly higher response rates.

School of Arts & Sciences (A&S)

A&S collaborated with Suffolk Law to guarantee at least \$20,000 in aid to all incoming first-generation students who receive their undergraduate degree at Fitchburg State.

A&S supported a theater performance of “American Underground,” presented in association with Fitchburg’s Ahmadiyya Muslim Community, an exhibit in the Hammond Art Gallery by C. A. Stigliano, a Conlon Media Wall exhibition by Hiroya Sakurai, the campus *Music Mega-Mix Concert* featuring our music ensembles, and a recital by Music faculty. Dr. Unus was named a “2024 Faculty Champion” by the Center for Community News; Dr. Covino won the American Educational Studies Association Critics’ Choice Award; and Dr. Tracy received the “2024 Research for Justice and Equity Award” from the Disability History Association.

Schools of Health & Natural Sciences (HNS) and Business & Technology (B&T)

Faculty in Psychological Science and Mathematics hosted alumni panels to provide students insight about post-graduate opportunities. Nursing and Engineering Technology also hosted informative industry and advisory board meetings that explored our cutting-edge simulation labs and extended-reality Nursing scenarios. Faculty in Earth, Geographic, and Public Health Sciences collaborated with our partners from the Nashua River Watershed Association and NewVue Communities to host a meeting focused on building nature-based solutions and green installations (EPA funded).

STEM departments developed recruitment materials for our \$1 million S-STEM grant to provide scholarships and career development for STEM students with demonstrated financial need.

School of Education (SOE)

The SOE hosted the second Superintendents’ Breakfast and a statewide SCOPE meeting. With regional superintendents, the SOE is exploring opportunities related to grant funding and state-level support for licensing school personnel through partnerships with Educator Preparation Programs. SOE faculty are finalizing updates to all curricula in our licensure programs based on

the latest DESE standards and assessing all non-licensure programs to ensure compliance with NECHE requirements.

School of Graduate, Online, and Continuing Education (SGOCE)

Fall enrollment for SGOCE is strong. While international enrollment decreased in comparison to prior years (a national post-pandemic boom is now leveling off), international admissions are still over 50% higher than in 2020. Spring and Winter session registration is currently in line with registrations at this time last year.

The Digital Learning team began the rollout of the new and improved learning management platform, Blackboard Ultra, with the goal of a complete transition for all SGOCE online programs by fall 2026.

Library

Library staff completed the second of two professional development sessions centering the *Policy Review with an Equity Lens Rubric* and began reviewing the library's *Public Users & Visitors* policy. The library also hosted two public programs: *Writing Home to Fitchburg: A Reading of WWII Service Members' Letters*, co-sponsored by the Library's Archives, the Fitchburg Historical Society, the Center for Italian Culture and the Fitchburg Community Read; and *Drag Queen Story Time*, to promote gender diversity, self-acceptance, and empathy in children through storytelling.

Student Success

The Academic Coaching & Tutoring Center supported 1,475 individual student visits, and the Career Services & Advising Center (CSAC) held three major fall events: Fall Internship Fair, the Graduate Education Fair, and the Major and Minor Discovery Fair. The CSAC launched the AY25 First Destination Survey.

Staff and faculty volunteers called FA24 first-year students as part of the Falcons-Supporting-Falcons initiative to check in and make appropriate referrals. Student Success also facilitated the Enrollment Census and Midterm Deficiency campaigns, reaching out to "at-risk" students.

Office of International Education (OIE)

The OIE hosted Rhein-Waal University delegation to explore expanded exchange opportunities. Three study-abroad programs met enrollment goals for spring 2024: *Global Public Health* in Costa Rica, *The Heart of Europe* in Germany and Poland, and the *Arts and Game Design* in Japan. The Global Ambassador Scholarship Committee awarded roughly \$76,000 to support students in these programs.

Office of Institutional Research & Planning

The OIRP launched its Research Roundtable, inviting campus colleagues to explore trends in higher education and enhance their data literacy through literature reviews. The kick-off meeting

featured an article about improving retention through a belonging intervention at a broad-access HSI.

Office of Research and Sponsored Programs (ORSP)

The ORSP is currently searching for a Fiscal Coordinator to solidify institutional capacity for post-award financial management and compliance. Applications were submitted to DESE for Early College Professional Development (\$10,000), the DHE for the Hunger-Free Initiative (\$23,992), and the Mental and Behavioral Health Support Program (\$373,749).

Fitchburg State received \$82,620 of state funding for Early College partnerships, supporting 171 student enrollments in 649 credits.

ENROLLMENT MANAGEMENT

For the purpose of this update, EM includes the Office of Admissions, the Office of Student Financial Aid Services, the Office of Marketing and Integrated Communication, and Print Services.

Office of Admissions

Staffing

- The office has been focused on three (3) simultaneous staff searches for the fall semester. The office of eleven (11) has been operating with 3 vacant positions and this has created some significant impacts to traditional recruitment and outreach activities.
- The positions to be filled include: Administrative Assistant I (front desk receptionist); Assistant Director (recruiter and counselor role); Assistant Director (event planning and management).
- The vacancies have created additional workloads for several key staff, and additional resources have been directed to travel territories and event management.

Data

Comparative data for fall 23 vs fall 24 (*reflective of admission year to date (YTD) funnel*)

- Freshman; 1605 applications (f23) vs 1329 applications (f24); similar reports have been acknowledged from peer state institutions
- Transfer; 55 applications (f23) vs 40 (f24)
- Three primary factors are considered for these decreases at most institutions of higher education:
 - The announcement of “free tuition and fees” at public community colleges; a significant aspect of our traditional demographic relies on financial assistance and this announcement, coupled with promoted transfer articulation agreements have shifted attention to the community college option for many students
 - The national data indicate that the ongoing, and anticipated, demographic cliff will continue to decline until the year 2027. This cliff reflects a decline in the population of 18-22 year old potential students.
 - Recent issues with the federal financial aid process (FAFSA) during the AY 24-25, and the anticipated delays in the roll out for the AY 25-26, led many

experts to believe that many students are delaying in filing applications until such time that financial aid processes are deemed ready to be initiated.

Events

- Saturday Information Session (SIS); Saturday, September 21, 50 guests in attendance
- Fall travel is planned for approximately 425 individual events (school visits, college nights & fairs, transfer visits at community colleges, etc.)
- Recruitment events for fall 2024
 - October 5; 202 total guests (95 registered students)
 - October 26; 370 total guest (164 registered students)
 - Twilight Tours (campus visits offered after 5pm weekdays)
 - Department visits; smaller academic focused tours, meetings with faculty and class shadow opportunities throughout the month of October
 - Saturday Information Session (SIS); December 7; 85 total guests currently reserved (40 student reservations)
 - Honors Program Campus Visit - planned for Saturday, December 7; currently have 56 total guests (23 students reserved)

Office of Student Financial Aid Services

Announced by DOE, FAFSA will be released for student applicants to access by December 1. Several months earlier than last cycle, but still two months later than previous years. Professional associations still predict significant implementation issues as seen last cycle with the new simplified FAFSA.

Staffing

- Submitted proposals for additional staff resources with the plan to eventually assume roles for SAP (Satisfactory Academic Progress; federally mandated and coordinated process) appeals process, currently led by Student Affairs, and Scholarships, currently led by Advancement.

Data

- Coordinating data submission related to federally mandated Financial Value Transparency (FVT); institutional debt for FVT reporting is the total amount of money a student owes to an institution after completing or withdrawing from a program. This includes institutional loans, other institutional financing, outstanding obligations, such as library fees, graduation fees, or laboratory fees. Institutional debt does not include amounts owed by students to the institution under the Federal Perkins Loan Program. These data points are used to determine whether programs are preparing students for gainful employment (GE). Programs that don't meet the standard may lose access to federal student aid.
- Shift in program application of NERP (New England Regional Program); previously was individual program based (i.e., Game Design for students from New Hampshire), but our new implementation would make all New England residents eligible for any program.
- Proposals to the President's Cabinet (scheduled December 2) regarding local marketing effort (*Fitchburg Promise*) and a proposed Sibling Grant.

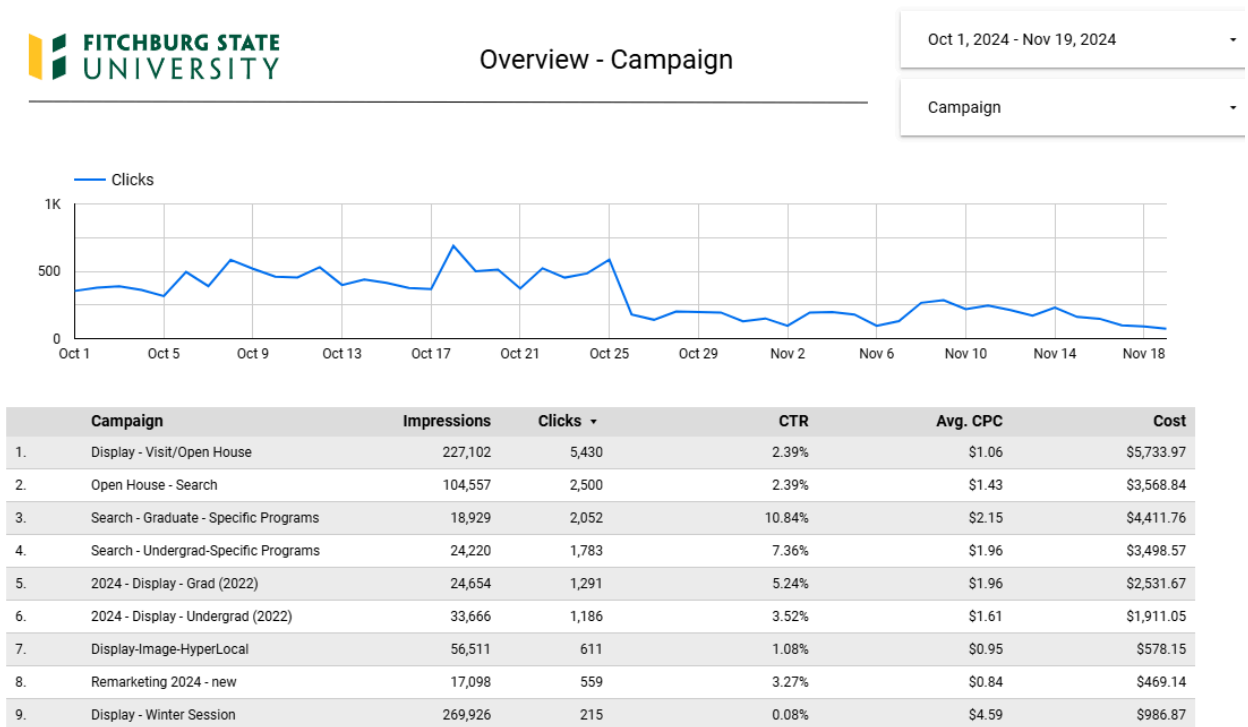
Office of Marketing & Integrated Communication

Staffing

- Four (4) full time staff; added the two (2) graphic design staff from Print Services
- Proposed the expansion of an additional staff line to assist with the coordination of both UG marketing efforts as well as provide support to the social/new media efforts (currently managing 15+ different accounts)

Data

- [Social Media Analytics](#) ; a breakdown of most recent social media platforms and marketing impact
- Marketing Campaign Analytics for October/November 2024



Events

- Conducted two (2) in-person meetings during the month of October with university colleagues for Social Media Advisory Board
- Launched an interview with university staff member, Lourdes Ramirez, on a Spanish Radio group, promoting the university and further positioning the university to strive for HSI status.
- Expanded production of ‘One Minute Major’ series
- Blogs - 92 blogs posted since October 1 - <https://blog.fitchburgstate.edu/all>
- Website - Academic Program pages (undergraduate and graduate) - all catalog links edited and page content reviewed and updated

Print Services

Staffing

- Four (4) staff; plus two (2) graphic designers realigned with Marketing

Veterans Services

New priority on serving this population. Collaboration between FSUPD and EM to review, evaluate, and make proposals regarding staffing, services offered and programmatic offerings.

Staffing

- Temporary staffing and support from UPD and IT in the Veterans Center
- Draft position description for Director of Military and Veterans Services; new role. Comparative roles at other state universities supported the creation of this leadership position. Approved for furtherance by the Presidential Cabinet, November 2024.

Data

- Current enrollment data indicates 137 students have been identified as having a status of 'veteran.' This data reflects responses to specific questions about past military status, and may not reflect active duty student personnel. This data also does NOT include spouses and/or family members who may have either active duty or veteran status.
- Additional consideration needs to be conducted by incoming staff to determine appropriate data collection and surveying of students to best align service offerings with the student population.

Events

- Several informal meetings with 6+ student staff (paid via the VA program) who support the Veterans Resource Center.
- Successful 'Meet & Greet' (October 15). Approximately 30+ faculty, staff, students and alumni in attendance. The social event, located adjacent to Thompson Hall and outdoor on the Quad, was intended to bring attention to our Military and Veteran students, the location of the Veterans Resource Center, and the programming offerings available.
- Veterans Day Event. This event, held on Thursday, November 7, was proposed to honor those who served our country. A bench recognizing a Fitchburg State graduate who was killed in action during the Vietnam War was relocated and rededicated. A formal program was held, including remarks from President Hodge, Dr. Sean Goodlett, Andres Crespo (student/veteran), and sister to honoree Carol Cioffari. Estimates of 70+ people in attendance.

FINANCE AND ADMINISTRATION

Finance

The University is off to a strong start to fiscal year 2025. Fall enrollment exceeded our budgeted FTE by 57 students, resulting in a slight increase in tuition and fees for the Fall term. We are hopeful the trend continues, and we see above-target enrollment for the Spring term. Through October, Student Accounts has continued efforts to collect and resolve outstanding Fall 2024 accounts. Past due numbers are consistent with prior years.

In comparison, there were 453 past-due FA24 day student accounts on Nov. 6 2023 and 438 past-due FA24 day student accounts on Nov. 12 2024. Efforts include text, email, and calls with

specific targeted intent. Targeted paper notices were also mailed to home addresses and hand-delivered in the dorms to any housing student with a balance over \$5,000.

Hold review and release was administered to allow students who have an outstanding balance below approved thresholds to register for future classes. Approved thresholds were based on past practices, with the understanding that these practices may be reevaluated in the future.

100 holds were released for commuter students with \$2500 or less balances.

126 holds were released for housing students with \$5000 or less balances.

The FY2025 General Appropriations Act Fair Share funding provides 19% of its collection to Higher Education. Half of that has been devoted to the “Free Community Colleges” initiative. Community colleges are experiencing a rise in enrollment, which is strong competition for our recruitment team. However, the campus is energized by the new leadership of President Hodge, and we are receiving positive feedback from our recruitment efforts in the form of increased application fees and enrollment reservations compared to last year.

Fitchburg State’s portion of Fair Share funding so far has been modest. We were awarded funding to support student success and student mental health through a \$352K grant last fiscal year and have applied for similar level funding for this fiscal year. Applications have been submitted, and we expect funding before the end of the calendar year. We received \$1.2M for capital projects on Decarbonization Energy Efficiencies and have identified window replacements for Conlon Hall. The project went out to bid, and the award letter to the vendor was just initiated. We expect the project to commence in the third quarter.

The first quarter of FY25 is at the same levels as the same period in FY24. Personnel costs are presenting slightly lower due to the state’s delay in running fringe and tax on salaries pending the U.S. Department of Health and Human Services approval of the FY2025 Payroll Tax and Fringe Benefit rates. You may recall we experienced a delay last fiscal year; however, the state did get the approval before the end of quarter one, so the expenses were available in our quarterly reports to our board. As of the date of this narrative, the rates are still not approved for FY25.

Capital projects are the only outlier we have identified in the first quarter compared to the last fiscal year. Spending is significantly lower by 24% when you use the same budgeted amount. Our planning for projects will result in higher spending for quarters three and four.

FY24 University, Foundation and Supporting Organization audit has been completed and the financial statements have been submitted to the Massachusetts Comptroller’s Office. With the audit completed, the accounting department is now working on compiling the information for the Foundation and the Supporting Organization in order to complete the tax forms to be submitted at the next board meeting.

Cash balance is \$1 million greater than last year. The university cash balance is down by \$5 million, while the cash held by the State Treasury is up by \$6.2 million. \$4.3 million of the \$6.2 million are funds we received for DCAMM capital projects. Our short-term investment account

is running \$900 thousand ahead of this time last year. Total investments are up by \$3.6 million over same time last year, and \$1 million since June 2024.

Type of Accounts	Cash 10/31/2024	Cash 10/31/2023	Difference
Cash at Bank	\$ 10,502,540	\$ 15,779,776	\$ (5,277,236)
Cash at State	18,180,857	12,014,029	6,166,828
Short-Term Investment	18,674,291	17,753,901	920,390
Long-Term Investment	22,833,569	19,261,119	3,572,450
	\$ 70,191,257	\$ 64,808,825	\$ 5,382,432

Capital Planning and Maintenance, University Operations

As we reflect on the past few months, it’s clear that this has been a productive and transformative time period for the Capital Planning, Maintenance, and Operations (CPM) team. The department has diligently executed its annual maintenance and cleaning, tackled ambitious renovation projects, and made strides toward long-term sustainability goals. Each effort demonstrates our team’s dedication to maintaining a safe, efficient, and welcoming campus environment, all while aligning with the university’s broader mission to provide top-tier facilities and services. Our team’s work over the summer has been diverse and complex, touching nearly every corner of campus to ensure that students, faculty, and staff have the resources and spaces they need.

Summer always brings a surge in activity as our team engages in essential maintenance tasks, refreshes spaces, and completes larger projects that can’t be managed during the busy academic year. This summer, our trades workers demonstrated flexibility and expertise, managing an array of special projects and addressing work orders essential for keeping campus facilities running smoothly. From deep-cleaning to structural repairs, our maintenance efforts lay the groundwork for a successful year, ensuring our facilities are ready for the community’s return. This collective effort speaks to the unwavering commitment of our tradespeople and maintenance teams, who often work behind the scenes but are indispensable to our university’s daily operations.

One of our notable accomplishments was the successful remodeling of 185 North St., a property now designated for graduate student housing. This renovation has created a more functional and appealing living environment tailored to the needs of our graduate population. The improved space not only enhances the residential experience but also supports the university’s strategic focus on attracting and retaining graduate students. We’re also pleased to have reopened Mara 6 and 7 as single-occupancy suites, providing an additional housing option that meets the increasing demand for private accommodations.

In addition to these residential upgrades, our team addressed an urgent infrastructure issue: an underground steam line leak behind the Dupont Building. This was a significant project that required both skill and speed to prevent further impact on our campus systems. Addressing these kinds of issues swiftly is crucial, as they can disrupt essential services if not managed promptly.

Our trades and maintenance teams worked tirelessly to resolve the issue, reinforcing our campus infrastructure and maintaining reliable heating capabilities.

Moving on to some of our larger renovation projects, we are excited to report that the new roof on Holmes Dining is complete, with only the punch list items remaining. This roof replacement strengthens the building's resilience and ensures it will continue to serve the campus community effectively. As this project wraps up, our focus is now turning to Weston Auditorium, where we're planning much-needed roof and ceiling improvements. These updates will not only enhance the building's structural integrity but also improve the aesthetic quality and functionality of the auditorium, making it a more welcoming and versatile space for campus events and gatherings.

Our progress continued with the Conlon IA/FA window and envelope project, for which bids recently closed. This project is particularly exciting because it's partially funded by the Commonwealth of Massachusetts Fair Share program, underscoring the university's commitment to leveraging available resources for critical improvements. Once underway, these updates will help improve energy efficiency and interior comfort, reducing long-term operational costs while maintaining the building's structural health.

In the McKay C building, a major HVAC project was completed with the installation of a \$400,000 VRF (Variable Refrigerant Flow) system, ensuring a modern, energy-efficient climate control system for the classrooms. Effective temperature regulation is vital in academic spaces, supporting student comfort and focus. This investment reflects our commitment to providing high-quality, well-maintained learning environments that contribute to academic success.

Meanwhile, the lower-level office addition at Sanders has been completed to accommodate our Institutional Research and Planning (IRP) team. As we finalize site work, we look forward to welcoming the Finance team back into the building, where they'll benefit from improved workspace functionality and upgraded facilities. This expansion reflects our dedication to creating efficient, productive workspaces that support our staff in serving the university community.

We are also making strides toward preserving and enhancing our downtown presence with the Downtown Theater Roof and Envelope Project. With the design phase complete, this project is expected to go out to bid in the coming weeks. This renovation will ensure that the Downtown Theater remains a vibrant part of our campus and community, as well as a safe and energy-efficient space for programming and events. The preservation of our historic buildings, alongside functional improvements, reflects our commitment to honoring the university's legacy while meeting contemporary needs.

Sustainability continues to be a cornerstone of our planning. We are particularly excited about two new initiatives that signal our commitment to environmental responsibility and long-term resilience. Soon, we will begin a solar installation project at the Recreation Center. This renewable energy project will reduce our carbon footprint and energy costs, making the Recreation Center a model for sustainable practices on campus. The generated solar power will

contribute directly to our goal of increasing the university's reliance on renewable energy sources, reducing operational costs, and positioning us as a leader in campus sustainability.

Additionally, we're preparing to kick off a decarbonization roadmap study, fully funded by the Division of Capital Asset Management and Maintenance (DCAMM). This study will provide us with a clear, actionable plan to achieve carbon neutrality by 2040. Through comprehensive analysis, we will identify the steps needed to reduce emissions across all facets of campus operations. This roadmap will help guide our decision-making, ensuring that each improvement or upgrade brings us closer to a more sustainable future.

In conclusion, the past several months has been a time period of both progress and preparation for the CPM team. From addressing immediate facility needs to advancing long-term strategic goals, we're creating a campus environment that's safe, sustainable, and aligned with Fitchburg State University's goals. Our collective efforts position us to serve the campus community effectively, now and in the future. We thank each member of our team for their hard work, dedication, and commitment to making this progress possible. We look forward to the months ahead and the continued opportunities to improve and evolve our campus facilities.

STUDENT AFFAIRS

The Division of Student Affairs has been focused on:

- As of Nov. 12 2024, we have received and processed 246 CARE referrals. This number represents 83% of the total number of CARE referrals received in AY 23-24. The types of concerns most prevalent in the referrals are difficulty with a mental health concern, medical concerns, academic concerns, interpersonal conflicts, and family related concerns such as death of a loved one. Most referrals include multiple concerns that are compounding, i.e. a mental health concern that is impacting the student's ability to regularly engage in classes and their ability to connect with others in their residence hall suite.
- In the Spring of 2024, the Dean of Students Office worked with the Registrar's Office to pass a Leave of Absence Policy through governance through AUC. Now codified in policy, students who need to step away for medical, personal, or military leave may do so and have a seamless transition back to the university. This fall has offered the opportunity to coach several students through this process, which aims to be a retention tool. The Dean of Students Office is currently reaching out to students who are on a Leave of Absence this fall to begin their transition process back for Spring 2025 classes. Anecdotally, we find that this has been a helpful option for students who are struggling currently, but who remain committed to completing their degree at Fitchburg State.

Student Affairs Departments:

- The Center for Disability Services welcomed new Executive Director Joshua Dodds on October 21. Dodds is already making strong connections with students and colleagues, and is compiling insights about strengths and challenges that will guide Fitchburg State's priorities for action in the areas of Diversity, Equity, Inclusion, and Belonging.

- TRIO Student Support Services (a federally funded program) graduated over 25% of its cohort within six years, and 21% of the cohort graduated within four years.
- Counseling Services and the Office of Student Development worked with partners to submit the materials needed to access Massachusetts funding to support:
 - Counseling and mental health support for students
 - Food insecurity and stocking the Falcon Bazaar Food and Necessities Pantry
 - Both of these pots of money are six figures for Fitchburg State
- 9 housing insecure students are living on campus through the state-funded Housing Scholarship Program
- An Upward Bound Math and Science (a federally funded TRIO program) senior was selected as 1 of 25 recipients of the Christian Herter Scholarship. Which covers 50% of cost to any college or university in the United States.
- UBMS is on track to meet our recruitment goal by Dec. 30, 2024! At this time we recruited 59 out of 62 students (with 10 applications in various stages of completion).
- Between 18 events and one on one meetings at the high school, the UBMS staff has had close to 300 contacts with the current students in the program.
- 4 UBMS students matriculated to Fitchburg State in Fall 2024. All of them have been connected to TRIO SSS.
- In 2024-25, Disability Services launched a new engagement platform and database. One benefit of this is making it easier for students to advocate for themselves with faculty with template letters and information and easy communication.
 - In Fall 2024, 91% of students registered with Disability Services shared their accommodations letter with faculty compared to 66% of registered students in Fall 2023.
- Hammond Campus Center is a hub for all kinds of engagement and activities on campus. Total number of events hosted so far in Fall 2024: 1,609. Reservations totaling 15,426.73 hours, an increase of 48% from the same timeframe in Fall 2023.
- Swipes indicating students are going into the Hammond commuter lounge have increased 36% from the same timeframe in Fall 2023.
- Housing & Residential Services has launched the new housing platform, Housing.Cloud, which will go live in December for residential students. This platform will provide an updated user-friendly housing platform which is 100% mobile friendly.

Engagement with students, student learning, and programming

Housing and Residential Services:

- Working with the student government association liaison to gather feedback regarding the residential experience.
- The Residence Education and the Resident Assistants have hosted 40 events within the halls with over 576 students in total attendance.

Disability Services:

- One of the learning goals that Disability Services has for registered students is developing agency and self-advocacy skills. The big number of students sharing their accommodation letters as highlighted above is one example of this skill development.

TRIO Student Support Services:

- Began new pilot program Junior MINTS (Mentoring, Internship, Networking, Travel, and Service-learning) - 2 seniors and 2 juniors are currently enrolled - this experiential learning program is targeted at students with over 60 credit hours
- 8 Chef TRIO events held so far, 4 featured ingredients for Chemistry of Cooking

Office of Student Development and Campus Center

- Since the start of the academic year, student organizations have hosted a total of 759 programs and/or meetings. This is 47% higher than the previous year in during the same timeframe

INSTITUTIONAL ADVANCEMENT

The Advancement Office plays a critical role in supplementing traditional funding sources through private philanthropy; generating support from a built-in constituency of grateful alumni, community businesses, corporate sponsors, private foundation grants, and a myriad of other sources.

The Division of Institutional Advancement includes two distinct units:

- **Alumni and Family Relations** - special events, communications, and brand identity;
- **Annual Fund and Major Gift Engagement** - focuses on the donor continuum of prospective donor research, identification, cultivation, solicitation, stewardship, gift acknowledgement, and donor database integrity.

Fundraising

As of November 15, Fiscal Year 2025 (FY25), \$409,236 was raised from 577 gifts.

Four New Endowments in FY25 (to be matched by state):

- Sylvia Bergman Nursing Scholarship \$36,508
- Rosenthal English Fund \$30,000
- Rosenthal Library Fund \$30,000
- Paul '53 and Doris Ballantine Scholarship \$168,000

Two donors made contributions to supplement existing endowments: James \$12,000 x2 (one for Engineering Tech and one for Education), Fisk \$25,000 for Nursing.

Two major in-kind contributions-first; the Professor Ken Baltin theater book collection and second, possibly more significant, the Ronald M. Ansin papers- documents of his professional life and accomplishments; both collections will be housed in the archives.

Zimmerman estate closed out 90% of its assets adding \$480,000 to current Irish Studies endowment bringing total endowment to \$1.1 million; state match of \$461,000 will be applied. (The endowment promotes an understanding and appreciation of Irish history, arts and culture at Fitchburg State).

Alumni Events Highlight:

From Oct. 1 – Nov. 30, the office hosted or supported 16 alumni activities, which resulted in over 285 individual alumni personal contacts. These ranged from in-person gatherings to athletic reunions, Homecoming events, campus activities, Alumni Association board and committee meetings.

Fall Event Highlights:

- Homecoming (Carnival, Tailgate, Cheer Reunion) brought nearly 200 alumni and their families to campus.
- Hall of Fame Induction Ceremony saw five individuals and a team inducted into the Hall of Fame. Nearly 80 alumni and guests attended the celebration.
- Annual Men's Basketball Reunion and Reverse Raffle brought over 60 Men's Basketball alumni to campus and raised at least \$14,000 (net) for the Men's Basketball Endowment.

Confirmed Spring Events

- Sigma Pi Founders' Day Brunch
- Alumni Ice Hockey Game & Reunion
- Atom Moore '05 Artist in Residence Workshops and Public Discussion
- Peter Reynolds '83 Writer/Illustrator in Residence- rescheduled from fall
- Student Government Association (SGA) Reunion
- Dance Club Reunion
- Nursing Reunion
- Washington, DC all state universities alumni event

Annual Fund Highlights:

To date in FY25, our fundraising efforts continue to maintain strong relationships with our loyal donors, enhancing engagement with our corporate community, expanding our athletics booster initiatives, and engaging our constituents with planned giving opportunities and information.

Our overarching goal is to cultivate a sustainable, growing, and supportive donor community that feels valued, optimistic, confident, and strongly connected to Fitchburg State University.

ATHLETICS AND RECREATIONAL SERVICES

Athletics & Recreation continues to foster a sense of school pride and connection for university students, faculty, staff and the greater Fitchburg area. Our fall athletic seasons had many successful moments for the Falcons with highlights coming from each of our programs. Some of the most notable achievements include;

- Field Hockey had their most successful season in recent years. The Falcons won the MASCAC regular season championship for the first time since 2010 amassing an 8-2 record in conference. Four student-athletes were named first team all conference, including Sophia Yates, a junior Environment and Earth Science major, who was awarded the conference Offensive Player of the Year award. Additionally, three student-athletes

earned second team all-conference honors. Head Coach Kayla Quinn, who was coaching in her third season, was recognized as the 2024 MASCAC Coach of the Year.

- Men's Cross Country finished with a third place finish at the MASCAC Championships which were hosted by Fitchburg State. Three Falcons runners earned all-conference honors including Sophomore Exercise Sports Science major Samuel Edwards who was named MASCAC Rookie of the Year.
- Men's Soccer doubled their win total from the previous season, advancing to the semifinals of the MASCAC tournament after a thrilling 4-0 home playoff victory over Mass Maritime. Men's Soccer had four total students earn all-conference honors including Junior Business Administration major Zacharia Foster who earned Defensive Player of the Year and freshman Business major Justin Job who was named Rookie of the Year and first team all conference.
- Women's Soccer advanced to the conference semifinals for the third season in a row after defeating Salem State in a home quarterfinal game. Three student-athletes were named to the MASCAC All-Conference second team including senior Taylor Senecal who earned the all-conference honor for the third season in a row.

The athletic department's focus now turns towards the winter seasons as men's ice hockey, men's basketball, women's basketball, and men's and women's indoor track and field begin their competitions.

Over the course of the fall semester the athletic department has seen a resurgence in our student-athlete advisory committee. A student-athlete advisory committee (SAAC) is a NCAA requirement and is made up of members from each varsity team that is assembled to provide insight on the student-athlete experience. The SAAC offers input on the rules, regulations and policies that affect their lives with the athletic director and other department staff. Following the pandemic, the SAAC struggled to organize and meet on a consistent basis and the athletic department has invested a lot of time and effort to re-launch the committee. This work has been rewarded with an invested and dedicated group of student-athlete leaders who now regularly attend our organized meetings and provide valuable insight and feedback to ensure we are delivering the best athlete experience possible. The SAAC is also assisting in the organization of a conference-wide community service project that will take place during the spring semester.

Another area of significant progress is in Landry Arena and our strength and conditioning program. Our strength and conditioning staff, led by head coach David Jenkerson, has implemented a year-round strength and conditioning program for all sports teams resulting in improved strength, power and reduced muscular injuries. The athletes and teams that have consistently used our strength and conditioning program have seen a 22% increase in their overall squat strength, a 21% increase in their clean lift strength, and a 12% increase in their bench press strength.

In addition to the role that strength and conditioning plays in the overall health of athletes, our staff also works in collaboration with the Exercise Sports Science major to provide practicum and internship opportunities and also helps arrange internships at multiple off-site facilities. This

collaboration between an academic department and the athletic department has strengthened the overall experience of our students and also ensures that Landry Arena continues to operate with state-of-the-art equipment and technology for all users.

Recreation Services continues to provide valuable health and wellness programming for all students, faculty and staff. As part of their offerings, the department has traditionally provided intramural sports and leagues ranging from basketball to flag football to beach volleyball. Recent numbers have suggested that our student population is less interested in traditional opportunities and more interested in on-request offerings that are built more towards quickly responding to student interest versus pre-planning a long season. One program that highlights this model is our recent indoor soccer offering that was generated directly from student requests. This program has reached 60 participants competing on Sunday evenings in Landry Arena. Of the 60 participants, 72% are first time recreation services users.

CAMPUS SAFETY/UNIVERSITY POLICE DEPARTMENT

Clery Compliance / Annual Security Report

As part of the institution's Clery compliance efforts, the University Police Department published our Annual Security and Fire Safety report on September 27, 2024, and subsequently submitted our annual data to the Department of Education on October 10, 2024.

Emergency Management - Creation of a Severe Weather Procedure

At the direction of President Hodge, the university approved a new Severe Weather Procedure. This document is a functional guide providing procedural direction for a change in campus operational status due to severe or inclement weather, including closure, delayed opening, or early release.

Most often this procedure is implemented for snow and other winter weather events, but may be used for any severe weather that threatens normal operations such as a hurricane, extreme flooding, a tornado, or other hazardous weather which could impact university operations.

This procedure uses a matrix, intended to bring a greater level of objectiveness, collaboration, and transparency to the process.

Emergency Management - Training for Fitchburg State University

Through a collaboration with Texas A&M Engineering Extension (TEEX), the university will host a three-day class for our emergency management team on March 18-20, 2025 (MGT361 - *Crisis Management Affecting Institutions of Higher Education: A Collaborative Community Approach*).

This course trains higher education campus and community members, and others involved in crisis management duties and responsibilities to effectively manage a crisis by applying a whole community approach.

Risk management strategies, effective crisis communication, and a series of well-developed plans as described in the National Incident Management Systems (NIMS) are emphasized.

The course utilizes case studies and activities to aid participants in recognizing potential gaps in their current crisis management program and concludes with a practical application, simulated role-play exercise.

Military and Veteran Services

Chief Cloutier has been working with other campus partners to evaluate the needs in an effort to better support our Military and Veteran population.

As a result, a full-time position was approved by Cabinet to address this identified need. This new position will serve as the primary point of contact for students, faculty, staff and alumni who seek support and resources related to their enrollment or affiliation with Fitchburg State University.

Fleet

On November 19, 2024, the University Police Department took possession of a new cruiser (a 2023 Ford Police Interceptor SUV). The cruiser was approved for the FY25 budget and had been on hold with McGovern Ford (formerly MHQ) since May of this year.

Three of the oldest vehicles in our fleet currently have an *average of 99,114* miles on the odometer. If we factor in Ford's equation for idle engine hours to miles, the *average of the three increases to 576,247*.

Training

The University Police Department strives to provide the campus community with professional development opportunities. We have provided a number of training sessions for members of the campus community, including, but not limited to the following topics: Campus Safety Overview, De-Escalation, Active Shooter Response, Self-Defense, and certification in CPR.

We also value the professional development for the members of the University Police Department. Recently, members have attended training on the following topics: Understanding and Responding to Stalking, Title IX and Sexual Misconduct, Managing Mental Health Situations, Crowd Management and Freedom of Assembly, Front-Line Leadership, and Firearms Training.

Personnel Updates / Staffing

Recruitment and Retention

The Fitchburg State University Police Department is once again experiencing challenges with recruitment and retention.

We are currently allocated for twenty-one (21) full-time sworn personnel, five (5) full-time civilian personnel and one (1) sworn reserve officer.

Of those full-time employees, we currently have three officers out on approved leaves of absence. Another recently resigned after accepting a promotion in rank for a Boston area institution, and two other employees are currently in the selection process for other positions.

Addressing recruitment and retention challenges requires thoughtful solutions. Compensation and benefits will always be important, but officer wellness programs, professional development opportunities, positive community engagement, and department culture have a significant role to play as well.

We are currently seeking qualified candidates for two open CPOI positions. First round interviews have already begun and we hope to have viable candidates begin an academy this spring.

Promotion of Richard Nelson

On November 10, 2024, Detective Sergeant Richard Nelson was promoted to the rank of Detective Lieutenant. Nelson has been a member of the department since July 6, 2020, after an accomplished municipal career in New Hampshire.

Detective Lieutenant Nelson has many complicated responsibilities, which include but are not limited to the mentorship of many of our officers and first-line supervisors; he serves as the primary investigator for all of our sexual assault investigations; he is our court officer and the primary point of contact for the Commonwealth Fusion Center and the New England State Police Information Network (NESPIN).

TECHNOLOGY

The Technology Department has had a strong start to the semester, maintaining seamless operations with no significant outages or disruptions. From a technology standpoint, classroom emergencies were minimal, and support ticket volumes remained consistent with expected levels.

We anticipated a rise in password and Multi-Factor Authentication (MFA) support requests due to last year's implementation of enhanced security protocols, including stronger password requirements and mandatory MFA for all faculty and staff software applications. While this did lead to a minimal increase in tickets, we proactively prepared by communicating these changes in advance to faculty, staff, and students. Additionally, we augmented Help Desk resources to ensure swift ticket resolution and minimize any inconvenience. These efforts have contributed to a smooth transition and reinforced our commitment to campus security and service excellence.

Personnel Changes

This year brought ongoing personnel shifts within the Technology Department as we adapt to the evolving landscape of technology jobs.

David Niemi's transition from Linux and Virtual Server Administrator to Assistant Director of Technology Services has strengthened the department's leadership. He continues to oversee Telecommunications, Networking, OneCard, User Services (Help Desk), and Audio/Visual services, bringing his technical expertise and commitment to service excellence to these critical areas.

We hired a new Linux and Virtual Server Administrator on July 1 to manage our extensive virtual server infrastructure, including the core Banner system. Unfortunately, the administrator resigned in late September for a fully remote, higher-paying role. Despite a thorough recruitment effort, the position remains open, highlighting a challenge we face in competing with private sector salaries and fully remote opportunities. David has taken on the Linux and virtual server responsibilities in addition to his Assistant Director role, maintaining continuity during this search.

These personnel adjustments reflect our ongoing efforts to meet the university's operational needs while navigating recruitment and retention challenges in a competitive technology job market.

Project Updates (September to December)

- **Technology Newsletter Launch**
To strengthen communication with the campus community, the department introduced a monthly technology newsletter. This initiative keeps faculty, staff, and students informed about departmental updates, upcoming changes, and available training opportunities.
- **Streamlined PC Deployment Process**
Efforts to optimize the PC deployment process for faculty and staff have progressed significantly. Key updates to the Microsoft Intune mobile device management system have reduced setup and wait times, improving the overall experience.
- **Open Office Hours for Technology Training**
The rebranded Technology Training Room now offers open office hours twice a week, allowing users to drop in at their convenience for personalized training and support.
- **Extron GlobalViewer Enterprise Implementation**
To expedite classroom issue resolution, the department is in the process of deploying Extron's GlobalViewer Enterprise software. This tool enables User Services to remotely access podium diagnostics, triage issues over the phone, and determine if on-site support is necessary—streamlining the troubleshooting process.
- **Townhouse 1 Network Closet Renovation**
The networking team is revamping the network infrastructure in Townhouse 1, replacing outdated racks and rerouting cables. This project addresses legacy wiring issues, enhancing both organization and connectivity.

- **Network Optimization Initiatives**

The Networking team has been diligently clearing old logs, DNS entries, and DHCP reservations while updating campus network topology maps to ensure a more efficient and accurate network structure.

- **Phone Firewall Upgrades**

The telecommunications team successfully upgraded two campus phone firewalls to resolve a Common Vulnerability and Exposure (CVE) notification. This proactive upgrade was completed without service disruptions, ensuring continued system security and reliability.

- **Google Workspace Storage Quotas**

To promote fiscal responsibility and optimize resource utilization, the Technology Department implemented Google Workspace storage quotas, setting limits of 50 GB for students and 100 GB for faculty and staff. This initiative effectively curbed rising cloud storage costs while ensuring continuity of service. Users exceeding these limits were grandfathered to avoid disruptions and encouraged to streamline their file usage. Remarkably, only 0.15% of students and 3% of faculty and staff were affected, highlighting the efficiency and minimal impact of this measure. The department will continue to review and adjust quotas annually to align with technological advancements and changing storage requirements.

- **Expanded Login Portal**

The Login Portal (login.fitchburgstate.edu) has been enhanced with additional applications for faculty, staff, and students. Featuring single sign-on (SSO) technology, the portal now provides seamless access to a broader range of tools, including the integration of Ellucian Banner Admin pages into the Microsoft SSO platform.

- **AFIS Hardware Installation**

The User Services team collaborated with the University Police Department to install an Automated Fingerprint Identification System (AFIS) at the University Police Department, enhancing their operational capabilities.

- **Lab and A/V Upgrades**

Execution of significant AV equipment upgrades across campus, including Weston Auditorium, Hammond, and the President's conference room.

New Initiatives and Challenges

VMware Depreciation of PCoIP Protocol

In light of Broadcom's acquisition of VMware and the associated significant increases in software licensing costs—both current and anticipated—we are undertaking a comprehensive reassessment of our Virtual Desktop infrastructure. A more immediate challenge stems from VMware's announcement that support for the PCoIP protocol, which powers over 600 thin client computers across campus, will end by 2026.

To address these challenges, we are evaluating class and lab requirements to determine the ideal number of devices, testing new hardware options, and exploring alternative software platforms to replace the current system. This process will also involve developing a sustainable long-term

strategy to ensure seamless support for campus hardware, with plans for a phased replacement of affected devices over the coming years.

This initiative is essential to sustaining reliable, efficient, and cost-effective virtual desktop services for our campus community.

Software Renewals and Cost Management

As software costs continue to rise without proportional increases in funding, the Technology Department has proactively implemented cost-saving strategies to maintain critical technology services without compromising functionality. These efforts focus on renegotiating contracts, discontinuing underutilized or redundant tools, and leveraging cost-effective alternatives or enhanced features within existing software.

Recent initiatives have yielded significant savings through thoughtful analysis and strategic decision-making:

- **Contract Optimization, Standardization, and Efficiency:**
 - The Ekahau Site Survey software for networking was not renewed, as other tools could effectively meet this need.
 - Maintenance for NetCobol, used by the Banner team, was eliminated.
 - The Technology Department Core Services team transitioned from SiteImprove to the more affordable Silktide platform, effective July 1, 2024, resulting in substantial cost reductions.
 - Transitioning to Microsoft's Single Sign-On (SSO) with Multi-Factor Authentication (MFA) reduced expenses by approximately \$10,000 annually, eliminating the need for Duo MFA on some applications.
 - Shuttle tracking services were optimized by moving from Double Map/TransLoc to Passio, leveraging MART's resources to eliminate equipment maintenance costs.
- **Resource Optimization:**
 - Aligning with Financial Sustainability Committee recommendations, the Mac refresh cycle was extended from three to four years, creating additional savings.
 - Adjustments to the university's internet contract and a new Ricoh multifunctional device lease have collectively generated approximately \$15,000 in annual savings.

These cost-saving measures are critical to offsetting increased costs for other essential products and services, ensuring that the department operates within budget constraints. By prioritizing strategic adjustments, the Technology Department remains committed to responsible financial stewardship while continuing to provide robust and reliable technology resources in support of the university's mission. These efforts aim to delay the need for budget increases for as long as possible, emphasizing sustainability and efficiency.

Security Enhancements and Updates: Annual Information Security Training

This year, the university implemented mandatory annual cybersecurity training for all employees in alignment with updated requirements. Specific agreements with the Massachusetts State College Association (MSCA) outline rigid timelines and communication protocols, as detailed in a recent Memorandum of Agreement (MOA). To comply, the Technology Department must adhere to strict notification procedures involving end-users, Human Resources, and management.

The training program officially launched in October, following a soft rollout in August. While the MSCA process is governed by its collective bargaining agreement, cybersecurity training is also mandated for employees covered under APA and AFSCME agreements. For these groups, the University employs a more straightforward compliance strategy, leveraging reminders and escalating warnings to ensure full participation. The overarching goal is to foster a culture of cybersecurity awareness across the campus community.

Previously, cybersecurity training was strongly encouraged but not mandatory. Despite this, most faculty, staff, and librarians voluntarily completed the training, demonstrating a commitment to security. As of this fiscal year, participation is now required for all faculty, staff, and librarians.

Training Progress Update:

As of November 15:

- 550 employees have completed the online training.
- 91 employees have attended in-person sessions.
- 175 employees remain to complete the training by the end of the calendar year.

The university remains committed to ensuring full compliance with the cybersecurity training program, enhancing the institution's overall security posture, and protecting sensitive data.

Written Information Security Program (WISP) Update

The Cabinet has approved the Written Information Security Program (WISP), marking a significant step in strengthening the university's data protection framework. The WISP establishes comprehensive administrative, technical, and physical safeguards to protect Restricted Institutional Data. It applies to all aspects of handling such data across various formats, ensuring alignment with university policies and compliance with applicable legal and regulatory standards. Additionally, the WISP serves as a foundation for developing targeted security plans to address specific legal and regulatory obligations related to the management and protection of Restricted Institutional Data.

COMMUNICATIONS AND PUBLIC AFFAIRS

With the fall semester in full swing, much of the communications and public affairs bandwidth revolved around promoting university programs and events.

News since October included President Hodge bringing students to a [conference](#) at the United Nations, promoting a faculty-authored open educational resources book that was a [finalist](#) for

national awards consideration, and promotion of university cultural events including the fall [theater production](#), [musical performances](#) and the Center for Italian Culture's [trivia night](#). These promotional pushes, which were also shared on social media, were designed to celebrate the university's role as a cultural hub for the community while also highlighting academic excellence.

This office also assisted in the development and execution of campus events, including the inaugural veterans [recognition](#) ceremony on Nov. 7 and the annual [Homecoming](#) celebration, including service to the planning committee.

Beyond news releases and media coordination, this office prepared articles for the university's digital magazine, including a lengthy roundup of the 2024 [inductees](#) to its Athletics Hall of Fame. Additional articles profiling individual alumni are in process.

Working in conjunction with the President's Office, this office has supported a variety of institutional projects and initiatives, including the organization of Presidential Fellows (from the faculty) and Presidential Ambassadors (composed of students). The interactions have included correspondence during the selection process and coordination of activities with members of the group.

In addition, this office continues to advise on a number of operational areas and assists in communicating updates to the Board of Trustees as well as campus constituencies. In this reporting period, that has included assisting with correspondence with students, alumni and parents on a variety of issues, with responses involving coordination with other campus offices and personnel.

This office also supports the university's emergency management functions. During this period, the team has met several times for planned discussions as well as an impromptu exercise that involved a potential situation near a campus facility. While the subsequent response yielded no cause for concern, the mobilization was an effective exercise of our systems and processes for planning and coordination among multiple partners.

In support of President Hodge's engagements with on- and off-campus constituencies, this office assisted with the development of background materials and talking points for various engagements and settings. The common theme was celebrating Fitchburg State's role in the community and the value of service it provides to students, alumni, and the economic and cultural well-being of the region and beyond.

As always, this office continues to process public records requests from external parties and compiles and coordinates delivery of email messages to varied campus audiences.

The office also supports the Marketing and Integrated Communications team in developing and reviewing content for publications and social media channels.

Notable media links:

- FSU's Kendrickken Lecture Series welcomes artist Georgie Friedman, Sentinel & Enterprise, Nov. 19, 2024:
<https://www.sentinelandenterprise.com/2024/11/19/fsus-kendrickken-lecture-series-welcomes-artist-georgie-friedman/>
- Fitchburg State Concert Band and Community Orchestra to perform Nov. 21, Sentinel & Enterprise, Nov. 14, 2024:
<https://www.sentinelandenterprise.com/2024/11/14/fitchburg-state-concert-band-and-community-orchestra-to-perform-nov-21/>
- FSU professor selected for Dept. Chair Leadership Institute in DC, Sentinel & Enterprise, Nov. 16, 2024:
<https://www.sentinelandenterprise.com/2024/11/16/fsu-professor-selected-for-dept-chair-leadership-institute-in-dc/>
- Bringing years of HSI experience to Fitchburg State, Hispanic Outlook, November 2024:
<https://www.hispanicoutlook.com/articles/bringing-years-of-hsi-experience-to-fitchburg-state>
- FSU Professor's book named finalist for national award, Sentinel & Enterprise, Oct. 21, 2024:
<https://www.sentinelandenterprise.com/2024/10/21/fsu-professors-book-named-finalist-for-national-award/>
- Center at Fitchburg State honors Italian culture, Telegram & Gazette, Oct. 20, 2024:
<https://www.telegram.com/story/opinion/columns/guest/2024/10/20/fitchburg-state-university-center-for-italian-culture-preserves-heritage>
- FSU President, Students take part in United Nations event, Sentinel & Enterprise, Oct. 18, 2024:
<https://www.sentinelandenterprise.com/2024/10/18/fsu-president-students-take-part-in-united-nations-event/>
- Wood sculptures of artist C.A. Stigliano featured in exhibit, Sentinel & Enterprise, Oct. 16, 2024:
<https://www.sentinelandenterprise.com/2024/10/16/wood-sculptures-of-artist-c-a-stigliano-featured-in-exhibit/>



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Donna Hodge, Ph.D.
 PRESIDENT

MEMO

TO: Dr. Michael Fiorentino, Jr. | Chair, Board of Trustees
 FROM: Dr. Donna Hodge | President
 RE: Sabbatical Leave Requests, AY2025-2026
 DATE: November 14, 2024

The following faculty have submitted requests for sabbatical leaves. I have reviewed and approved the requests on the basis of the academic quality in their proposals. Per our discussion, November 12, 2024, I have made these approvals under the authority delegated by the Board of Trustees, confirmed by you, in your role as Chairman. These approved sabbatical request summaries will be included in my President’s report on December 12, 2024 and will require no additional action.

Next steps: courses typically taught by these faculty will be covered while they are on sabbatical in one of the following three ways: 1) other full-time faculty will teach some of the courses, 2) some of the courses will not be offered during the sabbatical semester, and 3) adjunct faculty will be hired to teach some of the courses. Under the supervision of the provost, deans will work with department chairs to prioritize coverage through options 1 and 2 to minimize the number of adjunct hires. It is anticipated that between 43-45 sections will require adjunct faculty.

Fall Semester 2025 —09/01/25-01/13/26

Lillian Bobea	Behavioral Sciences
Randy Howe	Communications Media
Rachelle Dermer	Communications Media
Monica Maldari	Exercise and Sports Science
Rala Diakité	Humanities
David Svolba	Humanities
Asher Jackson	Library

Spring Semester 2026—01/14/26-05/31/26

Richard Wiebe	Behavioral Sciences
Patricia Arend	Behavioral Sciences
Sean Rollins	Biology/Chemistry
Mary Vreeland	Communications Media
Laura Baker	Economics, History, and Political Science
Ben Railton	English Studies
Jason Talanian	Exercise and Sports Science
Sarah Bromberg	Humanities
Sherry Packard	Library
Gerry Higdon	Mathematics
Melissa Dunn	Nursing
Nellipher Lewis Mchenga	Nursing

Full Year—09/01/25-05/31/26

Katherine Jewell	Economics, History, and Political Science
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While the proposals in their entirety are attached, please find a brief description from the faculty member for each proposal below:

Fall 2025

Lillian Bobea

Behavioral Sciences

My proposed sabbatical program of study moves forward with work I have been doing over the past several years studying police reform initiatives in Latin America, Europe, and the United States. These reform efforts fall into two tendencies: one that favors greater centralization of command, with increasing national control, administered through a more vertical structure (Scotland, the Netherlands, Dominican Republic, Colombia); while the other tilts toward decentralization of national police forces, which increasingly transfer budgetary and command control to local police (Mexico, United States, and Argentina). The critical problem I will examine is the way that democratic police reforms can be achieved within centralized or decentralized structures. I will elucidate the viability, scope, and relevance of police reform initiatives in these contrasting institutional contexts, by exploring the advantages and challenges presented to reform efforts by each structure. In addition to contributing to the advance of scholarship, this program of study will provide the basics for a course on Comparative Policing currently under development, and intended for AUC approval in AY 2026-27, with real benefits to our CJ and Police Program students.

Randy Howe

Communications Media

At a minimum, my sabbatical goal is to take my previous work, with additional research, to write up to five chapters of a book, maybe more, if possible, that is relevant to the course *Information Design*. My specific plan at this point is to write chapters to cover 1) the role of truth in data graphics, 2) the visual literacy of the person perceiving a data graphic, 3) the development of wearables in lieu of the human condition, 4) the relationship of media to the human need for getting things done, and 5) the human capacity for linear and non-linear thinking. An additional goal is to undergo some professional development vis-a-vis LinkedIn Learning modules and video that I have access to, to enhance my instruction, looking specifically at data visualization tools and software. Lastly, I will spend some time looking into how our Communications Media majors, specifically in the concentration *Public Relations, Social Media and Advertising* and its required course *Communicating Project Design*, can set-up shop as freelancers in an effort to offer this population my support.

Rachelle Dermer

Communications Media

I will spend my sabbatical semester working on two projects: a feature-length screenplay and a textbook for pre-production. Writing the feature supports and informs my work with students writing screenplays. Given the expense of textbooks and the lack of a good pre-production textbook, I will use materials I have created and Open Educational Resources (OER) to produce a textbook for my pre-production course (COMM 3506), which will also serve as a handbook for pre-production. I will publish this text as an Open Educational Resource (OER) text.

Monica Maldari

Exercise and Sports Science

My proposed activity during the sabbatical is to enroll in an immersive 4-week Italian language program in Italy. My goal is to improve my Italian language skills so that I can better communicate during my faculty-led study abroad program in Verona, Italy. I plan on traveling in the off season to reduce expenses and I will apply for funding from the Amelia V. Gallucci-Cirio Faculty Development and the MSCA Professional Development Funds. I will cover any other costs personally. Should something out of my control happen and travel is not possible, I can participate in these classes synchronously online. I believe that this effort will greatly improve my confidence in speaking Italian which will allow me to better assist students while traveling.

Rala Diakité

Humanities

For my sabbatical semester, I propose to continue work on a project which involves the translation (with preface, annotations and index) from Italian into English of a fourteenth-century Florentine chronicle by Giovanni Villani. In collaboration with Dr. Matthew Sneider, of UMass Dartmouth, I have published two volumes of the chronicle - The Eleventh and Twelfth Books of Giovanni Villani's New Chronicle (2016) and The Final Book of Giovanni Villani's New Chronicle (2022). For this current project, I will be preparing books one through eight of the Nuova Cronica for publication, as the third volume in a four-volume series.

David Svolba

Humanities

My plan is to write an open access textbook for use in undergraduate medical ethics courses. The book's provisional title is *Medical Ethics: A Guide for Students*. It will be written in a conversational, jargon-free style that is especially well-suited to students taking their first ethics or philosophy course.

Asher Jackson

Library I will

be engaging in a research project that involves gathering and analyzing data sets related to e-book collections owned by the library.

The aim of the project will be to determine the efficacy, from the perspectives of both cost and use, of the library's Data Driven Acquisition (DDA) and Evidence-Based Acquisition (EBA) databases. My work will result in a substantial report that could be used by the library as a baseline for future collections analysis and collection development projects.

SPRING 2026

Richard Wiebe

Behavioral Sciences

For my sabbatical, I intend to complete a book about crime prevention. It has two major themes. Its first theme is a commitment to an integrative and biosocial approach, acknowledging that no single factor or theory can explain criminal offending, and that each person's path to delinquency and crime is unique. Its second theme is radical empathy – a commitment to our common humanity, to the idea that, as Phil Ochs sang, “There, but for fortune, may go you or I.” It focuses on helping individuals pursuing an antisocial adaptive strategy to reach the tipping point towards a prosocial strategy. However, people will be far more likely to commit to prosociality if they perceive, and receive, genuine support from society – a society that stands to benefit from their successful rehabilitation.

Patricia Arend

Behavioral Sciences

During the sabbatical leave I aim to write full time and complete three chapters of my book manuscript, *White Weddings: Fantasy, Femininity, and Consumer Desire*. Leading up to this period I should be able to update and finish analysis on my data set based on qualitative interviews with women about their desires for and thoughts about weddings. The point of the research is to contribute to our understanding of the role of consumer culture in the reproduction of the cultural dominance of white weddings from the demand side of the equation.

Sean Rollins

Biology/Chemistry

The goal of this sabbatical project is to utilize our newly-purchased (from our Mass Life Science's Grant) Next-Generation Sequencer to identify and characterize microbial contaminants isolated from COVID-era face masks. This is a project that is both IRB and IBC approved. Students from my microbiology courses from 2020-2022 isolated a microorganism from their own personal face masks during the COVID pandemic. Preliminary analysis of these isolates has been performed, identifying two known pathogens, *Staphylococcus aureus* and *Bacillus cereus*. These initial data were presented at the American Society of Microbiology's Conference on Undergraduate Education. During my sabbatical, I would like to sequence these organisms using our new NGS machine and use bioinformatic tools to continue to analyze the data.

Mary Vreeland

Communications Media

For my proposed sabbatical during the spring of 2026, I will research the cognitive and physical benefits of Hydrotherapies as a subset of Expressive Arts Therapies and their impact on creativity and artistic expression. I wish to research these therapeutic procedures and benefits because I believe they will not only have a positive influence on the student artists I currently serve in the Communications Media but also on the students now entering the two new majors in Humanities: Creative Arts Enterprise and Creative Arts Therapies.

Laura Baker

Economics, History, and Political Science

The sabbatical proposal focuses on issues of accessibility, inclusion, and engagement in teaching and research. She aims to redesign a course using OER and prepare an article for publication on the experience, continue research on a local oral history collection, and incorporate AI into her teaching and research methods courses. Her goal is to create more inclusive and accessible learning experiences for students while advancing her own research and pedagogical skills.

Ben Railton

English Studies

In my proposed Spring 2026 sabbatical, I will be working to research, write, and publish my 7th book, *The Celestials' Last Game: Baseball, Bigotry, and the Battle for America*, expanding the work I did on this project for my public scholarly podcast in Fall 2024. I will also begin work on a follow-up second season to that podcast that would expand and deepen that project's focus on baseball and sports histories in America.

Jason Talanian

Exercise and Sports Science

Sabbatical time will primarily be spent on two projects. The first project is writing and submitting a manuscript for publication in a peer-reviewed journal. Students and I have already collected data on over 100 participants from the university and community. The second project is to revise my Nutrition in Exercise and Sports course. The goal is to prepare specific topics of metabolism into stories that incorporate decades of research into some of the common conclusions and mis-conclusions we have today. In addition, other in-class projects will be developed.

Sarah Bromberg**Humanities**

I will work on my book project, *Jewish Art and Exegesis for Christian Eyes: The Reception of Nicholas of Lyra's Illustrated Biblical Commentary (1335-c. 1800)*. I have already drafted five chapters in rough form, and will revise them. I will use the time to do on-site research at Houghton Library in Cambridge, MA. I will apply for funding to travel to Oxford University in England, where additional sources are held. I will also revise and develop the chapters that are written; thus, much writing can be done locally. This continues work that I began with an FSU Special Projects Grant, a Medieval Academy of America grant, a previous postdoctoral fellowship, and my dissertation. This also builds upon work that I have presented at two FSU Development Day Research Symposiums. As an Art Historian at FSU, who specializes in medieval and Renaissance visual culture, this will help advance my goal of publishing this book. It is essential to for an art historian to produce original research and undergo the writing/revision process in order to continue to teach students how to produce original ideas, and continuously revise their own ideas and writing.

Sherry Packard**Library**

The project I have chosen to focus on is a comprehensive revision of our training program for student employees in support of neurodiverse patrons. The training program was initially developed to provide our student employees with communication strategies specifically for assisting patrons on the autism spectrum. However, through our research and implementation, we discovered that these strategies are beneficial to a broader range of neurodiverse students and even neurotypical individuals who may experience anxiety or social challenges. The goal of this sabbatical is to update and enhance our training modules to reflect these insights and to create best practices relevant to the behaviors and situations our student employees are most likely to encounter. Additionally, I plan to conduct further research into the latest developments in neurodiversity support to ensure our training is as effective and relevant as possible.

Gerald Higdon**Mathematics**

This program is to study and research the concept of generating functions and exponential generating functions and to prepare a year-long colloquium series to be presented during both semesters of the academic year 2026/2027. The project would span at least three 50-75 minute presentations, designed to be accessible to members of the Mathematics Department, as well as junior and senior mathematics majors from local colleges and universities.

Melissa Dunn**Nursing**

This research aims to explore and evaluate the impact of training at the North Central Free Medical Program (NCFMP) on the knowledge of nursing and medical students regarding the care of medically underserved populations. The NCFMP, a free medical clinic operated by the Fitchburg Department of Public Health, began its services in September 2024. The clinic addresses the healthcare needs of medically underserved individuals and families within the Fitchburg community. Nursing students from Fitchburg State University, alongside medical students from UMass Chan Medical School, will participate in training at the clinic. Preparing healthcare providers to competently care for marginalized populations is essential for reducing barriers to care and improving health outcomes.

Nellipher Lewis Mchenga**Nursing**

In reflecting on my professional journey since graduation, I've noticed a gradual decline in critical skills like statistical analysis, grant writing, and clinical competencies—skills essential to both my role and the goals of our institution. To address this, I am proposing a sabbatical to focus on revitalizing these areas through structured learning programs, including free courses on platforms like Coursera. This will enable me to enhance my research, increase grant success, and stay current in clinical best practices, ultimately benefiting my students and the institution. Additionally, I am motivated to give back by volunteering at a hospital in Malawi, where the healthcare system is severely stretched. This hands-on experience will not only allow me to support an underserved community but also help me stay current with my clinical skills. By directly engaging in patient care, I will be able to bring fresh, real-world experience into the classroom, enhancing my ability to mentor and guide future nurses. By combining updated skills with global healthcare insights, I aim to improve my teaching, research, and mentoring, while addressing critical healthcare needs both locally and internationally.

FULL 2025-2026**Katharine Jewell****Economics, History, and Political Science**

During the 2025-26 academic year, Dr. Jewell will develop a project currently titled “Islands of Authenticity: Free Speech, Media, and Universities in the Public Sphere since the 1960s.” College radio intersects with histories of media, U.S. politics, and higher education. Recently, digital streaming seems to displace college radio, known by the 1980s for musical influence: that is, until 2024's campus protests regarding the war in Gaza. Amateur journalists broadcasting from occupied zones reinvigorated civic appreciation for student radio. Yet signals' origins in the 1960s amid protests challenging the insular ivory

tower remain largely untold, a gap this project fills. It complicates narratives about campus controversies that rise to congressional hearings, regulatory scrutiny, or culture warriors' scorn. While radio historians confront the ephemeral nature of their sources, college radio stations at institutions with archival repositories are richly documented, if rarely studied. Nonetheless, their history elucidates past and contemporary challenges facing media-and campuses. More than unearthing college radio's origin story, this work defines and clarifies radio's uses and provides historically informed models for democratic media.

Coversheet

Chief of Police, Michael Cloutier: Annual Fire & Safety Report

Section: IV. President's Report
Item: B. Chief of Police, Michael Cloutier: Annual Fire & Safety Report
Purpose:
Submitted by:
Related Material: BOT December 2024 Meeting - FSUPD.pdf
2024 FSU ASR_Clery Report.pdf

Clery Compliance & Campus Safety Overview

Board of Trustees Meeting
December 12, 2024

Objectives

- Provide an overview of the Clery Act
 - Including data from our 2024 Annual Security Report
- Share general information about campus safety

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Clery Act

What is the *Clery Act*?

Jeanne Ann Clery



- Raped and murdered in 1986 in her residence hall
 - Perpetrator was another student she did not know
- Led to national awareness of campus crime
- Federal Jeanne Clery Act

The Clery Act is a consumer protection law that aims to provide transparency around:

- 1) Campus crime,
- 2) Policy, and
- 3) Statistics.

Three Key Components

The Clery Act is a federal law requiring all universities and colleges receiving federal student financial aid programs to:

1. Report crime statistics
2. Alert the campus community of imminent dangers
3. Distribute an Annual Campus Security Report (ASR) to current and prospective students and employees.

1) Report Crime Statistics



Fitchburg State University's Daily Crime & Fire Log

May-24

Nature (classification)	Case Number	Date/Time Reported	Date/Time Occurred	General Location	On Campus	Disposition
Vandalize Property	24-213-OF	5/1/24 14:13	5/1/24 14:13	Hammond	Y	Pending
Vandalize Property	24-225-OF	5/5/24 15:01	5/5/24 1445	Aubuchon	Y	Pending
B&E vehicle	24-241-OF	5/15/24 2:19	05/15/2024 1:21	Simonds	Y	Open
Trespass	24-243-OF	5/16/24 3:09	5/16/24 3:09	Simonds	Y	Closed
Trespass after notice	24-246-OF	5/17/24 0:44	5/17/24 0:05	Lower Cedar St Lot	Y	Closed
Trespass after notice	24-249-OF	5/17/24 7:50	5/17/24 7:00	Simonds	Y	Closed
Warrant Arrest	24-40-AR	5/21/2024 1:05	5/21/01:35	Congress St.	N	Closed
Trespass after notice	24-41-AR	5/22/24 23:44	5/22/24 23:44	Simonds	Y	Closed

Crime Statistics

2023, 2022, and 2021

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offense
		On-Campus Student Housing	On-Campus Total			
Murder by Non-negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	3	4	0	0	4
	2022	2	2	0	0	2
	2021	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	1	2	0	0	2
	2021	1	1	0	0	1
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	1	1
	2022	0	0	0	0	0
	2021	0	0	0	1	1
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	2	0	2
Motor Vehicle Theft	2023	0	1	0	0	1
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

2) Alert the campus community of imminent dangers

Emergency Notification and Timely Warnings: Sorting Out the Differences

Emergency Notification

Scope: Wide focus on any significant emergency or dangerous situation (may include *Clery Act* crimes).

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

Where: Applies to situations that occur on your campus.

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

Timely Warning

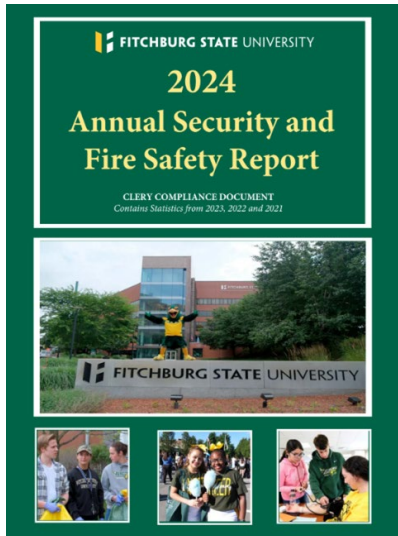
Scope: Narrow focus on *Clery Act* crimes.

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

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

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

3) Annual Security and Fire Safety Report



Fitchburg State University
Annual Security and Fire Safety Report

A MESSAGE FROM THE FITCHBURG STATE UNIVERSITY PRESIDENT



At Fitchburg State University, we believe that creating and sustaining a safe and healthy campus community is a shared responsibility. Whatever one's role on campus, we all have a part to play in remaining vigilant and working with our campus partners to foster an environment where all can thrive.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, the university publishes this report each year to provide students, faculty, librarians, and staff with an overview of our crime statistics, public safety resources, policies and procedures.

The statistics included in this report are gathered from sources including local law enforcement as well as campus officials with significant responsibility for student and campus activities. The data they describe are reported to the U.S. Department of Education, where they are compiled into a searchable database that can be found at ope.ed.gov/campusafety.

We embrace the spirit of transparency called for in the Clery Act, and take seriously its required protocols for emergency response procedures, timely notifications for on-campus crimes, missing students, fire incident reporting, and more.

We pursue our shared objectives for campus safety through a coordinated approach involving a number of campus offices and administrators, and by engaging with public safety professionals in our city and region. This report will describe the work that is taking place, and I invite you to learn more about our efforts and what we all can do to support them.

Sincerely,

Donna Hodge, Ph.D.

President

Campus Safety

Campus Safety

Campus safety involves the **protocols** developed by an institution to increase on-campus safety and prevent crime.

Campus Safety Procedures



These procedures (or policies) may include;

- *Security cameras,*
- *Emergency blue light phones,*
- *Mobile safety apps.,*
- *Police officers or security personnel who patrol the campus,*
- *Safety programming, and*
- *Mass notification systems*



Prevention & Awareness Programs

- Many of our **Campus Partners** provide prevention and awareness programs that address the following topics:
 - Sexual Violence
 - Domestic Violence
 - Dating Violence
 - Stalking
 - Substance Abuse
 - Mental wellness



SUICIDE PREVENTION



Emergency Management Team



- **University Police Department**
- **Information Technology**
- **Capital Planning & Maintenance**
- **Counseling Services**
- **Dean of Students**
- *Health Services (CHC)*
- *Fitchburg Police Department*
- *Fitchburg Fire Department*
- *Fitchburg Emergency Management Agency*
- *MEMA*
- **Academic Affairs**
- **Student Affairs**
- **Athletics**
- **Housing & Residential Services**
- **Food Services**
- **Finance & Administration**
- **Human Resources**
- **International Office**
- **Public Relations**
- **Title IX**
- **Disability Services**

UPDs Approach to Campus Safety





Meeting Students where they are...

These programs bring police officers and the community members they serve together, to discuss issues and build relationships by learning more about one another.



Cookies with Cops



What is the goal of community engagement?

- Engaging with community members strengthens your relationships in the community by **building personal connections and making citizens feel heard.**
- Prioritizing proactive communication with citizens **shows them your department cares** and wants to keep them informed, which helps give community members peace of mind.
- This **improves public trust and citizens satisfaction with law enforcement.**

Why is the connection so import?

Personal Safety Courses

1. Campus Safety Overview
2. CPR & First Aid
3. Self-Defense Workshop
4. Behavioral Observation
5. De-Escalation
6. CRASE
7. Until Help Arrives
8. After the Fire



**PERSONAL
SAFETY**

Thank you

 FITCHBURG STATE UNIVERSITY

2024 Annual Security and Fire Safety Report

CLERY COMPLIANCE DOCUMENT
Contains Statistics from 2023, 2022 and 2021



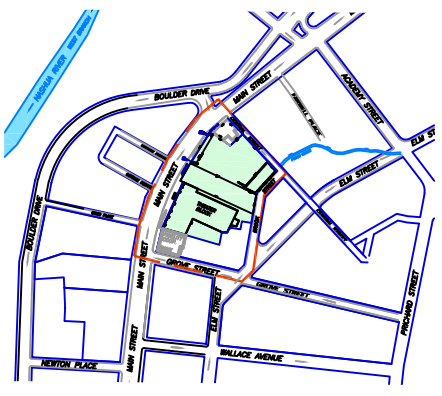
FITCHBURG STATE UNIVERSITY

CAPITAL PLANNING DIVISION
 160 PEARL STREET, FITCHBURG MA 01420
 PHONE: 978-665-3115 FAX: 978-665-3682

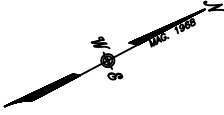
CLERY PLAN - SOUTH CAMPUS

DATE: MAY 22, 2020
 DRAWN BY: H.E.M.

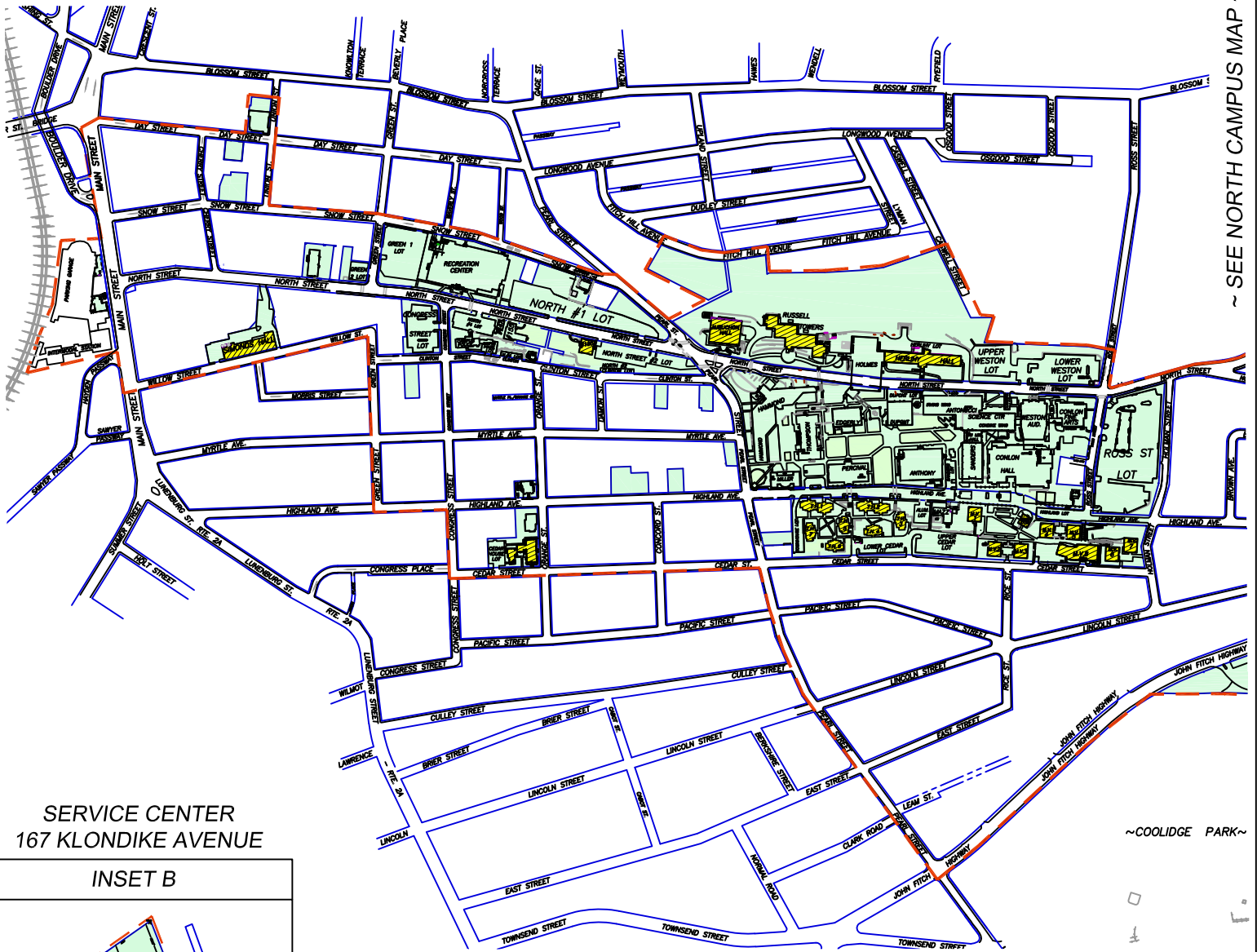
APPROVED BY: PK/MC
 DWG FILE: FSUDIGSAFE



INSET A



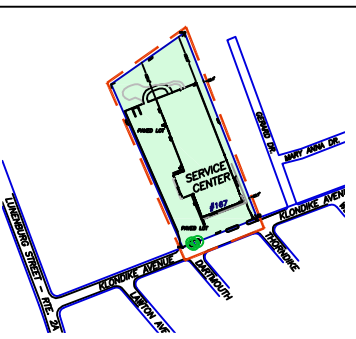
THEATER BLOCK
 MAIN STREET, CENTRAL STREET,
 BROOK STREET, GROVE STREET



~ SEE NORTH CAMPUS MAP ~

SERVICE CENTER
 167 KLONDIKE AVENUE

INSET B



LEGEND

- FSU PROPERTY
- ON-CAMPUS HOUSING
- PATROL AREA BOUNDARY



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A MESSAGE FROM THE FITCBURG STATE UNIVERSITY PRESIDENT



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Sincerely,

A handwritten signature in black ink that reads "Donna Hodge".

Donna Hodge, Ph.D.

President



INTRODUCTION

The information in this report is provided as part of Fitchburg State University's commitment to campus safety. It complies with the requirements of The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), The Higher Education Act of 1965 (HEA), and Massachusetts General Law Chapter 6 § 168C.

Beyond the statutory requirements of this report, it is designed to provide a better understanding of the steps the university and its partners have taken to contribute to the safety of this institution.

This report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings, on property owned or controlled by the University, and on public property within, or immediately adjacent to and accessible from the campus. The statistics encompass campus crimes, arrests, and referrals are collected from the Fitchburg State University Police Department, Campus Security Authorities, and local law enforcement agencies.

This report also includes institutional policies as they relate to campus security; policies regarding alcohol and drug use, crime prevention, the reporting of crimes, sexual violence, fire safety, and other matters.

At the beginning of each calendar year, the University Police Department begins the process of collecting the required data, statistics, and policy statements from various internal and external entities, with the assistance of the University's Clery Compliance Working Group.

This includes verifying any change in property ownership by the university, university policies and programs. The information obtained is used to complete this Annual Security Report.

Before publication, the University Police Department verifies that this report meets the Federal requirements of the Clery Act and state laws and that all updated policies are properly reflected.

Each year, an email notification is sent to all enrolled students, faculty, and staff, which provides information on how to access the Annual Security Report online.

As all students and employees receive this publication, all content and resources contained within it are considered "provided in writing", where applicable requirements apply.

Questions regarding the information contained in this report may be addressed to:

Rebecca H. Newell, Title IX Coordinator & EO Officer
Rnewell7@fitchburgstate.edu

Michael J. Cloutier, Chief of University Police
mclouti4@fitchburgstate.edu

Phillip Karampatsos, Lieutenant
pkarampa@fitchburgstate.edu

Hard copies of this report may be obtained at the following locations or by request:

Office of the President, located in the Sanders Administration Building, Room 211
Admissions, located in the Anthony Student Service Center, Room 102
Human Resources, located in the Sanders Administration Building, Room 202
Student Affairs, located in the Sanders Administration Building, Room 204
Fitchburg State University Police Department, Public Lobby



SECURITY AND ACCESS

Access to Campus Facilities and Residence Halls

During normal business hours, the campus' academic and administrative buildings are open and accessible to the public for studying, working, teaching, and conducting University business. Each academic building has established its hours based on the needs of specific academic or administrative departments. Academic and administrative buildings are patrolled by the University Police Department.

The Fitchburg State University Police Department's Communication Center can monitor entry into most residence halls via the university's alarm monitoring and electronic access control system, and in many locations, the university's security cameras. Through the communication center, dispatchers can monitor which University Identification Card (One Card) has been granted or denied access and whether an entryway has been held open. Personnel are then dispatched or the Office of Housing and Residential Services is contacted to address any concerns. The entrances to our residence halls are secured 24 hours a day. Guests of resident students must be signed in and escorted by their hosts at all times.

Statement of Policy for Addressing Safety and Security in Residence Halls

The Fitchburg State University Police Department, and the Department of Housing & Residential Services, work collaboratively to ensure safety and security within the residence halls. The Housing Liaison Program illustrates this collaboration. The Housing Liaison Program is overseen by the Fitchburg State University Police Department, to meet the needs of the individual residence halls and our residential students. This program goes beyond mere police presence in the residence halls;

Officers from the Fitchburg State University Police Department meet regularly with Housing Staff and periodically with students, to discuss issues or concerns. Officers also participate in housing-sponsored events, which allows students an opportunity to interact with officers. This helps to build positive relationships between students and officers.

Each residence hall or residential area has a designated Housing and Residential Service member to assist students and respond to a wide variety of housing-related concerns.

Area Coordinators, Graduate Assistant Resident Directors, and Live-in Student Staff receive comprehensive training before the beginning of each academic year. This training includes protocols for responding to various types of emergencies, such as; medical issues, fire alarms and building evacuations, sexual violence, vandalism, substance abuse, and disruptive behavior.

Members of the professional staff are available to assist students during normal business hours. After business hours and weekends, live-in student staff provide support to residents in their respective areas.

Students access their rooms by using their university-issued identification (One Card). Resident students are prohibited from propping residence hall entrance doors in an open position, disabling, or tampering with any fire or security system devices. Tampering with, or disabling, any security device or system is not only unsafe for the entire University community but could also lead to criminal charges and/or campus disciplinary action.

Off-Campus Housing

Fitchburg State University does not have officially recognized student organizations that own or control housing facilities inside or outside of Fitchburg State University's core campus. However, the City of Fitchburg Police Department responds to and keeps a record of criminal activity within the city. The



city police department works closely with the university police department, to refer students who may violate the university's Good Neighbor Policy or other violations of the University's Code of Conduct. All crime statistics, and reports of crimes that occur adjacent to the campus, are collected from the local police (City of Fitchburg). Students who choose to live off-campus may do so; however, rental properties are not controlled, maintained, or monitored by the University.

Fitchburg State University also does not own, sponsor, or recommend the suitability of any off-campus housing. Students seeking off-campus housing are cautioned to check thoroughly with local police and the property owner of any rental property about the incidence of crime in the area. It is also important to check for adequate safety devices in any building or apartment before signing any lease agreement.

To access the City of Fitchburg data through their Police Department, one can visit their website at <http://www.fitchburgpolice.com>.

Maintenance of Campus Facilities

The University Police Department works closely with Capital Planning and Maintenance, Housing & Residential Services, and the OneCard Office to enhance the security of campus facilities utilizing a

card access system and secondary locking devices. These systems help ensure that faculty, staff, and students with the proper authorization, are granted access to University resources after established business hours.

Additionally, members of the University's Student Security Team, under the supervision of the University Police Department, conduct a monthly survey of campus exterior lighting and emergency call boxes, to ensure they are in proper working order. Lights and call boxes, found to be defective, or in need of repair, are reported to Capital Planning and Maintenance and/or the Technology Office for remedy.

Any member of the university community who wishes to request maintenance service in their room or area should submit a work order online through the University Work Request system, which can be found on the Capital Planning and Maintenance website:

<https://www.fitchburgstate.edu/about/campus-planning-and-policies/capital-planning-and-maintenance>

All members of the community are encouraged to report any concerns or hazards to either Capital Planning and Maintenance or the University Police Department.



LAW ENFORCEMENT AND JURISDICTION

The Fitchburg State University Police Department (UPD) consists of twenty-one sworn police officers whose mission is "... to reduce the incidence and fear of crime, to partner with the community to solve problems, to enhance public safety in a manner that is reasonable, unbiased, and transparent, to support students in their development and academic endeavors, and to be a collaborative resource for faculty, staff, and students."

UPD strives to provide exemplary community-oriented policing services by creating partnerships and problem-solving strategies that promote the safety, security, and well-being of the campus community.

Members of the University's Police Department are graduates of a Massachusetts Police Academy, operated and/or sanctioned by the Municipal Police Training Committee (M.P.T.C.). In addition, each officer receives annual in-service training, as required by the M.P.T.C., as well as specialized training regarding current issues in law enforcement.

Officers are appointed as Special State Police Officers (SSPOs) under MGL: Ch.22c §63 granting all UPD Officers the power to exercise law enforcement authority (enforcement of state and local laws), including detentions, arrests, and searches; concerning any criminal offense; occurring in or on buildings, structures, facilities, lands, or roads; owned, occupied or used by the university.

All Fitchburg State University Police Department sworn members are certified by the Massachusetts Police Officer Standards and Training Commission.

The jurisdiction of the University Police Department is not confined to the property owned by the university but extends to the curtilage of the campus when special

vigilance is required on behalf of the university. This means that officers may take proactive steps to protect the university and those conducting business in the area immediately surrounding the campus, often referred to as the university's 'patrol area.'

Authority to Arrest & Relationship with Local Law Enforcement

The Fitchburg State University Police Department is the primary law enforcement agency for Fitchburg State University. Since Fitchburg State University is located within the city of Fitchburg, Massachusetts, the local police department (City of Fitchburg) and the Massachusetts State Police may at times assist the university, as well as, conduct law enforcement activities separate from the University Police Department within the boundaries of the University's property.

The three agencies, the Fitchburg State University Police Department, the City of Fitchburg Police Department, and the Massachusetts State Police maintain a collaborative relationship. Information is routinely shared between these agencies, which also work together throughout the year.

The University Police Department conducts its own investigations, arrests, and bookings. However, a memorandum is in place for the University to utilize either the City of Fitchburg Police Department or the local State Police barracks to hold arrested individuals.

A Memorandum of Understanding between the Fitchburg State University Police Department and the Fitchburg Police Department is in place to establish, promote, and maintain a continued, harmonious working relationship and cooperative effort between both agencies. The Memorandum of Understanding addresses the investigation of criminal incidents between FSUPD and the local police department, highlighting that each department holds the legal authority to investigate crimes in their respective



jurisdiction, and will assist the other as necessary. Sworn member of the University's Police Department are also sworn in as a "City Special Officer", for the City of Fitchburg, allowing FSUPD officers to assist the City when called upon.

This Memorandum of Understanding also identifies each entity's roles and responsibilities regarding preventing and responding to incidents of on and off-campus sexual misconduct, as outlined in M.G.L. c. 6, § 168E(c), and the Department of Higher Education's role in implementing that requirement; as well as a standard procedure for handling incidents and reports of sexual assaults and issuing Timely Warnings and Emergency Notifications.

Some students choose to live off-campus in the neighborhood immediately adjacent to campus perimeter. The properties rented by students are not owned by the university, nor are they owned or maintained by any organization or groups associated with the university. Due to the proximity of these properties, the area is routinely patrolled by the University Police Department. The University Police Department, together with the City of Fitchburg Police Department and other departments of the city, helps to ensure students living in privately owned off-campus properties adhere to the University's Good Neighbor Policy, which governs student behavior both on and off-campus.

REPORTING

Fitchburg State University encourages accurate and prompt reporting of crimes to the University Police Department and local police when the victim of a crime elects to or is unable to make such a report. Crimes that occur off-campus, should be reported to the city police department; however, one may also report such instances to the University Police. The University Police Department will take basic information before transferring the call to the department of jurisdiction. This allows the University Police Department to be

aware of the incident, assist in the determination of a Timely Warning Notification, as well as assist in rendering aid if the matter is of urgent concern.

Response to Reports

Fitchburg State University Police officers will respond to all requests for service and are the investigating authority for all crimes unless otherwise specified by statute, that occur on Fitchburg State University property. In instances where an incident is not a crime, but has been deemed a violation of the University Code of Conduct, or is deemed a Discrimination or Title IX matter, the University Police Department may refer the report to the appropriate office or jurisdiction for review or disciplinary action. Although incidents may also be brought to the University Police Department's attention for further investigation through the filing of an incident report through other university departments, it is always best to contact the University Police Department directly for a prompt response and investigation when the matter constitutes a crime.

To report a crime or an emergency to the University Police Department, the following methods can be utilized:

- From an on-campus phone, dial extension **3111**.
- From outside the University telephone system, dial **978-665-3111**.
- If using a cellular telephone, please remember that calling **911** will reach the City of Fitchburg Police Department, which would then transfer the call to the Fitchburg State University Police Department.
- Reports can be filed anonymously at: <https://www.fitchburgstate.edu/offices-services-directory/campus-police/anonymous-witness-form/>
- By pressing the red "Call" button on any of the over, 60 emergency call boxes located at strategic points throughout campus.



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

- Clearly identify themselves;
- State their location;
- Briefly state the nature of the emergency or crime that has occurred.

If possible, callers are asked to stay on the line unless otherwise advised by the dispatcher. If assistance is required from off-campus, the dispatcher will summon the appropriate police, fire, and/or medical service.

CAMPUS SECURITY AUTHORITY (C.S.A.)

Per the Clery Act, certain Fitchburg State University employees are designated as Campus Security Authorities. The term "Campus Security Authority" is defined as:

- A campus (university) police department or a campus security department of an institution;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus (university) police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property);
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
- 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. An official is defined as any person who has the authority and the duty to act or respond to particular issues on behalf of the institution. For example, staff responsible for campus student and

family housing, a student center, or student extra-curricular activities; a director of athletics, coaches, and trainers, faculty advisors to student groups, staff responsible for student discipline, and campus judicial staff.

Those deemed to be Campus Security Authorities by Fitchburg State University, under the Clery Act, receive annual training by the University. This training includes the role of a C.S.A., C.S.A. responsibilities, how to report crimes, and to whom a report should be submitted. A list of on-campus and off-campus resources is also provided as part of the training so C.S.A.s can assist those who disclose crimes to them.

All data collected by University's C.S.A.s, except for University Police, are collected through the University's incident reporting system and the Office of Student Affairs. Data are then reported to the Fitchburg State University Police Department, to be included in the Crime Statistics, as part of the Annual Security Report. C.S.A.s may also file a report anytime directly to the University Police Department through the department's Campus Security Authority Incident Report form.

Campus Security Authority (CSA) Incident Report Form:

<https://www.fitchburgstate.edu/student-support/office-student-affairs/student-conduct-and-case-management>

C.S.A.s should refer to the following when reporting crimes:

- If the reported incident constitutes a threat to the safety of the university community, C.S.A.s should immediately call **911** or **978-665-3111** to connect directly with the Fitchburg State University Police Department.
- Confidential and anonymous reports to a C.S.A. reports are accepted. However, if the reporting party is a survivor of a sex offense, they must also report the crime



directly to the University Police Department or the Title IX Coordinator.

- A Confidential Report is one where the identity of the reporter is not made known to personnel beyond the official receiving the report.
- An Anonymous Report means that the identity of the person making the report isn't known to any campus official.
- While secondhand (third-party) reports are inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential for duplication of reported incidents shall not be a factor in determining whether or not a report is taken.
- Clery Act reporting, via the C.S.A. Incident Report form, does not replace or change any existing reporting requirements or procedures for disciplinary referrals or misconduct.
- Hate Crimes present a special reporting challenge. C.S.A. must report any suspected hate crime occurrence and the related category of prejudice.

Voluntary and Confidential Reporting

It is the policy of Fitchburg State University that all crimes should be **reported to the University's Police Department**. Anyone who is the victim, or witness to a crime, on campus, is encouraged to promptly report the incident to the Fitchburg State University Police Department.

When reporting a crime to the University Police Department, one is doing so knowing that some information may not be kept private and may be shared with others on campus who need to know, such as the Title IX Coordinator and Student Conduct. Also, some reports may become public records under state law, and therefore, the Fitchburg State University Police Department cannot hold all reports of a crime in strict confidence.

All reports of crime will be investigated by the Fitchburg State University Police Department

unless the victim of such crime elects not to pursue criminal charges, requests no further investigation be conducted on their behalf, and/or the crime committed does not pose a larger threat to the community.

When a potentially dangerous threat to the Fitchburg State University community arises, alerts will be issued to notify individuals of the threat promptly. These alerts will also inform the community of any recommended action to be taken.

Due to the sensitive nature of certain types of crime, survivors of sexual assault, domestic/dating violence, and stalking may choose to disclose crimes to an advocate from Pathways for Change, Fitchburg State University's Counseling Services, or another victim's assistance program. Survivors/victims who report crimes to these individuals may elect not to have police investigate the reported crime, especially if solely seeking support services. A current list of services and confidential reporting resources can be found later in this publication.

Any information provided to the Fitchburg State University Police Department may be provided absent of personal identifying information, in a way that allows for an accurate accounting of crimes that occurred within the university's Clery geography, and determination of a Timely Warning Notification to the community. An individual receiving confidential services offered by a professional or pastoral counselor may request that the counselor report the incident to the University Police Department on their behalf. Such a report typically includes the nature of the offense, the location at which it occurred, and the date and time of its occurrence.

The option of survivors/ victims, pastoral counselors, and professional counselors to report crimes to the Fitchburg State University Police Department in the aforementioned manner allows for the protection of the survivor/ victim's identity while ensuring necessary information required to comply with federal regulations is



provided. The University uses these confidential reports to maintain accurate records for the number of incidents involving students, employees, and visitors; to determine if there is a pattern of crime concerning a particular location, method, or assailant; and to alert the campus community to potential dangers. Reports filed confidentially are counted and disclosed in the annual crime statistics for the institution. Reporting procedures applicable to allegations of sexual assault, dating/domestic violence, and stalking are further discussed later in this report. Pastoral counselors, and professional counselors acting in their professional roles, are not obligated to report any information if their client so chooses, but are required to explain the process by which one may report a crime confidentially.

Statistical Reporting and Timely Warnings under the Clery Act

The Clery Act requires the University to maintain a daily log of reports of crimes that occurred on campus, University-controlled property, or public property immediately adjacent to campus, including reports of sexual assault, domestic or dating violence, and stalking. The University must also publish an Annual Campus Crime Report (this document) concerning reported incidents. The Universities do not include names or other personally identifying information in the daily logs or the Annual Security Reports. Additionally, when the University becomes aware that an incident of sexual misconduct or violence occurred, and there is a potential for bodily harm or danger to members of the campus community, the University will issue a timely warning to the campus. While the University will provide enough information to safeguard the campus community, a victim's name or other personally identifying information will not be disclosed in the timely warning. Publicly available recordkeeping from the university adheres to those laws of that Commonwealth that pertains to such records.

This publication also contains information concerning on and off campus resources, and is intended for all members of the university community. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Fitchburg State University. Crimes should be reported to the **Fitchburg State University Police Department (978.665.3111)**, the **Student Conduct Office (978.665.4141)**, the **Title IX Office (978.665.3236)**, or the **City of Fitchburg Police Department (978.345.4355)**, to ensure a police response, provide a Timely Warning Notification (if appropriate), and inclusion in the Annual Security Report.



TIMELY WARNING NOTICES

Timely Warning Notices (FSUPD Policy 16.3.2) are specifically related to compliance with the Federal Clery Act, which requires colleges and universities to notify students and employees whenever a crime covered by the Clery Act occurs, within the institution's Clery geography, reported to a campus security authority, or the institution by local law enforcement that is considered to be a serious or ongoing threat.

In the event such a crime is reported, within Fitchburg State University's Clery Geography, that, in the judgment of the Chief of Police, or designee, and consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus-wide "timely warning" notice may be issued.

Fitchburg State University takes its responsibility to inform campus community members of criminal incidents seriously and provides them with information to assist with protecting themselves from harm. Information shared about criminal activity is provided in an accurate and timely fashion and can be used by university community members to reduce their chances of becoming victims of similar crimes. These notices will be issued as a means of a Timely Warning Notice (TWN), otherwise called an **FSU Crime Alert**.

The Chief of Police, or designee, in conjunction with Public Affairs, will develop the content of the Timely Warning Notices for the University community.

A Timely Warning Notice will typically include the following information unless sharing any of this information would compromise law enforcement efforts:

- Date and time, or timeframe, of the incident.
- A brief description of the incident.

- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s), when deemed appropriate, and if there are sufficient details, (see below).
- Police/Public Safety agency contact information.
- Other information as deemed appropriate by the Chief of Police, or designee.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and to aid in the prevention of similar occurrences.

The institution **is not** required to issue a Timely Warning Notice for crimes reported to a pastoral or professional counselor. The description of subjects in a case will only be included if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex or race, that information will not be included in the alert. Timely Warning Notices will not include any information that would identify the victim.

The issuing of a Timely Warning Notice will be decided on a case-by-case basis, in light of all of the facts surrounding a crime, including the nature of the crime, any ongoing risk to the campus community, and the possible risk of compromising law enforcement efforts.

The decision to issue a Timely Warning Notice is made in coordination and consultation by at least two of the following personnel. However, in an extreme emergency, the notification process may be implemented at the sole direction of the Chief of Police, or designee.

Decision Team:

- President, or designee, which may include members of the President's Cabinet
- Executive Director of Communication and Public Affairs
- Chief of University Police



- University Police Lieutenant

The Chief of Police, or designee, in conjunction with the Director of Communication, will develop a TWN for the university community. The Chief, or designee, will transmit the email containing the Crime Alert to the university community by utilizing the university's mass notification system, RAVE Alert®. Updates to the university community about any particular case resulting in TWN may also be distributed electronically via the university email system.

Members of the larger campus community, those not actively enrolled in a course of study at the University, vendors, and contractors doing business on campus and not issued a University email, and other interested parties are encouraged to "Opt-In" to receive University Crime Alerts by **texting FSUAlerts** to **672836** or **226787**. Please note, that SMS TEXT messages and data rates may apply. Text messages are sent on an as-needed basis. This service is provided per the [Terms of Use](#) and [Privacy Policy](#). Individuals may text **STOP** to **67283** to cancel or **HELP** for tech support.

The decision of whether or not to issue a Timely Warning Notice will be documented using a Timely Warning Notice Determination

Form. FSU Crime Alerts and/or Timely Warning Notice Determination Forms are memorialized in the case folder with the corresponding incident report.

Timely Warning Notifications will not be issued if:

- The subject(s) are apprehended and the threat of imminent danger for members of the university community has been mitigated by the apprehension.
- If a report was not filed with the Fitchburg State University Police Department, or if the University Police Department was not notified of the crime in a manner that would allow the department to post a "timely" warning to the community.
- A report that is filed more than five days after the date of the alleged incident may not allow the University Police Department to post a "timely" warning to the community. This type of situation will be evaluated on a case-by-case basis.
- In instances where an Emergency Notification (FSUPD Policy 17.1.4) is issued, a Timely Warning Notice may not be issued.
- When a Clery Crime is reported to the University Police Department but did not occur within Clery Geography.



EMERGENCY NOTIFICATION & EVACUATION

Fitchburg State University utilizes the RAVE Alert system, otherwise known as **FSU Alert**, to provide immediate emergency notification to the community. This is done when confirmation of an incident or emergency that poses an immediate threat to the health or safety of the university community is discovered or reported.

In most situations, emergencies will first be encountered by faculty, staff, and/or students. When any member of the campus community encounters a potential emergency, they should contact the University Police Department, which will serve as the initial point of contact. An officer from the University Police Department will speak with the reporting party to verify the nature of the incident and investigate on the scene whether an emergency exists that would require substantial additional resources or impact a portion of the university community. If the latter occurs, the officer will convey this information to the department's command staff, who will immediately notify the Chief of Police. Information relayed to the Chief will include the nature of the emergency, the area or areas potentially impacted, and what has been done to mitigate the emergency thus far. Emergencies such as disease outbreaks and utility outages could potentially be reported in other manners. Additional means to confirm an emergency may include speaking with eyewitnesses, checking with relevant departments on campus, or consulting with other law enforcement or government agencies.

Upon the confirmation of a significant emergency, or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus, the Fitchburg State University Police Department will immediately notify the University community using a systemized

emergency communications procedure (RAVE Alert Mass Notification System).

The University Police Department is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with speaking with eyewitnesses, checking with relevant departments on campus and/ or university administrators, local first responders, and/or the National Weather Service, and other governmental agencies.

This system is tested monthly by the Fitchburg State University Police Department's Communication Center to ensure the system functionality to send an alert during an emergency.

All current members of the University Community will receive the alert via their university email address. However, individuals **must opt-in** to receive notifications via text or voice recording by visiting:

<https://www.getrave.com/login/fitchburgstate/>.

Members of the larger campus community, those not actively enrolled in a course of study at the University, vendors, and contractors doing business on campus and not issued a University email, and other interested parties may "Opt-In" to receive University Crime Alerts **by texting FSUAlert to 672836 or 226787**. This service is provided per the [Terms of Use](#) and [Privacy Policy](#). Individuals may text **STOP** to **67283** to cancel or **HELP** for tech support.

Those who choose to opt in will receive all notifications via text messages. The University provides Opt-In informational cards and signage at various events and locations around campus. Fitchburg State University's Emergency notifications are also sent to the city fire and police departments.

Fitchburg State University has developed a comprehensive procedure, which includes all of the following emergency alert systems: cellular telephones, text messages, emails, voice mails, the Wide Area Broadcasting



System (WEBS) using a siren voice alert system, indoor notification monitors, social media networking sites, and website notifications.

Follow-up information will be distributed using some or all of the identified communication systems, (except fire alarm).

The Fitchburg State University Police Department will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Campus State of Emergency

The decision to issue an Emergency Notification is made at the discretion of the President, or designee, or the Chief of Police, or designee. The decision to issue subsequent Emergency Notifications for a situation, incident, or emergency shall be issued by the Director of Public Relations, or designee, in consultation with the President, or designee (to include members of the Executive Cabinet), and members of the Fitchburg State University Emergency Management Team.

Emergency Response

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

The on-duty supervisor or officer-in-charge for the Fitchburg State University Police Department is responsible for immediately notifying the Chief of Police, or designee, of any situation that poses an immediate threat to the Fitchburg State University community.

The Chief of Police, or designee, is responsible for issuing an Emergency Notification to the University community via an FSU Alert, (RAVE Alert). Some or all of the methods of communication available from a RAVE Alert may be activated in the event of an immediate threat to the Fitchburg State University Community.

This is done without delay and taking into account the safety of the Community. A notification will not be issued if it will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. This decision will be made by the agency of jurisdiction to include, but not limited to the Fitchburg State University Police Department, the City of Fitchburg Police Department, the Massachusetts State Police, or the Fitchburg Fire Department.

Federal Law requires that the institution immediately notify the campus community that they may be affected by an immediate threat, significant emergency, or dangerous situation.

The types of incidents that may cause an immediate threat to the Fitchburg State University Community could include but are not limited to, emergencies such as:

- An active shooter on or near Campus,
- Hostage/barricade situation,
- Riot,
- Suspicious package with confirmation of a device,
- Weather emergency,
- Fire/explosion,
- Suspicious death,
- An outbreak of serious illness, disease, or viruses
- Structural damage to a University-owned or controlled facility,
- Biological threats (anthrax, etc.),
- Significant flooding,
- Gas leak,
- Hazardous materials spill, etc.

All members of the Fitchburg State University community are notified on an annual basis that they are required to report to the



Fitchburg State University Police Department, any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Fitchburg State University Police Department has a responsibility to respond to such incidents to determine if the situation poses an immediate threat to the community.

Release of Information: General Guidelines

If the University's Chief of Police, or designee, in conjunction with other University administrators, local first responders, Public Health Officials, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Fitchburg State University Community, the Fitchburg State University Police and Media Relations will collaborate to determine the content of the message. Initial messaging will be sent out using a pre-scripted message or template. Some or all of the systems described below are used to communicate the threat to the Fitchburg State University Community or the appropriate segment of the community if the threat is limited to a particular building or segment of the population.

- Emergency Notification messages will be issued to students and employees upon the confirmation of a significant emergency, dangerous situation, incident, or crime, impacting the campus community and/or the immediate surrounding area.
- Upon confirmation of an emergency that requires an immediate response, the Chief of Police, or designee should, and without delay, implement the notification process.
- The Chief of Police, or designee, may confer with external public safety officials

to confirm emergencies before issuing the notification if time allows.

- This information may be disseminated to the campus community by issuing an FSU Alert (RAVE Alert).

Determination of what building or segment of the campus community to notify will be made initially by the Chief of Police or designee, by assessing the known confirmed information and the area likely to be impacted by the emergency.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Testing of the Emergency Management Plan

Fitchburg State University maintains an Emergency Management Plan (EMP) that outlines the functional responsibilities of campus departments during emergencies. This plan and its accompanying Emergency Support Functions (ESFs) outline incident priorities, scope, concept of operations, response, and specific responsibilities of particular departments or positions.

University departments are responsible for developing emergency response and continuity of operations plans for their functional areas and staff. The University's Emergency Management Team provides resources and guidance for the development of these plans.

The Fitchburg State University Emergency Management Team, in conjunction with the Fitchburg State University Police Department, is responsible for overseeing various aspects of the University Emergency Management Plan, including testing of the



Emergency Notification System, response to, and evacuation for any emergency or dangerous situation.

Fitchburg State University defines the following terms as follows:

- **Test** is defined as regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.
- **Drill** is defined as an activity that tests a single procedural operation.
- **Exercise** is defined as a test involving the coordination of efforts.

Fitchburg State University utilizes the RAVE Alert System to notify the campus community of vital information as described above. This system is tested annually at the beginning of the fall semester in conjunction with the Fitchburg State University Information Technology Department. (Testing includes sending out a test alert through the RAVE System, which tests the following systems; university email, text messaging, wide-area broadcasting call boxes, Alertus, voicemail, and social media).

Fitchburg State University tests its evacuation plan during biannual fire alarm drills. One drill occurs during the fall semester and is announced to the community; the second occurs during the spring semester and is not announced to the community. Each drill tests the evacuation of all Fitchburg State University on-campus buildings as well as the Klondike Service Center and Main Street Theater building.

Fitchburg State University's Emergency Management Team has a dedicated subcommittee for coordinating drills and exercises for the team and the University. The subcommittee is responsible for coordinating tabletop exercises and various training during the monthly Emergency Management Meeting. These trainings consist of testing portions of the University's Emergency Management Plan, including response to active shooter incidents,

communicable disease outbreaks, and other emergencies.

University Police Department Officers are designated as the individuals to verify and respond to an emergency and receive additional training in connection to their roles and responsibilities.

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

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Summary of Emergency Test, Drill, and Exercises

Test of the University's Emergency Notification System

Each fall semester the university tests the emergency communication system (Rave Alert), this allows us to identify any issues with the various notification outputs such as university email, text messaging, wide-area broadcasting call boxes, Alertus, voicemail, and social media. During this test, any deficiencies are addressed by the university's Technology department.

In January of 2023, The University conducted a joint training exercise with the City of Fitchburg Fire Department. The exercise focused on hazmat response to a chemical



death in a residence hall. This exercise was later used as a tabletop exercise for the University's emergency management team, focusing on the various department's roles in such an event.

In May the university held a second tabletop exercise, where the focus was on mental health. Using the Incident Command Structure in these various tabletop exercises, the university was able to identify strengths and weaknesses in its protocol, response, and communications.

Emergency Evacuation Procedures

The Emergency Evacuation Procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are guided in the direction they should travel when exiting each facility for short-term building evacuation. The University Police Department does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by the time of day, the location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, UPD Officers on the scene will communicate information to students and employees regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Fitchburg State University, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures

All individuals on campus are encouraged to plan for emergencies by identifying primary and secondary evacuation routes to exits.

Medical Emergencies

- Do not move a seriously ill or injured person unless it is a life-threatening situation.
- Call the emergency number for the University Police Department.
- Give as much of the following information as possible:
 - Your name and location
 - Type of illness or injury
 - Condition of an ill or injured person
- Remain with the person until emergency personnel arrive and have an opportunity to speak with you.

Acts of Violence

- Do not try to intervene!
- Stay calm. Go to a safe location and call the University Police
- Give as much of the following information as possible:
 - Your name and location
 - Type of incident
 - Briefly, provide details of the incident
- Stay on the line until help arrives.

Fire or Explosion

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify FSUPD (978-665-3111) Police Emergency or dial 911.

- Stay calm and activate the nearest fire alarm pull station.
- Immediately leave the building by the nearest unobstructed exit.
- Do not attempt to recover personal property!



- If no one is following, close all doors behind you, go to a safe location, and call University Police.
- Give as much of the following information as possible:
 - Your name and location
 - Type of incident
 - Briefly provide details of the incident

Personal Emergency Evacuation Plan (PEEP)

If you are a student or staff member with disabilities, you must take a proactive approach to planning for emergencies. To discuss creating a specific plan for your needs, please contact:

- **Students:** Should contact Disability Services, 978-665-4020.
 - Disability Services is located in Hammond Hall, Room 303.
- **Faculty or Staff:** Should contact Human Resources, 978-665-3172.
 - Human Resources is located in the Sanders Administration Building, Room 202.

People with disabilities should plan for emergencies by identifying primary and secondary evacuation routes to accessible exits.

If you need evacuation assistance, please take the following steps:

- Do **NOT** use the elevator. Move to a stairwell or a protected area near the stairwell that is protected from the emergency and notify University Police (978) 665-3111. If you do not have a phone, notify a student, staff member, or faculty of your location and have them alert University Police or Emergency Responders.
- You should **NOT** stay in the classroom, or office UNLESS there is a fire or smoke in the hallway and the room has no smoke or fire. If it is safe to stay in your current location and you are unable to safely exit the building, then you should shelter in place. Make sure to contact the

University Police. First Responders will conduct a “room to room” search to ensure that everyone has evacuated the building.

- If you cannot notify anyone on your floor that you need help, listen for rescue personnel who will be searching the building and be prepared to make noise to help responders find your location.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Once alerted, University Police will take the appropriate actions to assist in your evacuation or will notify those trained to evacuate individuals in need of special assistance, who will ensure your safe exit.

ASSISTING PEOPLE WITH DISABILITIES DURING AN EMERGENCY

General Guidelines

- Ask the person how you can help before attempting any rescue technique or giving assistance.
- Listen to the answer; the person is the best authority on their disability.
- Keep service animals with their human partners.

Visually Impaired

- Tell the person the nature of the emergency and offer guidance to the nearest exit.
- Have the person take your elbow and escort you out of the building. Advise of obstacles as you walk.
- When you reach safety, help orient the person to the location and ask if any further assistance is necessary.

Deaf and Hearing Impaired

- Alert the person that there is an emergency by turning a light switch on and off several times.
- Look directly at the individual, verbalize, speak clearly, do not exaggerate mouth movements, give instructions, and write a short note on paper or text with a cell phone.



- Offer assistance as you leave the building.

Mobility Impaired

- If there is no immediate danger, take the person to the nearest accessible exit.
- If you cannot safely accompany the person to an accessible exit, notify University Police of the person's exact location by calling (978) 665-3111 on a cell phone or 3111 from a campus phone.
- Whenever possible, remain with the person until help arrives.
- Elevators should not be used for evacuation during an emergency. Move to a stairwell or a protected area near the stairwell that is protected from the emergency and **notify University Police (978) 665-3111**. If you do not have a phone, notify a student, staff member, or faculty of your location and have them alert University Police or Emergency Responders.
- Do not attempt to carry an electric wheelchair if it cannot be driven out of the building. **ONLY** in situations of extreme and immediate danger should you try to evacuate a wheelchair user without assistance. This person is the best authority on how they can be moved. Ask before attempting to move.
- It is best to let professional emergency personnel conduct the evacuation; however, a person with a mobility impairment can be carried by two people who have interlocked their arms to form a "chair," or by carrying the person in a sturdy office chair. This should be considered **ONLY** as a last resort.

Shelter-in-Place

Shelter-in-Place Procedures – What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-

in-place" means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, quickly seek shelter at the nearest University building. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, Fitchburg State University Police Department, Housing Staff members, other University employees, the local Police Department, or other authorities utilizing the University's emergency communications tools.

How to "Shelter-in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - i. An interior room;
 - ii. Above ground level; and



- iii. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
 3. Shut and lock all windows (tighter seal) and close exterior doors.
 4. Turn off air conditioners, heaters, and fans.
 5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.) if prudent.
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list into FSUPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.



GENERAL PREVENTION EDUCATION & AWARENESS PROGRAMS

Fitchburg State University holds that through crime prevention and safety awareness education, community members are better prepared to prevent and respond if a crime does occur. During New Student Orientation, all students and their parents are informed of resources offered by the Fitchburg State University Police Department, and other campus partners.

The University also encourages and expects students and staff to be actively involved in the prevention of crime on campus. Disinterest or complacency are the prime contributors to the success of crime. The police cannot be everywhere at once. The university is dependent on the entire campus community to recognize and report incidents that are suspicious or criminal to the University Police Department. During the 2022 calendar year, FSUPD offered or participated in a variety of community engagement programs, many of which were focused on crime prevention and security awareness.

All crime prevention and security awareness programs encourage students and employees to be responsible for their security, and the security of others.

During the 2023 calendar year, the Fitchburg State University Police sponsored various crime prevention and security awareness programs presentations. These included the following:

Community Response to Active Shooter Events (C.R.A.S.E.)

This Active Threat Presentation is a 1 ½ hour class that is intended for students, staff, and faculty. During the presentation, participants hear from members of the Fitchburg State University Police Department regarding various options to consider during an active

shooter/hostile event. The objectives of the class include identification, prevention, and response to such incidents. This class is first offered as part of the first-year student's Orientation since 2017. Members of the University can request a presentation for their class, organization, or group by contacting the University Police Department.

Community Liaison Officer Program

The objective of our community liaison program is to partner a police officer, or officers, with specific groups within the university community to achieve:

- A designated contact person to allow ease of communication
- A feeling of familiarity and comfort
- Collaboration on community educational programs
- Collaboration on identifying and addressing issues of concern

The collaboration within the Liaison Program is open to students, staff, and advisors. The Liaison Program is a year-round effort that includes over a dozen planned events, including the "Housing Liaison Program."

Housing Liaison Program

The Fitchburg State University Police Department works closely with members of Housing & Residential Services to provide programs in the residence halls for our resident students throughout the academic year. Programs such as "Cookies with Cops" provide a relaxed atmosphere where students and officers engage in an open dialogue about crime prevention, societal issues that are prevalent to students, and how the department might be able to assist them.

Residential Engagement

Live-in support staff provide educational programming to students through the use of a Residential Programming Model. The model includes both in-person and passive programming. The programs may be floor-specific and/or building-wide. The Live-in



support staff may invite other members of the community to assist and discuss various topics including representatives from the University Police Department, Counseling Services, and Disability Services.

Rape Aggression Defense (R.A.D.)

Rape Aggression Defense (RAD) is a program of realistic, self-defense tactics and techniques. It is a comprehensive course that begins with awareness, prevention, risk reduction, and avoidance while progressing to the basics of hands-on defense training.

RAD is not a martial arts program. Our courses are taught by certified RAD instructors and provide participants with a workbook/reference manual. This manual outlines the entire physical defense program for reference and continuous personal growth. The RAD System of physical defense is taught at many colleges and universities. The growing, widespread acceptance of this system is primarily due to the ease, simplicity, and effectiveness of the tactics, solid research, and unique teaching methodology.

The RAD System is dedicated to teaching defensive concepts and techniques against various types of assault by using easy, effective, and proven self-defense tactics. The system of realistic defense will provide the knowledge to make an educated decision about resistance.

RAD classes are offered at no charge to the University community.

Notice of Programs

The Fitchburg State University Police Department often provides information at "Rock the Block" regarding the dates and times of the various programs offered as part of our department's Personal Safety Offerings. For the upcoming academic year.

The Fitchburg State University Anti-Violence Education (F.A.V.E) offers several programs in the Fall and Spring semesters, focusing on awareness and prevention efforts associated

with the Violence Against Women Act (V.A.W.A.) Program.

Violence Against Women Act (V.A.W.A) Related Prevention and Awareness

EDUCATION AND PREVENTION PROGRAMS

As part of the University's commitment to providing working, living, and learning environments free from sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, and retaliation, shall be disseminated widely to the campus communities through publications, new employee and student orientations, physical posting in places where students and employees are likely to see it, and other appropriate communications. The University transmits the related policies and procedures by e-mail to all community members and posts them prominently on the University's website at fitchburgstate.edu/titleix.

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

1. 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
2. consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

The University provides sustained and comprehensive training to the campus community including but not limited to:

1. prevention and awareness programs that address domestic and dating violence, sexual assault, and stalking;
2. the provisions of the University's policies and procedures related to sexual violence



- and prohibited conduct, including complaint and investigation procedures for alleged violations;
3. programming for new students and new employees during onboarding initiatives, including the distribution of educational materials

In additional training programs for students and employees, the University addresses the following:

- The University's prohibition of the crimes of sexual assault, domestic violence, dating violence, and stalking;
- The University's policies and procedures related to sexual violence and prohibited conduct, including the complaint, investigation, and resolution procedures for addressing complaints of sexual assault, domestic violence, dating violence, and stalking;
- The University's definition of consent and the purposes for which that definition is used;
- The rights and remedies of students and employees under Title IX;
- Practical information about identifying, preventing, and reporting sexual violence and sexual harassment;
- The reporting options available to survivors, on and off-campus.
- The confidential resources available on and off campus;
- How to obtain accommodations and/or supportive measures;
- How the University reviews and responds to complaints;
- Positive and safe options for bystander intervention that an individual may take to prevent harm or intervene in a risky situation;
- Information on risk reduction; specifically, options designed to decrease perpetration and bystander inaction and to increase empowerment for survivors as well as to promote safety and to help individuals and communities address conditions that facilitate violence;
- Information regarding:

- Procedures survivors should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs.
- How the institution will protect the confidentiality of survivors and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
- Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for survivors, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
- Options for and available assistance regarding changes to academic, living, transportation, and working situations or protective measures (as described in "Resources and Notice of Rights" elsewhere in this document);
- Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);
- The role of alcohol, drugs, and student safety;
- How employees should respond to reports of sexual assault and gender-based harassment, domestic and dating violence, and stalking; employees' duty to make reports to the University and how to make such reports; and
- The University's prohibition against retaliation.

In addition, the University provides annual training to its Title IX Coordinators, Deputy Coordinators, EO Officers, Administrative Investigators, Advisors, Decision Makers, Appellate Officers, Informal Resolution Facilitators, Confidential Resource Providers, Mandated Reporters, University Police Department, and all others involved with the administration of this Policy on specific topics related to their role as well as the complaint,



investigation, and resolution procedures on the topics listed above. Additionally, the following topics are covered annually:

- The obligations of employees when interacting with students or colleagues making reports of sexual assault, sexual and gender-based harassment, domestic and dating violence, and stalking;
- The obligations to forward reports to the Title IX Coordinator and/or UPD;
- The dynamics of sexual violence and the unique toll it can take on self-blaming and traumatized individuals;
- Understanding how sexual violence occurs, how it is perpetrated, and how survivors may naturally respond during and after an assault;
- Updates to sexual violence, domestic violence, dating violence, and stalking laws.
- How to investigate in a manner that protects the safety of the parties and promotes accountability;
- How to conduct prompt, fair, impartial, and thorough investigations.

Furthermore, the University pledges to routinely:

- Evaluate current policies, procedures, and practices;
- Ensure appropriate training of all persons charged with administering this policy and/or involved in the complaint investigation and resolution process;
- Evaluate who are designated Mandated Reporters for Title IX reporting purposes and/or C.S.A. for Clery Act reporting purposes, and disseminate and publish an applicable list of mandated reporters and C.S.A.s;
- Ensure appropriate training of all employees, with additional information for C.S.A.s;
- Assess the campus climate, including determining barriers to reporting and evaluate and publicize campus climate assessment survey data;
- Provide education and prevention programming for students and employees; and

- Evaluate physical security needs on campus.

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. Fitchburg State University aims to promote safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Some ways to be an active bystander include:

- Watching out for friends and fellow students/employees and asking someone who looks like they could be in trouble or need help, if they are ok;
- Confronting people who seclude, hit on, try to make out with, or have sex with people who are incapacitated;
- Speaking up when someone discusses plans to take sexual advantage of another person;
- Believing someone who discloses sexual assault, abusive behavior, or experience with stalking;
- Referring people to on or off-campus resources listed in this document for support in health, counseling, or legal assistance.

Risk Reduction

Risk Reduction means providing options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and



communities address conditions that facilitate violence. Fitchburg State University offers prevention and awareness programs aimed at risk reduction, specifically recognizing the warning signs of dating violence, domestic violence, sexual assault and stalking for new and current students and employees on an introductory and ongoing basis.

The University encourages bystanders to utilize the 5 D's when determining safe intervention:

- **Direct:** Directly addressing the situation.
- **Distract:** Making a simple (or elaborate) distraction to diffuse the situation.
- **Delegate:** Finding someone else to address the concern.
- **Delay:** If necessary, report and support after the incident.
- **Document:** Make note of potentially important factors such as witnesses, time of day, and other relevant details.

Risk Reduction strategies include, but are not limited to the following (from Rape, Abuse, & Incest National Network, www.rainn.org):

We maintain that those who inflict abuse are the ones responsible for their actions.

- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a dangerous 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 as 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 cash money.
- 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 dangerous 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.).
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
- Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
- 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. Do not feel obligated to do anything you do not



want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

- Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Make an excuse. If you are feeling pressured or uncomfortable, use a reason to leave such as: needing to take care of a friend or family

member, feeling sick, or having other plans.

- **Contact the University Police Department for a Safety Escort if concerned for your safety.**
- 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.

Name of Program	Intended Audience	Date (2023)	Location	Sponsor	Purpose	Topics Covered	Delivery Method
RA Training				HR	P/A/C	All+	F2F presentation
African Students Association: Sex Talk with Craig Bidman	Students	Wednesday, February 8, 2023	Hammond Ellis White	Center for Diversity & Inclusiveness & African Student Association	P/A	Preventative sex education, safe sex considerations, dispelling myths about sexual behavior	F2F Presentation
Latin American Student Organization Spicy Bingo	Students	Friday, February 24, 2023	Hammond Falcon Hub	Center for Diversity & Inclusiveness & Latin American Student Organization	P/A	Preventative and safe sex behavior. Provided sex toys, lube, and condoms for participants	F2F Presentation
Gay Straight Alliance: Talk Dirty to Me Trivia Night	Students	Wednesday, March 1, 2023	Hammond Falcon Hub	CDI sponsored money. Gay Straight Alliance provided content/facilitated program.	P/A	Trivia	F2F Presentation
Fall Student-Athlete NCAA Sexual Assault Prevention Training	Students	Fall	Online	Athletics	P/A/C	Sexual Assault, Dating Violence, Stalking	Vector training module
Security and Vigilance for Everyone (SAVE)	Students, Staff and Faculty	October 12 & 17, 2023	Kent Recital Hall	University Police Department	P / A	Sexual Assault, Stalking	F2F Presentation
Athletic Coaches NCAA Sexual Assault Prevention Training	Staff - Coaches	Fall	Online	Athletics	P/A/C	Sexual Assault, Dating Violence, Stalking	Vector training module
Rape Aggression Defense (RAD)	Students, Staff and Faculty	Fall 2023 September 27 2023 October 19 2023	Recreation Center	University Police Department	P/A/C	Sexual Assault, Dating Violence, Stalking	F2F Presentation
Digital Archival Collection: Safe to Learn: the Student Protest Against Sexual Assault available at https://www.jstor.org/site/fitchburg-state/safe-to-learn-the-student-protest-against-sexual-assault/	ALL	Fall 2023 and ongoing	Fitchburg State Digital Archive Collection on JSTOR Community Collections	Amelia V. Gallucci-Cirio Library.	Awareness and to document student protest for historical purposes.	Sexual Assault Domestic Violence Dating Violence	Digital Archival Collection
Healing from Trauma Book Cart	Students	Fall 2023 and Spring 2024	Amelia V. Gallucci-Cirio Library	Amelia V. Gallucci-Cirio Library	Other (specify) - Healing and Information about Recovery	Sexual Assault Domestic Violence Dating Violence	Printed Materials
Sexual Assault Response Training	Resident Assistant Staff	August 29, 2023	Percival Hall 107	Housing & Residential Services	Educate RAs on how to effectively and correctly respond to incidents involving sexual assault. Educate RAs on how to support survivors and how to share resources.	Sexual Assault	Face to Face Presentation & Dialogue



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Title IX & CLERY Training	Resident Assistant Staff	August 30, 2023	Percival Hall 107	Housing & Residential Services	Educate RAs on the laws surrounding Title IX & CLERY and how this impacts their roles on campus as mandated reporters.	Title IX & CLERY	Face to Face Presentation & Dialogue
Behind Closed Doors Training	Resident Assistant Staff	August 31, 2023	Percival Hall 107	Housing & Residential Services	Allow RAs to practice various "real life" scenarios including but not limited to addressing sexual assault, Title IX, CLERY, etc...	Sexual Assault, Interpersonal Relationships, Drug/Alcohol Abuse	Face to Face Presentation & Dialogue
Behind Closed Doors Training Part 2	Resident Assistant Staff	September 1, 2023	Percival Hall 107	Housing & Residential Services	Allow RAs to practice various "real life" scenarios including but not limited to addressing sexual assault, Title IX, CLERY, etc...	Sexual Assault, Interpersonal Relationships, Drug/Alcohol Abuse	Face to Face Presentation & Dialogue
Whack & Learn	Russell Towers & Aubuchon Hall Residents	February 6, 2024	Aubuchon Hall	Housing & Residential Services	Educate residents around safe sex topics and provide resources to students.	Sexual Assault, Interpersonal Relationships	Face to Face Presentation & Dialogue
Mocktails & Masturbation	Cedar Hall & Simonds Hall Residents	December 3, 2023	Falcon Hub	Housing & Residential Services	This program was focused around mocktails and drink safety. Residents were provided mocktails and RAs demonstrated how easily a drink can be "spiked."	Sexual Assault, Interpersonal Relationships, Drug/Alcohol Abuse	Face to Face Presentation & Dialogue
Coffee & Consent	Mara Village & Townhouse Residents	December 12, 2023	Mara 8	Housing & Residential Services	Conversation focused around giving consent and what it means to give/receive consent.	Sexual Assault, Interpersonal Relationships	Face to Face Presentation & Dialogue
Title IX & CLERY Training	Resident Assistant Staff	January 12, 2024	Percival Hall 107	Housing & Residential Services	Educate RAs on the laws surrounding Title IX & CLERY and how this impacts their roles on campus as mandated reporters.	Title IX & CLERY	Face to Face Presentation & Dialogue
"Behind The Post" (One Love Foundation)	New Students (Incoming Freshmen)	September 6, 2023	Hammond Main Lounge/Breakout Sessions across campus	Counseling Services / FAVE	P/A/C. New students are educated on important issues related to (safe) interpersonal and intimate relationships.	Interpersonal Violence, Dating Violence, Stalking, Healthy Interpersonal/Intimate Relationships	Face to Face Presentation/Facilitated (Smaller Group) Dialogue
Healthy Relationships Tabling Event	Students	March 25, 2024	Hammond 1st Floor	FAVE	P/A	Communication, Consent, Interpersonal Relationships, Stalking	Face-to-Face Presentation
Take Back the Night 2024	University (and larger) Community	April 22, 2024	Quad	Counseling Services / FAVE	P/A	Sexual Violence	Face-to-Face Presentation; Activism Opportunities (e.g., march around campus)
Denim Day	University Community	April 24, 2024	N/A	FAVE	P/A	Sexual Violence	E-mails; locations around campus



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							to pick up pins, etc. Digital Archival Collection
Digital Archival Collection: Safe to Learn: The Student Protest Against Sexual Assault available at https://www.jstor.org/site/fitchburg-state/safe-to-learn-the-student-protest-against-sexual-assault/	ALL	Fall 2023 and ongoing	Fitchburg State Digital Archive Collection on JSTOR Community Collections	Amelia V. Gallucci-Cirio Library.	Awareness and to document student protest for historical purposes.	Sexual Assault Domestic Violence Dating Violence	
Healing from Trauma Book Cart	Students	Fall 2023 and Spring 2024	Amelia V. Gallucci-Cirio Library	Amelia V. Gallucci-Cirio Library	Other (specify) - Healing and Information about Recovery	Sexual Assault Domestic Violence Dating Violence	Printed Materials
Sexual Assault Response Training	Resident Assistant Staff	August 29, 2023	Percival Hall 107	Housing & Residential Services	Educate RAs on how to effectively and correctly respond to incidents involving sexual assault. Educate RAs on how to support survivors and how to share resources.	Sexual Assault	Face to Face Presentation & Dialogue

Prevention (P), Awareness (A), Compliance (C), Onboarding (O)



EQUAL OPPORTUNITY, NONDISCRIMINATION, AND TITLE IX PLAN

Pursuant to M.G.L. Chapter 15A, this Plan shall be approved by the Commonwealth of Massachusetts' Board of Higher Education ("BHE") and each local Board of Trustees. A primary purpose of this EO Plan is to inform the campus communities of:

1. the Universities' prohibition of discrimination; discriminatory harassment, including sex-based harassment and sexual misconduct, including sexual assault, domestic violence, dating violence, stalking; and retaliation;
2. the Universities' efforts to prevent such behaviors; and
3. the manner in which the Universities will respond to such behaviors, including the prompt, impartial, fair, and thorough investigation and resolution of complaints.

The provisions of this Plan, in compliance with applicable laws and collective bargaining agreements, apply to every educational, employment, and co-curricular activity at the Universities. All benefits, services, and opportunities pertaining to the Universities' educational programs, employment, and services are available to all applicants, students, employees and others having dealings with the Universities regardless of race, color, religion, national origin, age, disability, sex, sexual orientation, gender identity, gender expression, pregnancy and pregnancy-related conditions, genetic information, marital or parental status, or Veteran status.

STATEMENT OF NONDISCRIMINATION

The University is committed to nondiscrimination and equal opportunity. The University is dedicated to providing educational, working, and living

environments that value the diverse backgrounds of all people.

The University does not discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of race, color, religion, national origin, age, disability, genetic information, marital or parental status, or Veteran status. The University prohibits discrimination or discriminatory harassment on all of those bases. Such behaviors violate the University's Policy of Nondiscrimination, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

The University has appointed an Equal Opportunity Officer ("EO Officer") to oversee its compliance of applicable policy, as well as the state and federal nondiscrimination and equal opportunity laws. Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment, or retaliation may contact the Fitchburg State University EO Officer:

Rebecca H. Newell, **Director of Title IX & Equal Opportunity**

Sanders 202 |

rnewell7@fitchburgstate.edu or

titleix@fitchburgstate.edu | 978-665-3236

www.fitchburgstate.edu/titleix

Furthermore, the University does not discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of sex, including sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, or pregnancy, childbirth, and other related conditions, and prohibits sex discrimination in any education program or activity that it operates, including as required by Title IX and its regulations. Such behaviors violate the University's Policy of Nondiscrimination, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.



The University has appointed a Title IX Coordinator to oversee its compliance with Title IX. Inquiries about Title IX may be referred to the University's Title IX Coordinator, the [U.S. Department of Education's Office for Civil Rights](#), or both. The University's Title IX Coordinator is:

Rebecca H. Newell, **Director of Title IX & Equal Opportunity**

Sanders 202 |

rnewell7@fitchburgstate.edu or

titleix@fitchburgstate.edu | 978-665-3236

U.S. Department of Education's Office for Civil Rights

OCR@ed.gov | 800-421-3481

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX: www.fitchburgstate.edu/report

Definitions

Administrative Reviewer

One or more trained persons, other than the investigator, who reviews the investigation report to assess if the investigation process was equitable, impartial, and thorough, and therefore, complete. The administrative reviewer may or may not be the EO Officer or Title IX Coordinator. The administrative reviewer is part of the decision-making body.

Advisor

A single person of the party's choice, who may be, but is not required to be, an attorney, who may be present in any meeting or grievance proceeding, and who may inspect and review evidence. The advisor's role is otherwise strictly limited to providing direct and non-disruptive assistance to the party.

Appellate Administrator/Body

The Appellate Administrator/Body is annually trained and authorized by the Title IX

Coordinator or designee to conduct a review of a decision made regarding an emergency removal, supportive measures, dismissal of a complaint, or decision reached by a Decision Maker(s).

Coercion

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

Complainant

a student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination and who was participating or attempting to participate in the University's program or activity at the time of the alleged discrimination.

Consent

An understandable exchange of affirmative words or actions, which indicates a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed and freely and actively given and may not be obtained through coercion. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly. Whether an individual has taken advantage of a position of influence over a complainant may be a factor in determining consent. A position of influence could include supervisory or disciplinary authority. Silence, previous sexual relationships or experiences, and/or a



current relationship may not, in themselves, be taken to imply consent. While nonverbal consent is possible (through active participation), it is best to obtain verbal consent. Similarly, consent to one form of sexual activity does not imply consent to other forms of sexual activity.

Day

A “day” for the purposes of these procedures is a business day, that is, Monday through Friday, excluding University-recognized holidays.

Decision-Making Body/Decisionmaker

The decision-making body, or decisionmaker, is comprised of the investigator and administrative reviewer assigned to a complaint. The decision-making body makes the determination as to whether prohibited conduct occurred based on the preponderance of the evidence and, where such prohibited conduct is found to have occurred, assigns any appropriate sanctions or remedies.

Disciplinary Sanctions

Consequences imposed on a respondent following a determination under these Procedures that the respondent violated the University’s Policy of Nondiscrimination.

Evidence

Information that is presented to establish whether a fact is more or less true. The type and extent of evidence available will differ based on the facts of each incident, but explicitly includes the parties’ statements and statements of witnesses. Evidence may be exculpatory or inculpatory.

Exculpatory evidence is evidence that is favorable to the Respondent in that it exonerates or tends to exonerate the Respondent of responsibility.

Inculpatory evidence is evidence that shows or tends to show a person’s involvement in an act or evidence that can establish responsibility.

Evidence must be relevant, according to the ordinary meaning of the word.

Information or evidence protected by a legally recognized privilege (e.g., attorney/client, doctor/patient) is excluded from consideration unless the holder of the privilege has waived the privilege in writing to the Title IX Coordinator.

In addition, under Title IX regulations and the Massachusetts Rape Shield Law (Mass. G.L. c. 233, § 21B) the Respondent or their Advisor are prohibited from asking questions related to the Complainant’s alleged prior sexual behavior or alleged sexual reputation unless offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior concerning the Respondent and are offered to prove consent. Outside of the specific allowable exceptions, such information is not considered relevant.

Force

The use of physical strength or action (no matter how slight), violence, threats of violence, or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor, and lack of such resistance cannot be relied upon as the sole indicator of consent.

Incapacitation

An individual who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Persons unable to consent due to incapacitation also include, but are not limited to: persons under age sixteen (16); persons who are intellectually incapable of understanding the implications and



consequences of the act or actions in question; and persons who are physically helpless.

Investigator

The investigator is one or more trained persons assigned to a complaint to gather evidence and interview parties and witnesses to make findings of fact regarding the allegations in the complaint. The investigator may or may not be the EO Officer or Title IX Coordinator. The investigator is part of the decision-making body.

Party

A complainant or respondent.

Relevant

Questions are relevant when they seek evidence that may aid in showing whether the alleged discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged discrimination occurred.

Remedies

Measures provided, as appropriate, to a complainant or any other person the University identifies as having had their equal access to the University's program or activity limited or denied by discrimination as defined by the Policy of Nondiscrimination. These measures are provided to restore or preserve that person's access to the University's program or activity after the University determines that discrimination occurred.

Report

A report is the first step in order for an individual to provide information, learn about options and resources, and consider supportive measures. A report puts the University on notice that prohibited conduct may have occurred and may or may not include a request for investigation of prohibited conduct. Many employees are obligated to share information reported to them about conduct prohibited under the Policy of Nondiscrimination with the Title IX

Coordinator or EO Officer and, therefore, most reports result in outreach from the Title IX Coordinator or EO Officer to the impacted individual(s) to provide information and review options, including options to submit a complaint and request an investigation. A report can be submitted by an employee, student, community member, or other third party, and can be authored by someone impacted by behavior or someone with knowledge of it. A report may be considered a complaint where it includes a statement that can be objectively understood as a request for the University to investigate and make a determination about alleged discrimination under the Policy of Nondiscrimination.

Respondent

A person or persons who are alleged to have violated the University's Policy of Nondiscrimination.

Standard of Proof

The determination of responsibility for alleged violations of the EO Plan will be made based on a preponderance of evidence. Under this standard of proof, conclusions by the decisionmaker must be based on what "more likely than not" occurred, based on available information and evidence. Accordingly, the decisionmaker must determine whether it is more likely than not that the respondent violated the Policy of Nondiscrimination.

Supportive Measures

Supportive measures are individualized measures offered as appropriate and as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

Restore or preserve that party's access to the University's program or activity, including measures that are designed to protect the safety of the parties or the University's environment; or



Provide support during the University's complaint investigation and resolution procedures or during an informal resolution process.

The Title IX Coordinator will discuss the availability of supportive measures after an alleged incident of discrimination, harassment, and/or retaliation. No complaint or investigation, either campus or criminal, needs to occur before this option is available. Such measures may include, but are not limited to:

- Assistance with accessing counseling, advocacy services, health care, legal support, student financial aid, and visa and immigration assistance, both on campus and in the community
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact restrictions (no contact orders) between the Parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus

- Any other actions deemed appropriate by the Title IX Coordinator

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

University Programs and Activities

Conduct that occurs under the University's program or activity includes, but is not limited to conduct that occurs in any building owned or controlled by the University or officially recognized student organization and all conduct that is subject to the University's disciplinary authority.

Discrimination, harassment, or retaliation that occurs outside of the University's programs or activities may be actionable if there is a sufficient link with the employment or student relationship or both or where such conduct contributes to a hostile environment within the University's programs and activities.

Prohibited discriminatory harassment and retaliation may also occur via social media and other virtual platforms.

Application

The Policy applies to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors, and applicants for employment or admission, or any other person participating or attempting to participate in an education program or activity



of the University. The Policy applies to on-campus conduct, and allows for discretion in its application to off-campus, including online and virtual, in or out of the United States within an education program or activity.

Discrimination and Harassment

Disparate Treatment Discrimination is the intentional treatment of an individual or group that is less favorable than treatment of others based on discriminatory reasons. Disparate Impact Discrimination occurs where disparate treatment is unintentional because policies, practices, rules, or other systems that appear to be neutral result in a disproportionate impact on a protected group, and such disparities cannot be justified by business necessity.

A form of prohibited discrimination including verbal and/or physical conduct based on membership, association with, or perceived membership in a protected class that: (1) has the purpose or effect of creating an objectively intimidating or hostile work or educational environment; (2) has the purpose or effect of unreasonably interfering with an individual's work or educational opportunities; or (3) otherwise unreasonably adversely affects an individual's employment or educational opportunities.

Hostile Environment Harassment

- Hostile environment harassment is a form of discriminatory harassment where:
- The complainant is an actual or perceived member of a protected class, or associated with a member of a protected class;
- The complainant was subjected to conduct directed at said protected class;
- The harassing conduct was subjectively offensive (i.e., unwelcome) and objectively offensive; and

- Considering the totality of the circumstances, the conduct was sufficiently severe or pervasive that it altered conditions of employment or education by creating an intimidating, hostile, or humiliating environment.

Whether a "hostile" environment has been created is a fact-specific inquiry, based on the totality of the circumstances, that includes, but is not limited to, consideration of the following:

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

Under this definition, simple teasing, offhand comments, and isolated incidents, unless severe or pervasive and objectively and subjectively offensive, will not amount to hostile environment harassment under this Policy.

Quid Pro Quo Harassment

Quid pro quo protected class harassment is a form of prohibited discrimination that can occur when an employee's continued employment or receipt of workplace benefits, promotions, assignments, or opportunities, etc.; or a student's educational access or opportunities are conditioned on the individual's willingness to tolerate conduct of a harassing nature.



In a quid pro quo protected class harassment complaint, a preponderance of the evidence must show:

- Conduct requiring the complainant to alter, conceal, or eliminate a characteristic signifying their membership in a protected class or other unwelcome conduct of a harassing nature based on protected class; and
- Submission to or rejection of the conduct was made either explicitly or implicitly as a term or condition of employment or education or as a basis for employment or educational decisions affecting that individual.

A person may have a claim of quid pro quo harassment when they either reject or submit to the conduct in question, or a mix of both. In either type of case, proof of the above elements necessarily proves that conduct was unwelcome.

Retaliation

Retaliation is prohibited by this Policy and the University will respond to information and complaints involving conduct that reasonably may constitute retaliation using the same procedures it uses for other forms of prohibited discrimination. Retaliation, even in the absence of provable discrimination in the original complaint, constitutes as serious a violation of this Policy as proved discrimination under the original claim, complaint or charge.

Retaliation may include adverse treatment, intimidation, threats, coercion, or discrimination against any person by the University, a student, or an employee, or other person authorized by the University to provide aid, benefit, or service under the University's education program or activity, (1) for the purpose of interfering with any right or privilege secured by this Policy, or (2) because the person has reported information, made a complaint, testified, assisted, or

participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy, or (3) because the person is suspected of having filed such claims, complaints, or charges, or (4) the person has protested practices alleged to be violative of the nondiscrimination policies of the University, the BHE, or local, state or federal regulation or statute.

Peer retaliation, which is defined as retaliation by one student against another student or one employee against another employee of similar rank or authority, is also prohibited.

The University may require its employees to participate in, or otherwise assist with, an investigation, proceeding, or hearing, as such requirement does not constitute retaliation under this Policy.

Sex-based Discrimination, including sexual misconduct and violence

Sex-based discrimination can be due to sex (female, male, intersex), sex characteristics, sex stereotypes, sexual orientation, gender identity and expressions thereof, and pregnancy, childbirth, and related medical conditions. Sex-based discrimination explicitly includes sexual harassment, sexual assault, domestic violence, dating violence, and sex-based stalking.

(a) Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent

Sexual Assault – Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.



Sexual Assault – Fondling

The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent., which is 16 years old in Massachusetts.

Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

(b) Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

(c) Domestic Violence

A Felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(d) Stalking (on the basis of sex)

Engaging 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.

For the purposes of this definition course of conduct means two or more acts, including, but not limited to, acts 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.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

MAKING A REPORT

Individuals are encouraged to file complaints directly with the EO Officer or Title IX Coordinator, but complaints may also be filed with other offices, such as Student Conduct, Human Resources, Student Affairs, or University Police. Any complaint that is initially filed with other offices will be reported to the EO Officer or Title IX Coordinator.

The complaint must be in the words of the complainant or the University official who received the complaint. Complaints should contain all known facts pertaining to the alleged violation, the names of any known witnesses and others with knowledge of the allegations, and an identification of any documents or other evidence.

Reports may be made in person, in writing, by mail, by telephone, or by electronic mail, using the contact information listed for the EO Officer or Title IX Coordinator, electronic form (if available), or by any other means that results in the EO Officer or Title IX Coordinator receiving the person's verbal or



written report. Such a report may be made at any time (including during nonbusiness hours) by using the reporting options available at the time of the report.

Law Enforcement

Complainants are never required to report an incident to University Police or local law enforcement. The EO Officer or Title IX Coordinator will assist complainants in notifying law enforcement, if requested by the complainant.

Where complainants allege prohibited conduct that may also violate the law, complainants may file a criminal complaint with University Police, the local police department where the incident occurred, and/or other state and federal law enforcement agencies. Complainants can make both a criminal report and a report to the University and do not have to choose one or the other. The Universities encourage victims of crimes to report incidents to the police so that the police can take appropriate measures to help victims and prevent future crimes. In addition to the EO Officer or Title IX Coordinator, University Police will help in filing a report with local law enforcement, should the complainant request assistance.

If a complainant elects not to make a criminal report, the University will respect that decision; however, the University may have an obligation under the Clery Act to inform University Police of an alleged crime but will not disclose the complainant's name. If a complainant chooses to make a report to University Police, an investigation will be conducted, and if the Complainant so requests, they will receive assistance in filing criminal charges against the Respondent. University Police can also assist a complainant in the process of obtaining protective restraining orders and abuse prevention orders for physical assault, sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Confidential Reports

Employees with Confidential Privilege

Persons who have experienced prohibited conduct under this Plan may share information confidentially with designated employees (“Confidential Employees”) who cannot reveal identifying information to any third party unless one or more of the following conditions is present:

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

“Confidential Employees” include the following positions, only when acting in their professional capacity for which confidential privilege has been afforded:

- licensed mental health counselors;
- licensed health care personnel

Confidential Resource Provider for Sex-Based Harassment

The University has designated at least one Confidential Resource Provider to assist individuals with concerns of sex-based harassment including sexual assault, domestic violence, dating violence, and stalking.

The confidential resource provider receives training in the awareness and prevention of sex-based harassment and in trauma-informed response and coordinates with any on-campus or off-campus sexual assault crisis service center or domestic violence program and, if directed by the reporting party, campus or local law enforcement agencies, assists the student or employee in



contacting or reporting to campus or local law enforcement agencies. If requested by the reporting party, the confidential resource provider, using only the reporting party's identifying information, shall coordinate with the appropriate institutional personnel to arrange possible interim school-based supportive measures to allow the reporting party to change academic, living, campus transportation or working arrangements in response to the alleged sexual misconduct. A confidential resource provider shall not provide services to adverse parties in an incident of sexual misconduct and shall ensure confidentiality is maintained.

The confidential resource provider is not required to report an incident to the institution or a law enforcement agency unless otherwise required to do so by state or federal law and shall provide confidential services to students and employees. A request for a possible interim school-based supportive measure made by a confidential resource provider on behalf of a reporting party to change an academic, living, campus transportation, or working situation in response to alleged sex-based harassment shall not require the reporting party to file a formal complaint. A confidential resource provider may attend University's investigation and resolution proceedings as the advisor of the student's or employee's choice.

Upon the request of the reporting party or responding party, the confidential resource provider shall provide information on:

- the parties' rights;
- the University's responsibilities regarding a protection order, no contact order, and any other lawful orders issued by the institution or by a criminal, civil or tribal court;
- reporting options and the effects of each option;
- counseling services available on campus and through a local, community-based rape crisis center or domestic violence program;

- medical and health services available on campus and off campus;
- available school-based supportive measures related to academic and residence life;
- the disciplinary process of the institution; and
- the legal process carried out through local law enforcement agencies.

The University's Confidential Resource Provider is:

Emily Stark, **Director of Disability Services**, Hammond 303A | <mailto:estark2@fitchburgstate.edu>
978-665-4029

Anonymous Reports of Sex-Based Harassment

The University provides an anonymous reporting option for sex-based harassment. Limited actions and interventions are available in response to anonymous reports. Anonymous reports are not accepted as formal complaints under this Plan. In some cases, the University will be able to use information from anonymous reports to identify patterns, investigate prohibited conduct, structure appropriate and available interventions to address prohibited conduct, issue timely warnings, follow up with impacted parties, or address problematic behavior directly. However, information received anonymously will be used primarily for data and trend tracking. Anonymous reports may be made online at: www.fitchburgstate.edu/report

Governmental Reporting Options

If one wishes to file a complaint of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation outside of the University or in addition to a complaint filed under the University's Complaint



Investigation and Resolution Procedures, the following agencies may provide additional resources:

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

<http://www2.ed.gov/about/offices/list/ocr/index>

U.S. Department of Education Office for Civil Rights

33 Arch Street, 9th Floor Boston, MA 02119-1424

(617) 289-01111, TDD (877) 521-2172

Email: <mailto:OCR.Boston@ed.gov>

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

<https://www.justice.gov/ovw>

Office on Violence Against Women 145 N St., NE, Suite 10W.121

Washington, D.C. 20530

(202) 307-6026

Fax: (202) 305-2589

Email: ovw.info@usdoj.gov

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

Boston Office:

One Ashburton Place Rm. 601

Boston, MA 02108

(617) 994-6000

Springfield Office:

436 Dwight Street, Rm. 220

Springfield, MA 01103

(413) 739-2145

Worcester Office: Worcester City Hall

484 Main Street, Rm. 320

Worcester, MA 01608

(508) 453-9630

Employees with complaints, questions, or concerns about gender discrimination, sexual violence, sexual harassment, gender-based harassment, domestic violence,

dating violence, stalking, or retaliation may also contact the **Equal Employment Opportunity Commission**, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, (800) 669-4000, TTY (800) 669-6820.

COMPLAINT INVESTIGATION PROCEDURES

For conduct that is prohibited by the Policy on Nondiscrimination, including the sex-offenses of sexual assault, dating violence, domestic violence, and stalking (sex-based), the University has adopted complaint investigation and resolution procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its program or activity, or by the Title IX Coordinator or Equal Opportunity Officer. These Procedures provide a mechanism for investigation and resolution of any alleged conduct prohibited by the EO Plan and are available to all students, faculty, librarians, staff, visitors, contractors, applicants for employment or admission, and others having dealings with the University.

No community member may retaliate, harass, intimidate, threaten, coerce, or otherwise discriminate against any individual for filing a complaint under these Procedures or for otherwise exercising their rights or responsibilities under the EO Plan.

These procedures apply to alleged prohibited conduct that occurred on or after August 1, 2024. **For conduct occurring prior to August 1, 2024**, the prior procedures are retained and available at www.fitchburgstate.edu/titleix.

Specific elements of these Procedures are applicable only to complaints and reports of sex-based harassment and are explicitly designated as such.



Step 1: Written Notice of Allegations to Parties

Upon receipt of a formal complaint and initiation of the formal complaint process, the University will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- The University's complaint investigation and resolution procedures and any informal resolution process, if determined appropriate;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute prohibited discrimination, and the date(s) and location(s) of the alleged incident(s), if known;
- Retaliation is prohibited;
- The respondent is presumed not responsible for the alleged discrimination until a determination is made at the conclusion of the resolution procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.
- The University prohibits knowingly making false statements or knowingly submitting false information during the complaint resolution and resolution procedures.

If, in the course of an investigation, the University decides to investigate additional allegations of discrimination by the respondent toward the complainant that are not included in the written notice or that are included in a consolidated or patterned

complaint, it will provide written notice of the additional allegations to the parties.

The respondent may provide an initial written response to the allegations within five (5) days of delivery of the Notice of Allegations.

Step 2: Investigation

The investigation is a process by which the investigator assigned to a formal complaint gathers evidence and interviews parties and witnesses to make findings of fact regarding the allegations in the complaint. Through the investigation interviews, the investigator provides parties with opportunities to present evidence and fact witnesses.

The investigation shall include, but is not limited to: review and consideration of all relevant and not otherwise impermissible evidence, including written statements and other materials presented by the parties; interviews of the parties and other individuals and/or witnesses; reviewing certain documents or materials in the possession of either party that the investigator has deemed relevant; and an analysis of the allegations and defenses presented using the preponderance of the evidence standard. The investigator may also review any available University Police investigation reports or the investigation reports of local law enforcement authorities.

The investigator will objectively evaluate all evidence that is deemed relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the University to determine whether one of the exceptions listed below applies, will not be disclosed, and will not otherwise be used), regardless of whether they are relevant:



- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in its resolution procedures; and
- In regards to complaints of sex-based harassment, evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Duty to Cooperate

Every faculty member, librarian, administrator, staff member and University employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to the Complaint Investigation and Resolution Procedures. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Investigator, reviewing or appellate body, and providing all

documentation that relates to the claim being investigated. The failure and/or refusal of any employee, other than an employee subject to criminal charges or who invokes a Fifth Amendment privilege, to cooperate in an investigation may result in a separate disciplinary action up to and including termination.

Investigation Report

Following the gathering and review of evidence and conclusion of investigative interviews, a Draft Investigation Report will be produced which shall include:

- summaries of the investigation interviews;
- all evidence, or descriptions and summaries thereof, that is relevant to the allegations of discrimination and not otherwise impermissible;
- the investigator's findings of fact based on the preponderance of the evidence; and
- the investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.
- The investigator will provide each party and the party's advisor, if any, with 10 days to view and respond in writing to the Draft Investigation Report.

The investigator will consider the responses to the Draft Investigation Report, make any changes deemed appropriate by the investigator, and provide a Final Investigation Report to the administrative reviewer, along with any evidence that was deemed not relevant or otherwise impermissible.

Should material changes be made to the Investigation Report due to the responses received to the Draft Investigation Report, the parties will be provided an additional opportunity to view the revised report and provide additional response to new substantive evidence. Each party will have 5



days to view and respond to the revised Investigation Report.

The Investigation Report does not include a determination. The determination and any applicable sanctions are communicated through the Notice of Outcome.

Step 3: Administrative Review

Assessment that Investigation is Complete

For all complaints, upon receipt of the Final Investigation Report, the administrative reviewer will review the Investigative Report to assess if the investigation process was equitable, impartial, and thorough, and therefore, complete. The administrative reviewer will review all available evidence to confirm that any evidence deemed irrelevant or impermissible has been appropriately excluded from consideration. The administrative reviewer may consult directly with the investigator to make such determinations. If deficiencies are found, the administrative reviewer may remand the matter to the investigator for additional investigation.

The University provides the parties with an equal opportunity to be heard and to access the relevant and not otherwise impermissible evidence during the investigation process and through the Draft Investigation Report. If additional evidence is determined to be relevant and permissible during the Administrative Review process, the parties will be provided with an equal opportunity to access this evidence. Parties may also access relevant and permissible evidence upon the request of the party.

Credibility Assessment

If the administrative reviewer is satisfied that the investigation process was equitable, impartial, and thorough, the administrative reviewer and investigator, comprising the decision-making body, will make a credibility determination for each party. To the extent credibility is both in dispute and relevant to

evaluating one or more allegations of discrimination, the decision-making body may direct follow-up questions to parties and witnesses to adequately assess a party's or witness's credibility. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. Such a credibility determination will be addressed in the final Investigation Report.

Follow-Up Questions

The investigator and administrative reviewer, as the decision-making body, further reserve the right to collaborate in conducting additional individual meetings with any parties and witnesses to ask follow-up questions.

In complaints alleging sex-based harassment, parties may propose to the decision-making body relevant and not otherwise impermissible questions and follow-up questions to ask of other parties and witnesses, including questions challenging credibility.

Such questioning will take place following the administrative review process and through one of two mechanisms: (1) a live hearing, or (2) shuttle-questioning in individual follow-up meetings.

The decision-making body, in consultation with the Title IX Coordinator, except where the Title IX Coordinator conducted the investigation or administrative review, will determine if such questioning will take place through a live hearing or individual follow-up meetings. The Title IX Coordinator may consider the following principles in making such determination:

- Severity of alleged allegations;
- Severity of alleged harm resulting from alleged conduct;
- Imbalances of power between parties;
- Care, concern, and risk factors for the parties; or



- Whether all parties demonstrate capacity.

Procedures for a Live Hearing, if offered

In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed that a live hearing will be conducted for the purpose of questioning parties and witnesses, the University will conduct the live hearing with the parties and their advisors, if any, physically present in separate locations with technology enabling the decisionmaker and parties to simultaneously see and hear the party or witness while that person is speaking. At the University's discretion, the University may conduct the live hearing with the parties physically present in the same geographic location.

The University will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review but not for additional response.

Procedures for Shuttle-Questioning through Individual Follow-Up Meetings

In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed shuttle-questioning will take place through individual follow-up meetings for the purpose of questioning parties and witnesses, the decision-making body will solicit follow-up questions from parties following review of the investigation report. The decision-making body will conduct follow-up meetings with each party and any witnesses, as appropriate. The decision-making body will then provide each party with an audio or audiovisual recording or transcript of the questioning with enough time for the party to have a reasonable opportunity to propose additional follow-up questions. The decision-making body will again conduct follow-up meetings with each party and any

witnesses, as appropriate, after which the questioning process is considered complete.

Procedures for the Decisionmaker to Evaluate the Questions and Limitations on Questions

Regardless of the format for follow-up questioning, the decision-making body is the only process participant who may ask direct questions of the parties and witnesses during the follow-up question process. Direct cross examination by the parties or their advisors is prohibited.

Parties will present their questions to the decision-making body for prescreening. The decision-making body will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The decision-making body will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked by the decision-making body.

Refusal to Respond to Questions

The decision-making body may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decision-making body will not draw an inference about whether discrimination occurred based solely on a party's or witness's refusal to respond to such questions.

Step 5: Determination of Whether Prohibited Discrimination Occurred

Following an investigation of a formal complaint, evaluation of all relevant and not otherwise impermissible evidence, and



assessment of credibility, the decision-making body will:

- Use the preponderance of evidence standard of proof to determine whether prohibited conduct occurred. If the decision-making body is not persuaded under the preponderance of evidence standard that prohibited conduct occurred, whatever the quantity of the evidence is, the decision-making body will not determine that prohibited conduct occurred.
- Not impose discipline on a respondent for conduct prohibited by this Plan unless there is a determination at the conclusion of the complaint and resolution procedures that the respondent engaged in prohibited conduct.
- If there is a determination that prohibited conduct occurred, as appropriate, the EO Officer or Title IX Coordinator will:
 - Coordinate the provision and implementation of remedies to a complainant and other people the University identifies as having had equal access to the University's program or activity limited or denied by the prohibited conduct;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including, when appropriate, notification to the complainant of any such disciplinary sanctions;
 - Take other appropriate prompt and effective steps to ensure that the prohibited conduct does not continue or recur within the University's program or activity;
 - Comply with the complaint and resolution procedures before the imposition of any

disciplinary sanctions against a respondent; and

- Not discipline a party, witness, or others participating in the complaint and resolution procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether prohibited conduct occurred.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

Step 6: Notice of Outcome, Disciplinary Sanctions, and Remedies

A written Notice of Outcome will be issued to all parties simultaneously promptly and not more than seven (7) days following the determination by the decision-making body.

The Notice of Outcome shall include the following:

1. A description of the alleged prohibited conduct;
2. Information about the policies and procedures that the University used to evaluate the allegations;
3. The factual findings of the investigation based on the decision-making body's evaluation of the relevant and not otherwise impermissible evidence;
4. The determination as to whether prohibited conduct occurred and the rationale for the determination;
5. When the decision-making body finds that prohibited sex-based harassment occurred, any disciplinary sanctions the University will impose on the respondent, whether remedies other than the imposition of disciplinary



sanctions will be provided by the University to the complainant, and, to the extent appropriate, others identified by the University to be experiencing the effects of the prohibited conduct;

6. The sanctions that directly relate to the complaining party that arise from an allegation of any other form of prohibited discrimination; and
7. The University's procedures and permissible bases for the complainant and respondent to appeal.

For the purpose of recordkeeping, the Notice of Outcome shall be affixed to the Final Investigation Report. Parties may request a copy of the Final Investigation Report by contacting the Equal Opportunity Officer and/or Title IX Coordinator.

Sanctions

Following a determination that prohibited conduct occurred, the University will notify a party found responsible of all sanctions imposed. If the sanctions imposed include a separation from the residence halls or the University, and, in the opinion of the decision-making body, the party poses a continued threat to the safety of one or more members of the campus community, the sanctions may take effect immediately, and while an appeal is pending.

For employee respondents, disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination. Additional disciplinary action shall also be taken against an employee who violates a sanction or sanctions imposed pursuant to this Plan.

Where removal of tenure is recommended by the decision-making body, the procedures set forth in Article IX of the collective bargaining agreement between the MSCA and the BHE will be followed. In the event that tenure is not removed, the matter will be remanded to the

decision making body to assign appropriate sanctions.

For student respondents, a student who has been found to have violated the EO Plan may be subject to sanctions including:

- reprimand
- fines and/or restitution
- warning
- disciplinary hold
- disciplinary probation
- assessment
- loss of privileges
- educational program or project
- relocation of residence
- revocation of admission or degree
- restriction from facilities or activities
- withholding of degree
- temporary or permanent residence hall suspension
- suspension
- expulsion

In general, the sanction typically imposed for students for rape is expulsion. The sanction typically imposed for students for other forms of sexual assault, domestic violence, dating violence, and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

Additional disciplinary action shall also be taken against a student who violates a sanction(s) imposed pursuant to this Plan. Depending on the nature of the violation, such discipline may be imposed pursuant to the provisions of this Plan or pursuant to the applicable provision of the Student Code of Conduct.



Additional Remedies Following Finding of a Violation

Where necessary, the University will provide additional measures to remedy the effects of a violation. These remedies are separate from, and in addition to, any supportive measures that may have been provided or sanctions that have been imposed. If the complainant declined or did not take advantage of a specific service or resource previously offered as a supportive measure, such as counseling, the University will re-offer those services to the complainant as applicable or necessary.

In addition, the University will consider broader remedial action for the campus community, such as increased monitoring, supervision, or security at locations where the incidents occurred, increased or targeted education and prevention efforts, climate assessments/victimization surveys, restorative justice, and/or revisiting its policies and procedures.

Step 7: Appeals

Appeals must be submitted to the EO Officer or, for complaints of sex-based discrimination, to the Title IX Coordinator, and be received by the fifth day following delivery of the Notice of Outcome or Notice of Complaint Dismissal.

The University will offer an appeal from a dismissal or determination whether prohibited conduct occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The EO Officer, Title IX Coordinator, investigator, or decisionmaker involved in the process had a conflict of interest or bias for or against complainants or

respondents generally or the individual complainant or respondent that would change the outcome.

If a party appeals a dismissal or determination whether prohibited conduct occurred, the University will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the policy and, for sex-based discrimination complaints, with Title IX regulations;
- Communicate to the parties in writing that the University will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

Informal Resolution

In lieu of resolving a complaint through the University's formal complaint investigation procedures, the parties may instead request to participate in an informal resolution process by making a request to the EO Officer or Title IX Coordinator.

The University will inform the parties in writing of any informal resolution process it offers and determines appropriate, if any. Participation in informal resolution is voluntary. This resolution option is only available where all parties explicitly agree to utilize an informal resolution process.

The University will not offer informal resolution to resolve a complaint when such



a process would conflict with Federal, State, or local law. The EO Officer and/or Title IX Coordinator, in conference with others as necessary, will assess the request for informal resolution against the severity of allegations and the potential risk of a hostile environment or safety concern for other campus community members. Informal resolution is not available when the complainant is an employee of the University. In addition to the aforementioned considerations, the University may also consider these additional factors:

- Likelihood of potential resolution, considering any power dynamics between the parties
- Civility, emotional investment, and capability of the parties
- Respondent's disciplinary history
- Complaint complexity
- Goals of the parties
- Adequate resources to invest in informal resolution (e.g., time, staff, etc.)

If an informal resolution is appropriate, the EO Officer or Title IX Coordinator will notify the parties. The University will not ask a complainant to resolve a problem with a respondent without the involvement of the EO Officer, Title IX Coordinator, or designee.

Before the initiation of an informal resolution process, the University will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to decline to participate in the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume complaint investigation and resolution procedures at any time before agreeing to a resolution;

- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume complaint investigation procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the University will maintain and whether and how the University could disclose such information for use in complaint and resolution procedures if such procedures are initiated or resumed.

The EO Officer, Title IX Coordinator, or designee will facilitate a dialogue with the parties in an attempt to reach a resolution. At no time prior to the resolution of the matter shall either party question or confront the other, or engage a third party to do so, outside the presence of the EO Officer, Title IX Coordinator, or designee.

Every attempt will be made to conclude the Informal Resolution Process within sixty (60) days of the date of the request for informal resolution. A complainant is not required to use the Informal Resolution Procedure before initiating the complaint investigation procedures. A party may withdraw from the Informal Resolution Procedure and initiate the complaint investigation procedures at any time.

The informal resolution process will be deemed complete when all parties expressly agree to an outcome that is acceptable to them and to the University. The University will create a written record of any such agreement. The University will also ensure a reasonably prompt time frame for an informal resolution process, if it is offered and utilized.



CONFIDENTIALITY AND REPORTING		
Personnel/Organization	Confidential Status	Obligation to Report to the University's Title IX Coordinator and/or Outside of the University
University Counseling Services	Confidential	<p>None, with the following exceptions:</p> <ul style="list-style-type: none"> • If there is reasonable cause to suspect that a minor, or an elderly or disabled person, has been abused, Counseling Services may report this to the University in compliance with state law. • If a person presents an imminent threat of harm to one's self or others, a clinical provider may break confidentiality. • If one would like to request certain protective interim measures in the aftermath of reported sexual violence, <i>e.g.</i>, more time to submit academic work or changing classes, residence halls, or work locations, the Dean of Students and/or other University officials as necessary may be contacted only to implement the interim measures. <p>De-identified statistical information may be reported to the University Police in compliance with the Clery Act.</p>
University Chaplains, Clergy, or Pastoral Counselors	Confidential	<p>None, with the following exceptions:</p> <ul style="list-style-type: none"> • If one would like to request certain protective interim measures in the aftermath of reported sexual violence, <i>e.g.</i>, more time to submit academic work or changing classes, residence halls, or work locations in the aftermath of reported sexual violence, the Dean of Students and/or other University officials as necessary may be contacted only to implement the interim measures. <p>De-identified statistical information may be reported to the University Police in compliance with the Clery Act.</p>
Employee Assistance Program	Confidential	None
Off-Campus Medical Providers	Confidential	None
Off-Campus Rape Crisis Centers, Counseling, and/or Victim Support Services	Confidential	None
Off-Campus Chaplains, Clergy, Pastoral Counselors	Confidential	None
Local Police or other Law Enforcement	Not Confidential	There is no obligation for local police or law enforcement to make a report to the University, but information may be shared with the University within the requirements of Massachusetts law.



Outside Agencies (MCAD, EEOC, OCR, BHE)	Not Confidential	The relevant agency will notify the University of accepted complaints.
Title IX Coordinators (and Deputies)	Not Confidential	Yes. The Title IX Coordinator will share information with University officials and employees who need to know it to implement University policies and procedures.
EO Officers	Not Confidential	Yes. The EO Officer will share information with University officials and employees who need to know it to implement University policies and procedures.
University Police	Not Confidential	Yes. University Police will share information with University officials and employees who need to know it to implement University policies and procedures. Depending on the circumstances, a Timely Warning may be issued by University Police. Name and identifying information will not be included.
University Trustees	Not Confidential	Yes. Members of the Board of Trustees will share information with University officials and employees who need to know it to implement University policies and procedures.
The President	Not Confidential	Yes. The President will share information with University officials and employees who need to know it to implement University policies and procedures.
Vice Presidents, Associate, and Assistant Vice Presidents	Not Confidential	Yes. The Vice Presidents and Associate/Assistant Vice Presidents will share information with University officials and employees who need to know it to implement University policies and procedures.
Director and Assistant Director of Human Resources	Not Confidential	Yes. The Director/Assistant Director of Human Resources will share information with University officials and employees who need to know it to implement University policies and procedures.
Departmental Directors and Assistant Directors	Not Confidential	Yes. Departmental Directors and Assistant Directors will share information with University officials and employees who need to know it to implement University policies and procedures, except Those Departmental Directors and Assistant Directors who serve in professional roles in which communications are afforded confidential status under the law (e.g., licensed mental health care providers, medical providers, pastoral counselors, and clergy) will maintain confidentiality.
Residence Life Professional Staff	Not Confidential	Yes. These Residence Life professionals will share information with University officials and employees who need to know it to implement University policies and procedures.
Athletic Coaches, Assistant Coaches, and Athletics Administrators	Not Confidential	Yes. These members of the Athletics Department will share information with University officials and employees who need to know it to implement University policies and procedures.
Studio Managers	Not Confidential	Yes. Studio Managers will share information with University officials and employees who need to know it to implement University policies and procedures.



Deans, Associate, and Assistant Deans	Not Confidential	Yes. The Deans and Associate/Assistant Deans will share information with University officials and employees who need to know it to implement University policies and procedures.
Academic Department Chairs	Not Confidential	Yes. Academic Department Chairs will share information with University officials and employees who need to know it to implement University policies and procedures.
Academic and Non- Academic Program Directors and Program Coordinators	Not Confidential	Yes. Academic and Non-Academic Program Directors/ Coordinators will share information with University officials and employees who need to know it to implement University policies and procedures.
Faculty and Staff Leading or Chaperoning Travel or Overnight Trips	Not Confidential	Yes. Faculty and Staff Travel Leaders and/or Chaperones will share information with University officials and employees who need to know it to implement University policies and procedures.
Faculty and Staff Advisors to Student Groups	Not Confidential	Yes. Faculty and Staff Advisors to Student Groups will share information with University officials and employees who need to know it to implement University policies and procedures.
<i>In addition, ALL faculty and academic advisors are not confidential and will report. Also, all employees who are not otherwise designated as confidential will be required to respond to disclosures or suspected misconduct by reporting or providing information to the impacted individual.</i>		

Resources

The safety, health, and well-being of the campus communities are of paramount importance to the University. Any person who experiences any form of sexual assault, sexual harassment, domestic violence, dating violence, stalking, or retaliation, or similar harmful behaviors regardless of whether they are expressly prohibited by this Policy, is strongly urged to speak with someone to get the support they need, no matter when or where the incident occurred. For information on the location, phone numbers, hours, and services provided for the campus and community resources listed below, please contact the Title IX Coordinator, Human Resources, Student Conduct, Housing & Residential Services, the Counseling Center and/or the University Police Department. The information is also listed on each University’s website.

A Victim’s Rights and Advocacy document is provided, in writing, upon report and include the procedures victims should follow if a crime of dating violence domestic violence,

sexual assault, or stalking has occurred, including the below information.

Immediate Needs

The information below is provided in writing, electronically and/or hard copy, to victims of sexual assault, domestic violence, dating violence, and stalking. It is reviewed regularly for accurateness and to add resources as they become available.

a. Assuring One’s Safety

If an incident occurs, the University encourages one to report the incident and seek both police and medical assistance. Seeking police or medical assistance does not obligate one to make a complaint or take any further action, but the decision to seek medical help and gather evidence allows one to preserve the full range of available options. The University will assist any community member to get to a safe place, provide transportation for medical help, and, if requested, contact law enforcement. For help at any time, contact the University Police Department or, during regular University



business hours, contact the Title IX Coordinator.

b. Preserving Evidence

Any person who has experienced sexual violence is encouraged to take steps to preserve evidence of the incident, as doing so may be necessary to prove that a crime occurred, or to obtain a protection order from the court. After an incident occurs, one should try to refrain from bathing, showering, brushing teeth, drinking, eating, douching, or changing clothes until the evidence can be collected. If one changes clothes, one should place each garment in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), care should be taken to preserve copies and not delete the original communication.

Confidential Medical Attention

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

a. Confidential Community Medical Resources

Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. One may find more information about SANE services and where to obtain them here: <https://www.mass.gov/sexual-assault-nurse-examiner-sane-program>

b. Confidential Counseling and Support

Generally, one may discuss the incident with a licensed mental health counselor or a

counselor recognized by a religious order or denomination on a confidential basis. These counselors are good options if one wishes to discuss one's situation with someone who can keep information about an incident as confidential as possible while assisting in determining next steps, such as obtaining further counseling, seeking medical attention, preserving evidence, and/or reporting to University or law enforcement authorities then or at a later time.

c. Confidential Counseling and Support Resources on Campus

Students may access Counseling Services on a confidential basis. Employees may seek the confidential services of the EAP. All community members may access the confidential services of religious/pastoral counselors on campus if any.

d. Confidentiality of Personal Identifying Information (PII)

Personal Identifiable Information means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- a first and last name;
- a home or other physical address;
- contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number);
- a social security number, driver license number, passport number, or student identification number; and
- any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.



Private Non-Confidential Campus Resources

The Universities offer a variety of resources to those community members who have experienced or been affected by sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation. While the following resources are not bound by confidentiality, they will seek to keep the information as confidential as possible and will only share information within the limited group of University personnel necessary to address the issues of prohibited conduct presented.

- Title IX Coordinator (and any Deputies)
- EO Officer
- University Police
- Human Resources
- Housing and Residential Services
- Student Affairs
- Student Conduct
- Disability Services

ON-CAMPUS	Type of Services Available	Contact Information
<p>Counseling and Mental Health Services</p>	<p>Individual, couples, and group counseling, crisis intervention, psychoeducational programming, outreach workshops, and community referrals. Counseling services are confidential and are offered at no charge to all enrolled students</p>	<p>Hours of Operation</p> <p>Monday - Friday: 8:30 a.m. to 5:00 p.m.</p> <p>To make an appointment: Stop by our office or call us at 978-665-3152</p> <p>Hammond Bldg., 3rd Floor, Room 317</p> <p>https://www.fitchburgstate.edu/offices-services-directory/counseling-services/</p>
<p>Visa and Immigration Assistance</p>	<p>The Office of International Education advises students on immigration matters, employment questions, and issues of cultural adjustment through a special orientation program, briefings, and individual advising.</p>	<p>Hours of Operation</p> <p>Monday-Friday 8:30 am – 5 pm</p> <p>Hammond, 316 Phone: 978-665-31089</p> <p>https://www.fitchburgstate.edu/student-support/international-education</p>
<p>Student Financial Aid</p>	<p>Assists students who, without financial assistance, would be unable to attend college</p>	<p>Hours of Operation</p> <p>Monday-Friday 8 am – 5 pm</p> <p>Anthony, Room 108 Phone: 978-665-3156</p>



OFF-CAMPUS	Type of Services Available	Contact Information
Victim Advocacy Provided by Pathways for Change	24-hour crisis intervention, support groups, counseling, and advocacy for survivors of sexual assault and abuse as well as prevention education, professional training, and community outreach	https://www.fitchburgstate.edu/offices-services-directory/financial-aid-office/ Pathways for Change No longer maintains an office on campus. However, they can be reached 24/7 by calling their hotline. Hotline: 1-800-870-5905 https://www.pathwaysforchange.help/pfc/
Massachusetts Rape Crisis Centers		https://www.mass.gov/service-details/rape-crisis-centers
UMass Memorial Medical Center	Emergency Mental Health Services (EMHS) provides psychiatric evaluations and assessments of the level of care for patients who self-present or are brought into the hospital in an acute Psychiatric Crisis. The service is available 24 hours a day. Patients who are experiencing an acute psychiatric crisis will be evaluated by the EMHS Team which comprises Nurses, Social Workers, Mental Health Counselors, Ambulatory Service Representatives, Psychiatric Residents, and Attending Psychiatrists.	Address: 60 Hospital Rd, Leominster, MA 01453 (508) 334-3562
YWCA Central Massachusetts Domestic Violence Services	Domestic Violence Classes Confidential Emergency Shelter SAFE PLAN/Court Advocacy Short-term Counselling Support Groups	(Hotline) 508-755-9030 Leominster: 978 401-2290 https://ywcacm.org/domestic-violence

Employees' Duty to Report

Employees of the University have specific obligations to participate in required trainings; to report information, knowledge, or suspected knowledge of prohibited conduct. Employees who fail to adhere to these requirements and duties are subject to disciplinary action.

Reports are not required if knowledge of the potential violations is obtained at public awareness events or in approved research projects.

Reports are also not required if made to "Confidential Employees" except where one or more of the following conditions are met:

- The reporting party has provided written consent to disclose information;
- There is a concern about imminent harm to self or others;
- The information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- An employee has been charged with providing non-identifiable information for purposes of the Clery act.

Campus Security Authorities (CSA)

Campus Security Authorities (CSAs) are individuals who by their University responsibilities, and under the Clery Act, are designated to receive and report criminal



incidents to the University Police Department so that they may be included and published in the University's Annual Security and Fire Safety Report (Clery Report). All Employees who are designated as CSAs for the Clery Act must immediately provide the University Police Department with They are also required to provide non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence, and stalking. For a list of CSAs, please email Rebecca H. Newell at titleix@fitchburgstate.edu.

Employees' Duty to Report Discrimination, Discriminatory Harassment, and Retaliation

Any trustee, administrator, department chair, program coordinator, manager, or any other employee with any supervisory authority, who receives such a report from a student or other member of the University community is obligated to report to the EO Officer or 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. This includes sex-based discrimination and harassment.

All employees of the University without a duty to report are still encouraged to report to the EO Officer or 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 and to provide the reporting party as much assistance in bringing it to the attention of the EO Officer or Title IX Coordinator as is reasonably appropriate given their position at the University and relationship with the reporting party.

In addition to the employees noted above, any employee who either has authority to institute corrective measures on behalf of the University or has responsibility for teaching (credit and non-credit-bearing instruction) or advising (faculty and professional academic advisors) in the University's education

program or activity, and who is not a confidential employee, is required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under this Policy.

Any employee not otherwise required to report information about conduct that reasonably may constitute sex discrimination may still elect to notify the Title IX Coordinator of information about such conduct. Otherwise, it is the obligation of that employee to notify the reporting party of specific information on how to contact the Title IX Coordinator and how to make a complaint.

Confidential employees must identify themselves as not required to report information to the Title IX Coordinator and only notify the reporting party of specific information on how to contact the Title IX Coordinator and how to make a complaint. The reporting party may request that confidential employees make a report to the Title IX Coordinator if the reporting party provides written consent to share information directly with the Title IX Coordinator.

Duty to Report Abuse of Minors, Adults Aged 60+, and Persons with Disabilities

Persons under 18 may be students or may be engaged in activities sponsored by the University or by third parties utilizing University facilities. Where an employee has reasonable cause to believe that a child is suffering injury, neglect, or abuse, including from sexual abuse, on campus or on University-owned or controlled property, the employee and/or the University may be obligated to comply with the mandatory child abuse reporting requirements established at M.G.L. c. 119, §51A-E. In such cases, the employee must immediately report the matter to University Police, who, in consultation with other officials, shall contact the Department of Children and Families ("DCF") and/or outside law enforcement. In certain cases,



employees may be obligated to make a report directly to DCF.

An employee may also directly contact law enforcement, DCF, or other relevant state agency in cases of suspected abuse or neglect. Massachusetts law also has mandatory reporting requirements for certain occupations where abuse or neglect of adults over 60, per M.G.L. c. 19A, §15, or persons with disabilities, per M.G.L. c. 19C, is suspected. For more information, please contact the **Fitchburg State University Police Department**, 32 Clinton St (*across from the Recreation Center*) **978-665-3111**.

Duty to Inform Persons Reporting Pregnancy or Pregnancy-Related Conditions

When a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee is required to promptly provide that person with the Title IX Coordinator's contact information and inform the student or person who has a legal right to act on the student's behalf that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the University's education program or activity.

Required Title IX and Campus Sexual Misconduct Employee Training

All employees, including all faculty, staff, librarians, contract employees, and student employees are required to participate within 45 days of hire, and annually thereafter, in training on: (i) the University's obligation to address sex discrimination in its education program or activity; (ii) the scope of conduct that constitutes sex discrimination under Title IX and this Policy, including the definition of sex-based harassment; and (iii) all applicable notification and information requirements under Title IX and this Policy.

Furthermore, training at time of hire shall include but not be limited to: (i) an explanation of civil rights laws, their meaning, purpose, definition and applicability to all forms of sex-based and gender-based harm; (ii) the role drugs and alcohol play in changing behavior and affecting an individual's ability to consent; (iii) information on options relating to the reporting of an incident of sexual misconduct, the effects of each option and the methods to report an incident of sexual misconduct, including confidential and anonymous disclosure; (iv) information on the University's policies and procedures for resolving sexual misconduct complaints and the range of sanctions or penalties the University may impose on students and employees found responsible for a violation; (v) the name, contact information and role of the confidential resource provider; and (vi) strategies for bystander intervention and risk reduction; and (vii) information on opportunities for ongoing sexual misconduct prevention and awareness campaigns and programming.

Training completion will be tracked by the Title IX Coordinator at each campus. Employees working on multiple campuses are required to participate in training at each University.

Investigators, decisionmakers, and other persons who are responsible for implementing the University's grievance procedures relative to sex discrimination or have the authority to modify or terminate supportive measures are required to participate in training relative to their duties and responsibilities under Title IX, including how to serve impartially, such as by avoiding prejudgment of the facts at issue, conflicts of interest, and bias, at the time of hire, at change of appointment that alters their duties under Title IX, and annually thereafter.

Employees' Duty to Cooperate

Every faculty member, librarian, administrator, staff member, and University



employee must cooperate fully and unconditionally in an investigation conducted according to the Title IX Complaint and Resolution Procedures of this Policy and the EO Plan, subject to the provisions of any applicable collective bargaining agreements. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Administrative Investigator, Decision Maker, or Appellate Body, and voluntarily providing all documentation that relates to the claim being investigated. The failure and/or refusal of any employee, other than an employee subject to criminal charges or who invokes a Fifth Amendment privilege, to cooperate in an investigation may result in a separate disciplinary action up to and including termination. Such disciplinary action does not constitute retaliation under this Policy.

Amnesty

Students may be hesitant to report sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation out of concern that they, or witnesses, might be charged with violations of the Universities' drug/alcohol policies or other student conduct policy violations. While the Universities do not condone such behavior, they place a priority on the need to address sexual harassment and other conduct prohibited by this Policy. Accordingly, the University shall not pursue discipline against a student who, in good faith, reports, witnesses, or participates in an investigation of sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation, unless such violation was egregious. An egregious violation shall include, but not be limited to, taking an action that places the health and safety of another person at serious and imminent risk.

False Reporting

The initiation of a knowingly false report of sexual harassment, domestic violence, dating violence, stalking, or retaliation is a serious offense prohibited by this Policy. A report made in good faith, however, is not considered false merely because the

evidence does not ultimately support the allegation of prohibited conduct. If an investigation reveals that a Complainant knowingly filed false charges, the University shall take appropriate actions and issue sanctions according to other applicable University policies, including any applicable collective bargaining agreement. The imposition of such sanctions does not constitute retaliation under this Policy.

University Response to Sexual Harassment

When the University has knowledge or suspected knowledge of prohibited conduct, including sexual assault, domestic violence, dating violence or stalking or the effects of such conduct within its education program or activity, it will respond promptly in a manner that is not deliberately indifferent.

The University is deliberately indifferent only if its response to sexual harassment is unreasonable in light of the known circumstances.

The University's response will treat Complainants and Respondents equitably by offering supportive measures to a Complainant, and by following a grievance process that complies with those outlined in the Title IX Complaint and Resolution Procedures section of this document before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

Upon notice, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint as well as the option of an informal resolution

The Complainant or victim will receive a Victim's Rights and Advocacy document, in



writing, inclusive of these options available to them:

- 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;

Furthermore, The Title IX Coordinator will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.

These accommodations or protective measures will be provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to file a formal complaint, report the crime to university police or local law enforcement and/or whether the offense occurred on or off campus.

Emergency Removal of Respondent

The University may remove a Respondent from the University's education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Administrative Leave of Employee

The University may place an employee on paid administrative leave during the pendency of a grievance process under this Policy when it reasonably concludes that the employee: (a) poses a threat to health or

safety; (b) poses a threat to University property or equipment; (c) is disruptive or interferes with an investigation under this Policy or the normal operations of the University, or (d) is charged with a serious violation of state or federal law. The University shall provide the employee the specific reason(s) for the paid administrative leave. During the paid administrative leave, the University reserves the right to prohibit the employee from entering upon the University's property or participating in any University activities absent written authorization from an appropriate University official. The status of the paid administrative leave may change over time as determined to be appropriate and effective. The failure of an employee to comply with the paid administrative leave terms may result in further action or discipline consistent with applicable collective bargaining agreements or employee handbooks.

Response to a Formal Complaint

In response to a formal complaint, the University must follow a grievance process that complies with the Title IX Complaint and Resolution Procedures section of this document.

Written Notification of Rights

The University will notify Complainants alleging sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- An explanation of the options available;
- Referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- A change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- Request that the university impose no contact/communication orders or other supportive measures;
- Choose whether or not to make a formal complaint, which would initiate a formal



investigation, unless the university deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;

- File no complaint with the university, but receive supportive measures from the university;
 - A prompt, thorough, and equitable investigation and resolution of a complaint;
 - The confidentiality of the investigation process to the extent possible;
 - Know, in advance, the names of all persons known to be involved;
 - An advisor of their choice can be present at any time during the complaint resolution proceedings, including the administrative investigation. In addition, this advisor will participate in the live hearing as the representative of the complainant who shall cross-examine the respondent and any witnesses, but whose participation in the process is otherwise limited as outlined in this policy;
 - An advisor provided by the university during the live hearing if you do not have one;
 - Reasonable accommodations for a documented disability during the process;
 - Not to have irrelevant sexual history discussed;
 - Be present at certain meetings and inspect, review and respond to the evidence before completion of the investigative report;
 - Speak and present information on their behalf, including inculpatory and exculpatory evidence;
 - Provide witnesses, including fact and expert witnesses;
 - Submit questions for the administrative investigator to ask witnesses;
 - Know the status of the case at any point during the process;
 - Be provided with a copy of the investigative report and an opportunity to respond to the report in advance of the live hearing;
 - Be informed of the outcome of the process in a timely manner;
- An appeal from the outcome of the process (if proper grounds for appeal exist);
 - File a police report and/or take legal action separate from and/or in addition to the university discipline process;
 - Seek and enforce a harassment prevention order, restraining, or similar court order;
 - Be assisted by the university in seeking assistance from or filing a complaint with local law enforcement;
 - Not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the university;
 - Be free from any behavior that may be construed by the university to be intimidating, harassing or, retaliatory; and
 - Have the matter handled per university policy.

The University will notify parties who are Respondents to claims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- An explanation of the allegation(s) against them, including sufficient details known at the time;
- Sufficient time to prepare a response to the allegation(s) before any initial interview;
- Referrals to confidential assistance and support measures from both on- and off-campus resources, including 24-hour services;
- Request that the university impose no contact/no communication orders or other supportive measures;
- Receive a copy of the complaint filed against them;
- Know, in advance, the names of all persons known to be involved;
- Be presumed not in violation of university policy and that a determination of responsibility is made after the grievance process;
- The confidentiality of the investigation process to the extent possible;



- An advisor of their choice can be present at any time during the complaint resolution proceedings, including the administrative investigation. In addition, this advisor will participate in the live hearing as the representative of the respondent who shall cross-examine the complainant and any witnesses, but whose participation in the process is otherwise limited as outlined in this policy. Under Weingarten, respondent unit members may exercise their right to a union representative or other university employee at meetings which the unit member reasonably believes may result in discipline, in addition to an advisor of their choice unless such advisor is also the Weingarten representative;
- An advisor provided by the university during the live hearing if you do not have one;
- Reasonable accommodations for a documented disability during the process;
- Not to have irrelevant sexual history discussed;
- Be present at certain meetings and inspect, review and respond to the evidence before completion of the investigative report;
- Speak and present information on their behalf, including evidence inculpatory and exculpatory evidence;
- Provide witnesses, including fact and expert witnesses;
- Submit questions for the administrative investigator to ask witnesses;
- Know the status of the case at any point during the investigation and resolution process;
- Be provided with a copy of the investigative report and an opportunity to respond to the report in advance of the live hearing;
- Be informed of the outcome of the process in a timely manner;
- An appeal from the outcome of the process (if proper grounds for appeal exist);

- Be free from any behavior that may be construed by the university to be intimidating, harassing, or retaliatory; and
- Have the matter handled following university policy.

Recordkeeping

The University will create, and maintain for not less than seven years, unless a longer period of retention is required by law, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity.

If the University does not provide a Complainant with supportive measures, then the University will document the reasons why the University did not provide such measures. The documentation of certain bases of measures does not limit the University in the future from providing additional explanations or detailing additional measures taken.

Furthermore, the University will maintain for not less than seven years, unless a longer period of retention is required by law, records of:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of the hearing, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the university's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom.



Compliance Concerns

Persons concerned about the University's handling of a Title IX report or investigation may bring their concerns to the attention of the University's Title IX Coordinator. Concerns may also be reported to:

U.S. Department of Education, Office for Civil Rights
33 Arch Street, 9th Floor Boston, MA
02119-1424

Telephone: (617) 289-0111; FAX: (617) 289-0150; TDD (877) 521-2172

Email: OCR.Boston@ed.gov

PROCEDURES FOR ADDRESSING COMPLAINTS OF NON-SEX-BASED PROHIBITED CONDUCT

The University's processes for handling non-sex-based misconduct and other disciplinary processes not covered by Title IX or the Equal Opportunity Plan, are detailed in the Student Code of Conduct and Disciplinary Process Handbook:

https://www.fitchburgstate.edu/sites/default/files/documents/2023-08/Code_of_Conduct.pdf

and for employees, the various Collective Bargaining Agreements and the Non-Unit Personnel Handbook:

<https://www.fitchburgstate.edu/resources/faculty-and-staff/human-resources-and-payroll-services/collective-bargaining>

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

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

The range of protective measures that Fitchburg State University (also referred to as the University or the Institution) may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking is broad and complies with Massachusetts law in recognizing orders of protection as stated in Chapter 209A and Chapter 258E of Massachusetts General Law. Any person who obtains an order of protection from a Court of Law in Massachusetts or any other state of the United States should provide a copy to the University Police Department and the Office of the Title IX Coordinator. A complainant may then meet with the University Police Department to develop a Personal Safety Plan, which is a plan for the University Police Department and the survivor to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection on behalf of the survivor but can assist with the process if requested. The survivor is required to apply directly for these services. Protection from abuse orders may be available through the district court of the County of the jurisdiction where the crime occurred, plaintiff or defendant resides.

Types of Orders available through the Courts:

Abuse Prevention Orders

Abuse prevention law (Chapter 209A) is there to protect you against someone who is



abusing you. An abuse prevention order is limited to someone with whom you have a specific type of relationship (family, intimate, residential).

<https://www.mass.gov/abuse-prevention-orders-for-plaintiffs>

Harassment Prevention Orders

The harassment prevention law, commonly called Chapter 258E, is there to protect you against someone who is harassing, stalking, or sexually assaulting you, no matter what your relationship with them might be.

<https://www.mass.gov/harassment-prevention-orders>

Extreme Risk Protection Orders

An Extreme Risk Protection Order (ERPO), also known as a red flag law, is an order from a judge that suspends a person's license to possess or carry a gun.

<https://www.mass.gov/extreme-risk-protection-orders>

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

University Issued Orders

Interim Restrictions

1. The appropriate University Official may impose upon a student pending disciplinary action and/or in all cases where a student has been accused with and/or is undergoing criminal proceedings for any felony charge, immediate interim restrictions without prior notice whenever there are sufficient facts to show that the accused student's continued presence on the campus endangers the physical safety or well-being of others, or

themselves, or disrupts the educational process of the university.

2. Interim restrictions may include, but are not limited to: restriction from class/ university and/or campus housing, assignment to alternate housing, limitation of access to designated housing facilities and/or campus facilities by time and location, restriction of communication with named individuals within the university community, and/or the requirement to secure advance authorization to engage in a specified activity.

a. All restrictions from the University and/or removal from class and/or attendance at classes shall be subject to review by the appropriate dean and/or the director of student conduct.

3. The director of housing and residential services, or designee, may impose upon a student pending disciplinary action immediate residential restrictions without prior notice whenever there are sufficient facts to show that the accused student's continued presence in the residence halls disrupts or potentially disrupts the residential community.

4. Students wishing to appeal an interim restriction must first do so in writing, by submitting a written appeal to the Office of Student Affairs. Upon receipt of the written appeal, the student shall have the opportunity to meet with the appropriate dean, or designee, to present their own version of the facts and to indicate why interim restrictions should not be imposed. Following this meeting, the decision of the dean or designee will be final.

5. Violations of interim restrictions may result in suspension or dismissal from Fitchburg State University.

Protective Measures and No-Contact Orders

1. The appropriate dean, director of student conduct, or designee may take administrative action, irrespective of the student conduct process, to provide protective measures



and/or issue no-contact orders. A student wishing to contest any such measures shall submit a letter in writing to the Office of Student and Academic Life. Such measures may include but are not limited to:

- a. "No contact/communication" orders;
- b. Escorts to ensure safety while moving between locations on campus;
- c. Changes in academic or work schedules;
- d. Alternative housing, dining, and/or office accommodations;
- e. Restrictions from areas of campus;
- f. Assistance in identifying an advocate to help secure additional assistance, such as off-campus and community advocacy, support and services; and/or
- g. Appropriate academic accommodations.

How to Request an Order

To request a court order, individuals can apply at any court in the commonwealth or ask assistance from any law enforcement agency in the commonwealth.

To request a university order, an individual may contact UPD, Dean of Students, or professional Housing Staff.

(HEOA) Notification to Victims of Crimes of Violence

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

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective

measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: A University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Fitchburg State University.

It is unlawful to retaliate against a student, employee, or any other person affiliated with the University 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, per Sexual Violence Policy, Student Code of Conduct, and applicable collective bargaining agreements.

Filing this incident report is only for resolution through the University's Complaint Investigation and Resolution Procedure. Completing this form **DOES NOT** constitute filing an official police report with either the Fitchburg State University Police Department or the City of Fitchburg Police Department.

To file an official police report, please contact the Fitchburg State University Police Department at (978) 665-3111 or in person at 32 Clinton Street (for incidents occurring on Fitchburg State Campus Property) or the City of Fitchburg Police Department at (978) 345-9648 or in person at 20 Elm Street, Fitchburg, MA 01420 (for incidents occurring off-campus in the city of Fitchburg).



MASSACHUSETTS LEGAL DEFINITIONS

Alleged incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, and retaliation are determined by the language of this Policy rather than by the provisions of the criminal laws of Massachusetts. However, community members who believe they have been the victim of a crime may choose to pursue a criminal investigation through local law enforcement. In those instances, criminal laws will apply. Here are the definitions of Massachusetts crimes related to the conduct prohibited by this Policy:

1. Sexual Assault

Massachusetts uses the term “rape.” The definition encompasses (1) the penetration of any orifice by any body part or object (2) by force (or threat) and (3) without consent. Rape also includes instances where the victim is incapacitated (“wholly insensible to be incapable of consenting”) and the perpetrator is aware or should have known of the incapacitation. Relatedly, under M.G.L. c. 268, § 40, a person who knows that an individual is a victim of aggravated rape and is at the scene of the crime, must report the crime to law enforcement as soon as is reasonably practicable.

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

2. Domestic Violence

Section 1 of M.G.L. c. 209A defines domestic abuse as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>

For Chapter 209A, “family or household members” are defined as persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) have a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts’ consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination.

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>

Section 13M of M.G.L. c. 265 prohibits assault and/or assault and battery against a family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.”

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

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

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

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



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

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

3. Dating Violence

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13a>

Section 13M of M.G.L. c. 265 prohibits assault and/or assault and battery against a family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.”

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

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

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

length of time that has elapsed since the termination of the relationship.”

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

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

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

4. Stalking

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section43>

5. Consent

There is no definition of the term “consent” in the Massachusetts General Laws. Massachusetts courts use the term “against his/her will” which means without consent. Cases have held that consent cannot be compelled or induced by force or threats, and consent is not present when the victim is incapacitated. In other words, consent requires a voluntary agreement demonstrated by words or actions, by a person with sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress. *Commonwealth v. Lopez*, 433 Mass. 722 (2001), *Commonwealth v. Lefkowitz*, 20 Mass. App. Ct. 513 (1985); see also:

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section22>



As of September 18, 2024, the following definitions were added to Massachusetts General Law with the passage of the Act to Prevent Abuse and Exploitation.

<https://malegislature.gov/Laws/SessionLaws/Acts/2024/Chapter118>

Abuse

The definition of "abuse" under Chapter 209A now includes "**coercive control**," a pattern of behavior intended to control, intimidate, or isolate a family or household member. This can involve a variety of actions, from monitoring communications to threatening harm to family members or pets.

Criminal Harassment

The law now explicitly criminalizes the distribution of digitized visual material that depicts a person in a manner that causes harm, harassment, or emotional distress. This includes unauthorized sharing of nude or partially nude images with intent to harm.

Under G.L. c. 265, section 43A, criminal harassment occurs when an individual willfully and maliciously engages in a knowing pattern of conduct or a series of acts over a period of time directed at a specific person, which seriously alarms the person targeted, and would cause a reasonable person to suffer substantial emotional distress.

Dissemination or Possession of Obscene Matter

Under G.L. c. 272, section 29D, whoever, while under the age of criminal majority, possesses, purchases, or disseminates, including by uploading to an internet website, any visual material, as defined under section 31, that violates sections 29B or 29C, may be punished in accordance with G.L. c. 119, section 58. Exceptions: It is not a violation for a person to knowingly disseminate visual materials by:

1. reporting the matter to a law enforcement agency, to the department of elementary and secondary education or to a parent, foster

parent, guardian, teacher, principal or other relevant school personnel; or

2. affording a law enforcement agency, the department of elementary and secondary education or a parent, foster parent, guardian, teacher, principal or other relevant school personnel access to the visual material for purposes within the agency's, department's or person's position, authority or capacity.

Domestic Violence Leave Policy (Employees)

According to Massachusetts law, specifically "An Act Relative to Domestic Violence" (the "Act"), the University provides up to fifteen (15) days of job-protected leave, each calendar year, to employees who are victims of domestic violence.

Which Employees Are Eligible for Domestic Violence Leave?

An employee who is a victim, or an employee who has a family member who is a victim of "abusive behavior" is eligible for leave. Covered family members include the employee's spouse, parent, stepparent, child, stepchild, sibling, grandparent, and grandchild. The Act specifically notes that perpetrators of domestic violence are not entitled to leave.

What is "Domestic Violence" under the Act?

The Act defines "domestic violence" as abuse against an employer or the employee's family member by:

- A current or former spouse of the employee or the employee's family member;
- A person with whom the employee or the employee's family member shares a child in common;
- A person who is cohabitating with or has cohabitated with the employee or the employee's family member;



- A person who is related by blood or marriage to the employee; or
- A person with whom the employee or employee's family member has or had a dating or engagement relationship.

What are "Abuse" and "Abusive Behavior" under the Act?

The Act's definitions of "abuse" and "abusive behavior" are broadly defined.

"Abuse" is defined as:

- Attempting to cause or causing physical harm;
- Placing another in fear of imminent serious physical harm;
- Causing another to engage involuntarily in sexual relations by force; threat or duress or engaging or threatening to engage in sexual activity with a dependent child;
- Engaging in mental abuse, which includes threats, intimidation, or acts designed to induce terror;
- Depriving another of medical care, housing, food, or other necessities of life; or
- Restraining the liberty of another.
- Coercive Control (*as of September 18, 2024*)

"Abusive behavior" is any behavior constituting domestic violence, stalking, sexual assault, or kidnapping under Massachusetts law.

When is Domestic Violence Leave Available?

If an employee has suffered abusive behavior, or has a family member who is the victim of abusive behavior, the employee may take leave from work for purposes related to the abuse, such as:

- Obtaining medical attention or counseling;
- Obtaining legal help;
- Meeting with law enforcement or a district attorney;

- Security housing;
- Securing an order of protection from a court;
- Attending child custody proceedings;
- Attending other court proceedings related to the abusive behavior, and
- Obtaining other victims' services.

The employee is entitled to up to fifteen (15) days of leave per year.

Is Notice Required?

Yes. Except where there is a threat of imminent danger to the health and safety or safety of the employee or the covered family member, employees must provide "appropriate" notice to their immediate supervisor and/or the Associate Director of Human Resources in advance of their need for leave.

Will Documentation Need to Be Provided to Support a Leave Request?

Yes. Unless there is a threat of imminent danger, the University may also require employees to produce documentation of their need for domestic violence leave. Valid documentation that will support leave under the Act includes:

- A protective order issued by a court;
- A letter from the court or agency addressing the abusive behavior;
- A police report;
- Medical documentation of treatment as a result of abusive behavior;
- A sworn statement signed under the pains and penalties of perjury provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate, or professional who has assisted the employee in addressing the abusive behavior; or
- A sworn statement signed under the penalties of perjury from the employee attesting that he or she had been the victim of abusive behavior, or that a family member has been a victim of abusive behavior.



If an unscheduled absence occurs, the employee must produce valid documentation of the reason for the absence within 30 days of the unauthorized absence. The university may not require the employee to produce evidence of an arrest or conviction.

Are There Confidentiality Requirements?

Yes. All documentation should be provided to the Office of Human Resources and will be kept confidential and will not be disclosed except if requested to or consented, in writing, by the employee, or ordered to be released by a court or otherwise required by applicable state or federal law. Additionally, the Office of Human Resources will only retain this documentation for only as long as it is required to determine the employee's eligibility for domestic violence leave.

Are Employees Entitled to Pay During Domestic Violence Leave?

Only employees who are entitled to paid vacation time, sick days, or personal days, will be paid for domestic violence leave and must exhaust this time before taking unpaid leave. This policy does not supersede or replace any benefits or privileges that are provided to employees under their respective collective bargaining agreements. Leave granted under this policy would run concurrently with any domestic violence leave currently allowed under an employee's collective bargaining agreement.

Questions Regarding Policy?

Employees who have questions regarding the Domestic Violence Leave Policy may contact the Associate Director of Human Resources at ext. 3850 or the Associate Vice President of Human Resources & Payroll Services at ext. 3172.



SEX OFFENDER REGISTRATION

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. The act also requires sex offenders already required to register in a State to provide notice, as required, under State Law, of each institution of higher education in that State at which a person is employed, carries on a vocation, volunteers services, or is a student.

The Massachusetts Sex Offender Registry Board classifies each registered offender into one of three categories:

Level 1: Considered a Low-Risk Offender

Level 2: Considered a Moderate-Risk Offender

Level 3: Considered a High-Risk Offender

How to Inquire

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

Any member of the public who is 18 years of age or older may request sex offender information. Sex offender information is provided to any person who is seeking the

information for his or her information or for the protection of a child who is under 18 or for the protection of another person for whom the requesting person has the responsibility, care, or custody.

To provide the Fitchburg State University community with the most up-to-date Sex Offender Registry Information, we are providing the website and location of the Massachusetts Sex Offender Registry Board and the City of Fitchburg Police Department contact information.

Sex Offender Registry Board

P.O. Box 4547 Salem, MA 01970

(978) 740-6400

www.mass.gov/orgs/sex-offender-registry-board

Fitchburg Police Department

20 Elm Street Fitchburg, MA 01420

(978) 345-9648

www.fitchburgpolice.com

Penalties for Improper Use of Sex Offender Registry Information

The 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 Corrections or by a fine of not more than \$1,000.00 or by both such fine and imprisonment.



MISSING STUDENT NOTIFICATION POLICY

“Suzanne’s Law” amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21, and reports the missing person to the National Crime Information Center of the Department of Justice. All instances where a student is presumed missing **must be immediately reported to the Fitchburg State University Police Department or local law enforcement.**

The University requires missing student reports to be immediately referred to the University Police Department. The Fitchburg State University Police Department’s policy is to initiate investigations immediately of reported missing persons. Any person (student, staff, or faculty) believed to be missing from the campus unexpectedly, or missing for more than 24 hours, must be immediately reported to the Fitchburg State University Police Department. Any resident student reported missing would be investigated by the Fitchburg State University Police Department, (the local law enforcement of jurisdiction). Any other community member reported missing should be reported to the local law enforcement that has jurisdiction over the individual home address. However, the Fitchburg State University Police Department should also be notified and will assist local law enforcement as needed.

The Fitchburg State University Police Department will investigate any report of a missing person that is filed by someone with knowledge of that student being missing or otherwise not where she/he is expected to be. This report may be filed by a parent/guardian or another family member of the person, by a roommate, Dean of Students or Housing & Residential Services staff member (including student staff), faculty member, employment supervisor, or anyone

else with information that indicates the person is missing. The Fitchburg State University Police Department will conduct an initial investigation to determine if the person appears to be missing, has simply changed their routine unexpectedly, and whether or not there is a reason to believe the person is endangered.

Students Under the Age of 18 and Not Emancipated

For any student under the age of 18 who is not emancipated, the University must notify a custodial parent or guardian no later than 24 hours after the time the student is determined to be missing, in addition to notifying any additional contact person designated by the student.

For all missing students, Fitchburg State University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that determined that the student is missing.

For any situation in which a missing person is believed to be endangered, this notification will be made as early as possible while officers are continuing to investigate.

Students under the Age Of 21

For students under the age of 21, Suzanne’s Law requires that students be entered into the national missing persons database as soon as it is determined that the student is missing.

Should a student be determined to be missing for more than 24 hours, the following will occur; Police will notify the Dean of Students. Police will again contact the student’s parent or guardian to update them on information known at that time, efforts made to locate the person, and to get further information that may lead to the location of the missing person.



Missing Student Contact Information

Every student who lives in on-campus student housing, regardless of age, should register one or more individuals to be a contact in case of an emergency, or case they are reported missing. The contact person can be anyone. Fitchburg State University does not require students to provide a missing person contact, but it is strongly encouraged that they do so.

If students choose to register either a missing person contact or emergency contact person, they are, in effect, also providing permission for law enforcement personnel to contact the identified individual if they are reported as a missing student. Resident students can register a designated person they wish the university to contact when they register for room assignments, or at any other time by speaking with staff in the Housing Office at 234 North Street (Aubuchon Hall).

Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by Fitchburg State University no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination (specifically, the Fitchburg State University Police Department) or the local law enforcement agency in which the student went missing.

When students are informed of their option to provide a confidential contact, they are advised that their contact information will be kept confidential and that this information will be accessible only to authorized campus officials and law enforcement, and that it may not be disclosed outside of a missing person investigation.

Missing Student Procedures

A student is determined to be missing when the Fitchburg State University Police Department has verified that reported information is credible and circumstances warrant declaring the person missing. Should the Fitchburg State University Police Department investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the Fitchburg State University Police Department. If the student is under the age of 18 and is not an emancipated individual, Fitchburg State University Police Department will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Fitchburg State University will inform the local police department (or the local law enforcement agency with jurisdiction) that the student is missing within 24 hours.



DRUG, ALCOHOL, AND SUBSTANCE ABUSE

The use of illegal substances and abuse of legal substances and alcohol impairs the safety and health of students and employees, inhibits personal and academic growth, and undermines the public's confidence in the university. For these reasons, it is the policy of Fitchburg State University that all University activities and University property shall be free of the unlawful use or abuse of drugs and alcohol.

Drug-Free Schools and Communities Act Amendments of 1989 (DFSCA)

Fitchburg State University, following both federal legislation and existing University policy, is committed to providing a drug-free, healthful, and safe environment for all faculty, staff, and students. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance and the unauthorized possession or use of alcoholic beverages on campus or as part of any University activity or business off University premises is prohibited. If it is determined that a violation of this policy has occurred, disciplinary action up to and including, dismissal (expulsion) of students, termination of employment per the employee's respective Collective Bargaining Agreement, and referral for prosecution may result as deemed appropriate. Applicable legal sanctions for the unlawful possession or distribution of drugs and alcohol, as well as further information on FSU's DFSCA compliance, are provided in both the Student Handbook and the Drug Free Workplace Act of 1988 in the Employee Handbook and HR Policies:

Students:

<https://www.fitchburgstate.edu/student-support/office-student-affairs/student-handbook>

Employees:

<https://www.fitchburgstate.edu/resources/faculty-staff/human-resources-payroll-services/human-resources-policies>

General Provisions

Fitchburg State University enforces all state laws and city ordinances regarding the possession, use, and sale of alcoholic beverages, including those prohibiting drinking by individuals under 21 years of age. The law also forbids falsifying age and identification cards. University policy restricts when, where and how alcohol may be served on campus or at university-sponsored activities or events and the amount of alcohol that a resident student or guest may bring into the residence halls.

Use or possession of alcoholic beverages in public areas (campus grounds, athletic events, parking lots, academic buildings, dining hall, and campus center) is prohibited, except where a license to serve alcoholic beverages has been obtained. In such cases, alcohol is only permitted within the confines of the license and at the discretion of the permittee.

Open containers of any alcoholic beverage (any beverage where the seal is broken) are prohibited, except when permitted by law.

Public intoxication while on university property or at university-sponsored activities or events is prohibited.

Hard liquor is prohibited on the Fitchburg State University campus. Hard liquor includes rum, vodka, gin, whiskey, and other similar liquors, as well as, mixed drink coolers.

Drinking funnels are prohibited on university property or at university-sponsored activities or events. Any activities that promote and/or encourage excessive drinking such as drinking games are prohibited.



University Alcohol Policy Statement

Fitchburg State University is a community dedicated to the academic, professional, and personal development of its members and is committed to educational and social programs that promote such development. Personal and communal responsibility concerning the University's alcohol policy is essential in ensuring that Fitchburg State's environment is conducive to student learning and development. This alcohol policy assumes that any student who consumes alcohol accepts responsibility for their conduct. Being intoxicated will not be accepted as an excuse for conduct that violates the Code of Conduct. Any student found to allegedly violate this alcohol policy will be subject to disciplinary action.

Alcohol Laws

The possession, sale, or furnishing of alcohol on the university campus is governed by the University's Alcohol Policies and Massachusetts state law. Laws regarding the possession, use, sale, consumption, or furnishing of alcohol are controlled by the Department of Alcohol and Beverage Control Commission (ABCC); however, the enforcement of alcohol laws on campus is the primary responsibility of the Fitchburg State University Police Department. The possession, use, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws, including underage drinking laws, are strictly enforced by the Fitchburg State University Police Department. Violators are subject to university disciplinary action, criminal prosecution, fines, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is also illegal.

Federal and State Drug Laws

The following is a summary of legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol provided in compliance with the Drug-Free Schools and Communities Act. Local, state, and federal laws make the illegal use of drugs and alcohol a serious crime. A conviction can lead to assigned community service, fines, and/or imprisonment. A felony conviction for such an offense can prevent an individual from entering many fields of employment and licensed professions.

Drugs and Other Substances

The unlawful manufacture, distribution, dispensation, sale, possession, or use of illegal substances or drugs (e.g. narcotics, stimulants, depressants, hallucinogens) for which a required prescription has not been obtained is prohibited. The misuse or abuse of any prescription medication or over-the-counter drug is prohibited. It is also a violation of policy to be under the influence of and/or in the presence of illegal and/or misused prescription medications.

The decriminalization of marijuana under Massachusetts's law does not impact the university as marijuana is still prohibited by Federal Law. To comply with the Drug-Free Schools and Communities Act, Fitchburg State University holds that the manufacture, distribution, dispensation, sale, possession, or use of marijuana on campus is prohibited. It is also a violation of policy to be under the influence of and/or in the presence of marijuana. Those found to violate this can face administrative sanctions through the university.

The students and employees of Fitchburg State University shall not unlawfully manufacture, distribute, dispense, possess, or use controlled substances, drug paraphernalia, or alcohol. Any individual who violates this prohibition will be subject to disciplinary action. Sanctions may include dismissal (expulsion) or termination of



employment from the university, participation in an alcohol/drug abuse assistance or rehabilitation program, as well as referral of the matter to law enforcement agencies for prosecution.

Employees are required to notify the University's Director of Human Resources (or designee), and in the case of students, the Director of Financial Aid (or designee), within five days of being convicted of violating a criminal drug statute in the workplace.

On-campus, the Fitchburg State University Police Department has primary responsibility for the enforcement of State and local drug laws. Federal Laws are enforced by Federal agencies of jurisdictions.

Controlled Substances—Uses and Effects on your body

Narcotics (Heroin)

- Initial euphoria followed by drowsiness and nausea
- Constricted pupils, watery eyes, dazed appearance
- Highly addictive
- Signs of overdose or prolonged use include: Slow shallow breathing, clammy skin, loss of appetite and weight, and possible death

Depressants (Barbiturates, Tranquilizers, Alcohol)

- Addiction
- Relaxed muscles, calmness, drowsiness
- Confusion, disorientation, slurred speech

- Signs of overdose or prolonged use include: shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death

Stimulants (Cocaine, Methamphetamine)

- Addiction
- Increased heart rate and respiratory rate
- Elevated blood pressure
- Decreased appetite, weight loss
- Blurred vision, dizziness, insomnia, anxiety
- Impaired decision making
- High doses can cause physical collapse, irregular heartbeat, stroke, and possible death

Hallucinogens (LSD, PCP, Mushrooms)

- Hallucinations
- Confusion, panic, anxiety, depression, and poor perception of time and distance
- Respiratory failure
- Death due to careless behavior

Cannabis (Marijuana, Hashish)

- Increase in heart rate, bloodshot eyes, dry mouth, and throat, increased appetite
- Interferes with memory, speech, coordination, motivation, and perception of time
- Increased risk of lung cancer, weakened immune system, and effects on the reproductive system
- Impaired decision-making can lead to harm or death



Massachusetts General Law for Alcohol and Other Drugs

Alcohol			
Mass. General Law	Offense	Sanction/Penalty	Right of Arrest
Ch. 138 §34	Selling or Furnishing Alcohol to Persons under 21	HC NMT 1 Year; and/or Fine NMT \$2,000	Criminal Complaint
Ch. 138 §34A	Procuring Alcoholic Beverages by False Representation	Fine: \$300.	Criminal Complaint or possible arrest
Ch. 138 §34C	Minor in Possession of Alcohol	Fine: NMT \$50 for 1swt offense	Arrestable
Ch. 138 §22	Unlawful Transportation of Alcohol	HC NMT 6 months; and/or Fine: \$2,500	Arrestable
Marijuana			
Mass. General Law	Offense	Sanction/Penalty	Right of Arrest
Ch. 94C §32C	Sell, or intend to sell, any amount of marijuana anywhere	Up to 2 years in jail, and/or a fine up to \$5,000	Arrestable
Ch. 94C §32I	Sell, or intend to sell, paraphernalia to youth under 21	Up to 2 years in jail, and/or a fine up to \$5,000. [Actual sale to minors under 18 is a felony of up to 5 years in prison.]	Arrestable
Ch.94C § 32C	Give marijuana to anyone under 21 at any location, in any amount, for any reason	Up to 2 years in jail, and/or a fine up to \$5,000	Arrestable
Ch. 90 § 24	Operate under the influence of marijuana (OUI)	2 years probation + education program + license suspension of at least 90 days and probably 1 year + fines and fees of at least \$500	Arrestable
Ch. 94G § 13(d)	An open container of marijuana in a vehicle	A \$500 civil ticket may be issued to the driver and/or passengers of any age.	No Right of Arrest Civil Process
Ch. 94C § 32C	Homemade marijuana concentrates	Up to 2 years in jail, and/or fine up to \$5,000. [Note: High-strength concentrate may be charged as a 5-year prison felony. See 94C, §§ 1, 31 and 32B.]	Arrestable
Ch. 94C § 32C	Cultivation or growing marijuana in any amount anywhere by youth under 21	Up to 2 years in jail, and/or a fine up to \$5,000.	Arrestable
Ch. 94C § 32L	Possession of 1 ounce or less in private or public by youth under 21	If 18, 19, or 20: \$100 civil ticket. If under 18: \$100 civil ticket + 4-hour drug class + 10 hours of community service. Failure to complete, the fine increases to \$1,000 and is assessed against parents too, and the case may be filed in juvenile court. See 94C, § 32N.	No Right of Arrest Civil Process
Ch. 94C § 34	Possession of over 1 ounce in private or public by under 21	Up to 6 months in jail, and/or a \$500 fine. [Note: Even adults may be arrested for possession of over 2 ounces in public.]	Arrestable



Ch. 94G § 2 (d)	Possession, display, or consumption by anyone of any age affiliated with the university/college	Suspension and/or other disciplinary action. This may be in addition to any other civil or criminal penalty allowed by law.	No Right of Arrest Administrative Process
Other Drugs			
Statute	Offense	Sanction/Penalty	Right of Arrest
Ch. 94C §41	Possession of Controlled Substances	HC NMT 2 Year; and/or Fine NMT \$2000	Arrestable
Ch. 270 §18	Smelling Substance with Toxic Vapor (<i>to get high</i>)	HC NMT 6 months; and /or Fine NMT \$200	Arrestable in Presence
Ch. 94C §32I	Sale or Possession with Intent to Sell Drug Paraphernalia	HC NLT 1 year, NMT 2 yrs.; and /or Fine NLT \$500, NMT \$5,000 (increased penalty if the buyer is under 18)	Arrestable

Prevention & Awareness Programs

Substance abuse prevention programs are coordinated through several campus departments. The programs provide training and substance abuse prevention programming to the University community and offer preventative education and outreach activities.

In addition to providing care for mental health issues, the Office of Counseling Services can provide support, counseling, and resources to those who seek services related to substance use. Counseling Services can also act as a liaison to refer students to appropriate levels of care available in the community depending on the specifics of a student's concerns with substance use. Counseling Services are typically not able to accommodate court-ordered (required) drug and alcohol counseling.

Counseling Services Office can deliver the "BASICS" (Brief Alcohol Screening and Intervention for College Students) intervention, which students may seek voluntarily, or on occasion, a referral emerging as part of disciplinary action on campus.

Human Resources and Counseling Services, have established working relationships with

area hospitals, community mental health centers, and other social service agencies to facilitate referrals when treatment is needed.

Employee Assistance Program (EAP): 1-800-451-1834

The Employee Assistance Program or "EAP" is a benefit that provides short-term counseling and, when needed, referral services to Fitchburg State University faculty and staff, and their household members. This free service is provided by AllOne Health. The EAP is staffed 24/7 by licensed counselors who respond quickly to requests for help in a caring, respectful, and confidential manner.



HAZING POLICY

In 1985, Massachusetts passed legislation entitled, An Act Prohibiting the Practice of Hazing, and amended the legislation in 1987 to increase the penalties for those who practice hazing. This legislation appears in Chapter 536 of The Acts of 1985 and Chapter 665 of The Acts of 1987 and requires Fitchburg State University to certify that the university has adopted a disciplinary policy concerning the organizers and participants in hazing.

Hazing is defined as any conduct or method of initiation into any student organization, team, group, etc., which willfully or recklessly endangers the physical or mental health of any student, or another person, no matter how good the result or intent is. Such conduct includes but is not limited to:

- Applying any substance to a person's body or belongings, such as whipped cream or paint
- Forced listening to loud, repetitive music or recordings
- Whipping, paddling, or other beatings
- Personal servitude
- Pranks such as streaking, panty raids, scavenger hunts, etc.
- Forced or coerced wearing of conspicuous clothing not normally in good taste, such as togas
- Extended deprivation of sleep, adequate study time, rest, or extended isolation

- Forced or coerced branding/tattoos
- Deprivation of food or water
- Forced calisthenics
- Exposure to settings or conditions that adversely affect the physical health or safety of any student or which subjects such student or another person to extreme mental stress
- Individual or group interrogations
- Involuntary consumption of any food, liquor, beverage, drug, or other substance, or any other brutal treatment or forced physical activity that is likely to adversely affect the physical health or safety of any student or other person

Hazing is banned in any form as a practice by an organization, group, or team, etc. using the Fitchburg State University name, or claiming to act in any way under the supervision of Fitchburg State University. Any individual or organization found responsible for practicing hazing, in any form, is subject to penalty, including dismissal from Fitchburg State University, and, in the case of a recognized student organization, loss of recognition. An individual in an alleged violation of the Hazing Policy may not use consent as an acceptable reason for participation. Anyone with knowledge that another person is the victim of hazing shall immediately report such activity to the Dean of Students, or designee.



COUNTING CLERY ACT CRIMES

In compliance with the Massachusetts Public Records Law and the requirements of the Jeanne Clery Disclosure Act, there is a public police log and a Clery Crime/Fire log available 24 hours a day, at the Fitchburg State University Police Department, located at 32 Clinton Street, Fitchburg, MA 01420.

A summary of police activity (Public Logs) and the Clery Daily Crime Logs may be viewed at the University Police Station located at 32 Clinton Street. A request for a copy to be emailed to you can be made by emailing Lt Karampatsos @ pkarampa@fitchburgstate.edu or Chief Cloutier @ mclouti4@fitchburgstate.edu

The Clery Daily Crime Logs records crimes by the date that the crime has been reported to the University Police Department within the department's patrol jurisdiction. This log is also available for public inspection at the Fitchburg State University Police Department and includes the nature, date, time, and general location of each crime reported to the department.

Collection of Annual Crime Statistics

The Fitchburg State University Police Department is the centralized reporting authority for Fitchburg State University. The Fitchburg State University Police Department collects statistics from the Dean of Students, Title IX Office, and the Counseling Services for the Annual Security Report. Statistical information about alcohol, drug, and weapons referrals is compiled through the Dean of Students. The Fitchburg State University Police Department additionally collects statistical information from the City of Fitchburg Police Department and the Massachusetts State Police for all publicly held properties adjacent or contiguous to the campus as defined by federal law.

Fitchburg State University Police Department collects statistical data from the local law

enforcement agencies for student organizations for the inclusion of this report. Student Organizations of Fitchburg State do not own or control any space or property outside of that which is owned by the university. Property purchased by the Alumni Association is also included in the year that the property is purchased.

The Title IX Coordinator collects data from confidential reports of sexual assault and forwards those statistics to the University Police. Fitchburg State University Police Department reports statistical information to the Title IX Coordinator to prevent counting incidents more than once.

Fitchburg State University reports crime using the definitions as described in the Federal Bureau of Investigation's Uniform Crime Reporting program. Fitchburg State University also reviews all crimes for evidence that the victim was intentionally selected because of the victim's actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability. Statistics are reported for those reportable crimes that are also considered hate crimes.

Crime Statistics

The crime statistics found in this report represent alleged criminal offenses reported to the Fitchburg State University Police Department and/or local law enforcement agencies. Therefore, the data collected does not necessarily reflect prosecutions or convictions for crimes. Because some statistics are provided by non-police authorities, such as those deemed as Campus Security Authorities, the data are not directly comparable to data from the FBI's Uniform Crime Reporting System, which only collects statistics from police authorities. Please note that valid comparisons of campus statistics are possible only with a study and analysis of the conditions affecting each institution. The statistics provided in this report cover the following areas:

- On-Campus
- Residence Halls



- Non-Campus Buildings and Property
- Public Property
- Hate Crimes
- VAWA Offenses
- Disciplinary Offenses

Clery Definitions

The Clery Act is provided to assist in the classification of crimes. Clery definitions are taken from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR) as required by the Clery Act regulations.

Murder and Non-Negligent Manslaughter:

The willful (non-negligent) killing of one human being by another. This includes death or injuries received in a fight, argument, quarrel, assault, or commission of a crime.

Manslaughter by Negligence: The killing of another person through gross negligence

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the age of consent.

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 to inflict severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or theft. This includes the unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; and safecracking.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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

Domestic Violence: is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.



Dating Violence: This is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

- Dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Stalking: is defined as engaging 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.

For the purposes of this definition:

- A 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 reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Arrest: Persons processed by arrest, citation, or summons. An arrest occurs when a law enforcement officer detains an adult to seek charges against the individual for the specific offense(s) and a record is made of the detention. A juvenile should be counted

as "arrested" when the circumstances are such that if the individual were an adult, an arrest would have been counted.

Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Illegal Weapons Possession: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This also includes the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; illegal aliens possessing deadly weapons; and attempts to commit any of the above.

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and the making of narcotic drugs. The relevant substances include opium, or cocaine, and the derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturate, Benzedrine). Possession of a small amount of marijuana will no longer be counted as less than an ounce of marijuana has been decriminalized. However, possession will be still considered a violation and subject to a student conduct hearing.



Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. This includes The manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the above.

**Upon review of the 2021 disciplinary referral data, the University noticed an error in the coding within the software that it uses to track referrals. Specifically, a semi-colon was omitted in a specific spot, which caused one of the residential buildings to be coded as on-campus, but not also on-campus residence hall, which it should have been. This has since been rectified, and all data for the past several years audited for accuracy. This data*

has been corrected and is reflected in the data submission and in the most recent ASR.

Unfounded Crimes Reported

Since 2015, institutions have been required to include in the annual security report statistics for the total number of crime reports that were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years. Crime may be reported as unfounded only after a full investigation by sworn or commissioned law enforcement personnel. Crime is also considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

Year	Reports Deemed Unfounded
2023	0
2022	0
2021	0



Crime Statistics

2023, 2022, and 2021

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offense
		On-Campus Student Housing	On-Campus Total			
Murder by Non-negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	3	4	0	0	4
	2022	2	2	0	0	2
	2021	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	1	2	0	0	2
	2021	1	1	0	0	1
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	1	1
	2022	0	0	0	0	0
	2021	0	0	0	1	1
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	2	0	2
Motor Vehicle Theft	2023	0	1	0	0	1
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

VAWA Statistics

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offense
		On-Campus Student Housing	On-Campus Total			
Domestic Violence	2023	0	0	0	0	1
	2022	1	2	0	0	2
	2021	2	2	0	0	2



Dating Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2023	0	1	0	0	1
	2022	0	1	0	0	1
	2021	0	3	0	0	3

Violations Leading to Arrests

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offense
		On-Campus Student Housing	On-Campus Total			
Weapon Violations	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Drug Violations	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	1	0	0	1
Liquor Violations	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Violations Leading to Judicial Referrals

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offense
		On-Campus Student Housing	On-Campus Total			
Weapon Violations	2023	1	1	0	0	1
	2022	0	0	0	0	0
	2021	1	1	0	0	1
Drug Violations	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Liquor Violations	2023	56	56	0	0	56
	2022	32	32	0	0	32
	2021	38	38	0	0	38



Hate Crimes Definitions

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability are reported in the University's Annual Security Report. Fitchburg State University Police Department also reports monthly Hate Crime to the Commonwealth, which in turn reports our statistics to the federal government which tracks a broader category of hate crimes.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, whites.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly on biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people who have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or are married to or associated with people of a certain national origin.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder /Non-negligent Manslaughter,
- Manslaughter by negligence,
- Sexual Offenses (rape, fondling, incest, statutory rape)



- Robbery,
- Aggravated Assault,
- Burglary,
- Motor Vehicle Theft,
- Arson,
- Larceny-Theft,
- Simple Assault,
- Intimidation,
- Destruction/Damage/Vandalism of Property

The first eight offenses are previously defined, in addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in the Clery Act statistics only if they are Hate Crimes.

Larceny-Theft: the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Simple Assault: is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal

injury, severe laceration, or loss of consciousness.

Included are assaults that do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapons, and in which the victim did not sustain serious or aggravated injuries.

Intimidation: is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. A person is assumed to be placed in “reasonable fear” if he or she reports threatening words or other conduct to law enforcement personnel. To be the victim of intimidation, one doesn’t have to be the intended target of the offender. (For the intimidation to be considered a hate crime there would have to be other supporting evidence of bias as well.)

Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. However, incidents of burning that willfully or maliciously destroy, damage, or deface property would be classified as arson.

*Negligent manslaughter is not included as a hate crime, as the crime is not directed at a specific individual



Reported Hate Crimes Statistics for 2023 2022, & 2021															
		On-Campus (Student Housing)			On-Campus Total (Includes Student Housing)			Non-Campus			Public Property			2023 Totals	
		2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2020		
Murder/Non-Negligent Manslaughter	Race	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses	Rape	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
		Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
		Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
		Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
		National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
		Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
	Fondling	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
		Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
		Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
		Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
		National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
		Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
	Incest	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
		Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
		Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
		Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
		Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
		National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
		Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	Race	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	Race	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	Race	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	



	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/ Damage/ Vandalism of Property	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0



	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0

CLERY GEOGRAPHY

The Clery geography of Fitchburg State University is unique and complex due to the physical location of the university. On-Campus encompasses all university-owned property from the McKay Campus Complex and adjacent wooded area to the Fitchburg Mart Intermodal, as well as the property of Elliot Field and the Wallace Civic Center. These properties are not directly connected. Most university property is divided or interrupted by city and privately owned properties. Some of these properties may fall under the university's "routinely patrolled" jurisdiction. To assist one in further understanding the nuances of the university's patrolled jurisdiction, as well as to identify those properties considered for inclusion in our annual statistics, we have provided the Clery definition of the various geography as well as both a listing of all university-owned property and a map.

The Clery Act geographical reporting area definitions are:

On-Campus:

- 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
- Any building or property that is within or reasonably contiguous to the area 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 Building or Property:

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

Public Property:

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

All roadways, sidewalks, and crosswalks adjacent to Fitchburg State University "On Campus" property are considered Public Property for this report with the only exception of the portion of Highland Avenue from 230 Highland Avenue to the intersection of Highland Avenue at Holman Street. This portion is marked when visiting the campus as a private way at 230 Highland Avenue and has a gate at the end of Highland Avenue at Holman Avenue. As such, this portion of Highland Avenue is considered On Campus.

Incidents that occurred on a remote learning platform or while students were not on Clery Act geography:

If the perpetrator or victim of a Clery Act crime was located on the institution's physical Clery Act geography, the incident should be counted.

Threats, intimidation, stalking, or other incidents that occur through an online platform would only be recorded for Clery Act purposes if the crime meets the definition of a Clery Act crime, and either the perpetrator



or the victim was located on physical Clery Act geography at the time of the incident.

Students' and employees' private homes are not part of an institution's Clery Act

geography unless the institution has a written agreement giving the institution control of that space. Work-from-home agreements do not give an institution control of an employee's home.

Fitchburg State University Property and Clery Geography		
RESIDENCE HALLS		
Aubuchon Hall	234 North St	On Campus Residential
Cedar House	30 Cedar Street & 22 Cedar Street	On Campus Residential
Mara 1	299 Highland Avenue	On Campus Residential
Mara 2	210 Cedar Street	On Campus Residential
Mara 3	220 Cedar Street	On Campus Residential
Mara 4	329 Highland Avenue	On Campus Residential
Mara 5	339 Highland Avenue	On Campus Residential
Mara 6	250 Cedar Street	On Campus Residential
Mara 7	260 Cedar Street	On Campus Residential
Mara 8	349 Highland Avenue	On Campus Residential
Mara Commons Building	319 Highland Avenue	On Campus
Russell Towers	260 North Street	On Campus Residential
Simonds Hall	45 North Street (For Utilities use 26 Willow Street)	On Campus Residential
Townhouse 1 (Apts. 101, 102, 103, 104)	241 Highland Avenue	On Campus Residential
Townhouse 1 (Apts. 105, 106, 107, 108)	243 Highland Avenue	On Campus Residential
Townhouse 2 (Apts. 201, 202, 203, 204)	261 Highland Avenue	On Campus Residential
Townhouse 2 (Apts. 205, 206, 207, 208)	263 Highland Avenue	On Campus Residential
Townhouse 3	170 Cedar Street	On Campus Residential
Townhouse 4	158 Cedar Street	On Campus Residential
Townhouse 5	152 Cedar Street	On Campus Residential
Townhouse 6	150 Cedar Street	On Campus Residential
Townhouse 7	140 Cedar Street	On Campus Residential
Iver Johnson House	131 Highland Avenue	On Campus
46 Clinton Graduate Housing	46 Clinton Street	On Campus
132 Highland Graduate Housing	132 Highland Avenue	On Campus



Healy Hospitality House	147 North Street	On Campus
ACADEMIC & ADMINISTRATIVE BUILDINGS		
Anthony Building	280 Highland Avenue	On Campus
Antonucci Science Center	333 North Street	On Campus
Athletic Field House – Elliot Field	53 Pearl Hill Road (1st building on left)	On Campus
Conlon Fine Arts Building	367 North Street	On Campus
Conlon Hall	316 Highland Avenue	On Campus
Dupont Building	299 North Street	On Campus
Edgerly Hall	281 North Street	On Campus
Exercise Science Bldg.	155 North Street	On Campus
Hammond Hall	160 Pearl Street	On Campus
Herlihy Hall	320 North Street	On Campus
Highland Planning House	340 Highland Avenue	On Campus
Holmes Dining Hall	280 North Street	On Campus
Mazzaferro Center	291 Highland Avenue	On Campus
Miller Hall	230 Highland Avenue	On Campus
McKay A	67 Rindge Road	On Campus
McKay B	67 Rindge Road	On Campus
McKay C	67 Rindge Road	On Campus
North Street Units	185 North Street	On Campus
Percival Hall	254 Highland Avenue	On Campus
Recreation Center	130 North Street	On Campus
Sanders Administration Building	300 Highland Avenue	On Campus
Service Center	167 Klondike Avenue	On Campus
Theater Building	689-717 Main Street (Game Studio is 717 Main Street)	On Campus
Thompson Hall	240 Highland Avenue	On Campus
University Police Station	32 Clinton Street	On Campus
Weston Auditorium	353 North Street	On Campus
OTHER BUILDINGS OWNED ON BEHALF OF FSU		
70-78 North Street (Crowne Fried Chicken)	70 North Street (Crowne Fried Chicken) & 78 North Street (Parking Lot on right)	Sold as of May 30, 2024
15 Central Street (vacant)	15 Central Street	Non-Campus
164-168 Highland Ave (vacant)	164-168 Highland Ave	On Campus
174 Highland Ave (vacant)	174 Highland Ave	On Campus



66 Day Street (vacant)	66 Day Street	Non-Campus
153-155 Snow Street (vacant)	153-155 Snow Street	On Campus
OTHER BUILDINGS LEASED BY FSU		
Wallace Civic Center/Gaetz Arena	1000 John Fitch Highway	On Campus
Wallace Civic Center/Landry Arena	990 John Fitch Highway	On Campus
MART East (Center for Prof. Studies)	150 Main Street	Non-Campus
MART West (Grants Center)	152 Main Street	Non-Campus
VACANT LAND OWNED ON BEHALF OF FSU IN FITCHBURG		
68 Rindge Road	The wooded hill across from McKay Campus	Non-Campus
145 Rindge Road	Land along the river just past McKay Campus	Non-Campus
254 Rindge Road	Steep wooded hill on the south side of the road	Non-Campus
379 Rindge Road	Martel Preserve - land between road & river	Non-Campus
119 John Fitch Highway	Earth Storage Yard - across from Will Thompson Way	Non-Campus
221 & 319 Pearl Hill Road	Backland behind Elliot Fields	Non-Campus
47 Fitch Hill Avenue	Steep wooded hill on the southeast side of the road, behind Aubuchon	Non-Campus
65 Fitch Hill Avenue	Steep wooded hill on east side of road, behind Aubuchon & Russell A Tower	Non Campus
143 Snow Street	Vacant grassed slope toward North 1 Lot	On Campus
42-50 Snow Street	Abolitionist Park	Non Campus
59 Day Street	Vacant Parking Lot cordoned off	Non Campus
67-69 Green Street & 86 North Street	Green 2 Lot (dirt lot)	On Campus
9 Clinton Street	Vacant dirt Lot	Non Campus
52, 54 & 58 Clinton Street	Land behind 185 N. St. Apartments, between Clinton Lot and 48 Clinton	On Campus
127 Clinton Street	The fenced grassed lot by the corner of Pearl & Clinton Streets	On Campus
172 Myrtle Ave	Grassed lot at the corner of Pearl St. & Myrtle Ave. with a bench	On Campus
198 Pearl Street	The fenced grassed lot between 192 & 204 Pearl Street	On Campus
188 Highland Avenue	Vacant dirt Lot	On Campus
721-725 Main Street	Wooded/dirt lot down between Theater Building & paved parking lot, to Brook St.	Non Campus
739-745 Main Street	Paved parking lot down behind 15 Central Street, access from 9 Central St.	Non Campus



VACANT LAND OWNED ON BEHALF OF FSU IN LANCASTER		
2191-2253 Lunenburg Road	Biology Preserve - access from Woods Lane by Boy Scouts, a locked gate on right	Not Used by the Institution
PARKING LOTS		
Admissions Lot	279 Highland Ave	On-Campus
Antonucci Mini-Lot (by Weston Aud.)	345 North Street	On-Campus
University Police Lot	34 Clinton Street	On-Campus
Upper Cedar Lot	174 Cedar Street	On-Campus
Lower Cedar Lot	152-172 Cedar Street	On-Campus
Cedar House Lot	14 Cedar Street	On-Campus
Civic Center Lot	1024 John Fitch Highway	On-Campus
Clinton St Lot above North 2 Lot	62 Clinton Street	On-Campus
Clinton St Lot just after #46 Clinton	40 Clinton Street	On-Campus
Congress St. Lot	3 Congress Street	On-Campus
Conlon FA rear Lot	37 Ross Street	On-Campus
Dupont Lot	299 North Street	On-Campus
Elliot Field Lot	53 Pearl Hill Road	On-Campus
Green 1 Lot	64 Green Street	On-Campus
Green 2 dirt Lot	67 Green Street	On-Campus
Herlihy Lot (rear)	336 North Street	On-Campus
Highland Lot, by Maras 4 & 5	337 Highland Avenue	On-Campus
Highland Avenue, Street Lot	247-289 Highland Avenue	On-Campus
McKay Front Lot	97 Rindge Road	On-Campus
McKay Rear Lot	490 North Street	On-Campus
McKay C Rear Lot	38 Lenox Street	On-Campus
McKay Lower Lot	496 North Street	On-Campus
North 1 Lot	170 North Street	On-Campus
North 2 Lot on North Street	211 North Street	On-Campus
North 2 - Clinton St. Lot	62 Clinton Street	On-Campus
North 4 Lot on North Street	139 North Street	On-Campus
North 4 - Clinton St. Lot	40 Clinton Street	On-Campus
Ross St. Lot	36 Ross Street	On-Campus
Sanders Lot	290 Highland Avenue	On-Campus
Service Center Lot	171 Klondike Avenue	On-Campus



Fitchburg State University
Annual Security and Fire Safety Report

Simonds Hall Lot	45 North Street	On-Campus
Townhouse Lot	235 Highland Avenue	On-Campus
Upper Weston Lot	350 North Street, turn left	On-Campus
Lower Weston Lot	350 North Street, turn right	On-Campus



ANNUAL FIRE SAFETY REPORT

Fitchburg State University has various departments that work collaboratively to ensure that the University complies with all fire and life safety codes and standards. The department includes the Capital Planning and Maintenance, Housing & Residential Services as well as University Police. All residence halls meet or exceed local and national fire safety codes and are equipped with modern fire alarm systems including smoke detectors and sprinkler systems. These systems are routinely inspected by the City's Fire Department as well as contractors who specialize in fire suppression and notification systems.

TO ENSURE A SAFE CAMPUS THE FOLLOWING RULES AND REGULATIONS HAVE BEEN ESTABLISHED.

Smoking

All Fitchburg State University Academic, Administration, Athletic, and Residence Halls are smoke-free. This includes all student rooms, hallways, and common areas. As posted, there is no smoking within 25' of any building on campus.

Fire Safety Equipment

Fire alarm systems and fire safety equipment are provided for the protection of the residents. The fire extinguishers, smoke detectors, fire alarm horns, pull stations, and emergency exit signs are critical to the safety equipment.

Failure to Evacuate

Except for emergency response agencies (i.e., Fitchburg Fire Department, and Fitchburg State University Police Department), all occupants in the building will evacuate when a fire alarm has been activated. Individuals or groups failing to

evacuate will be subject to disciplinary action. Fitchburg State Residence Halls generally will hold a fire drill each semester and all occupants of the building are required to participate. Failure to participate can result in disciplinary action. Students who fail to vacate the residence hall during a fire alarm are subject to disciplinary action.

Fire Department Access

Persons who intentionally block or otherwise hamper the duties of the Fitchburg Fire Department or Fitchburg State University Police Department during a fire or medical emergency will be subject to disciplinary action, fines, or expulsion from University housing and/or criminal prosecution.

Fire Detection and Suppression Equipment Tampering

Fire alarm systems and fire safety equipment are provided for the protection of the residents. The fire extinguishers, smoke detectors, fire alarm horns, pull stations, and emergency exit signs are critical safety equipment. Tampering with fire safety equipment can result in criminal prosecution, disciplinary action, and/or housing occupancy agreement termination. Where fire sprinklers exist, all sprinkler heads must remain free of obstructions to allow them to operate properly. Nothing may be attached or placed against any part of the sprinkler system, including piping.

False Alarms

Any person who, without proper justification, turns in a false fire alarm by activating a fire alarm pull station or calling in a report of fire may be punished with disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.

Malicious Burning of Building Component(s) or a Building

Any person who knowingly sets fire to components of a building (i.e. doors, bulletin boards, and furniture) and/or the building itself will face disciplinary action, fines, or



expulsion from University housing, and/or criminal prosecution.

Smoke Bombs and Bomb Threats

Any person who possesses and/or activates a smoke bomb in a building without the permission of the Fitchburg State University Police Department, or any person who initiates a bomb threat, will be subject to disciplinary action, fines, or expulsion from University housing and/or criminal prosecution.

Fire Hydrants and Fire Lanes

No vehicle except for emergency response apparatus or cars shall park in designated fire lanes or in front of a fire hydrant. Fitchburg State University shall not be responsible for any damage to a motor vehicle that obstructs the response of the Fitchburg Fire Department or other emergency response agency.

Fire Hazards

Motorcycles, automobiles, mopeds, gasoline, propane, flammable liquids, and other similar items are not allowed in buildings other than those facilities specifically designed for that intended purpose and shall be removed at the owner's expense.

Explosives, Fireworks, and Flammables

The possession and/or storage of fireworks, explosives, gunpowder, ammunition, any flammables, or material that may jeopardize the safety of others is strictly prohibited. Any person possessing and/or discharging these items on campus will face disciplinary action, fines, expulsion from University housing, and/or criminal prosecution.

Exit Doors

Using an Emergency Exit in a non-emergency situation may result in a fine and disciplinary action.

Fire Drills

Fire Drills at Fitchburg State University will be conducted at least once during the academic year. This announced fire drill is performed to familiarize occupants in the building with the sound of the fire alarm, to verify that the system is functioning properly, and to test the evacuation systems for faculty, staff, and students.

Inspections/Fire Drills

Most residence hall fires start in a student's room. The cause of the fire could be the careless disposal of smoking material, cooking equipment, candles, or improper lights and wiring. Wastepaper baskets, sheets, futons, wall hangings, and furniture are fuel sources for a potential fire; if ignited, each will allow smoke and flame to spread throughout the room, floor, or building. If during a scheduled fire drill, fire alarm, or a scheduled health and safety inspection a housing staff member discovers any smoking material, cooking equipment, candles, or improper lights located in a student's suite, the items will be confiscated.

Room Entry

The Office of Housing and Residential Services respects the student's rights to privacy within the group living-learning environment and will strive to protect and guarantee this privacy. This policy is designed to ensure only legal and appropriate entry into a resident's room by specifically authorized staff and to define the conditions under which authorized personnel may enter a student's room.

Rooms may be entered under the following conditions:

- To provide room maintenance inspections, repair service, or perform a safety inspection.
- When there is reasonable cause to believe that university regulations or laws are being violated.
- For an emergency that requires that a room be entered.



- When a resident vacates a room for a break period, authorized personnel may enter a room to provide room maintenance inspections, repair service or to perform safety inspections.

Portable Electrical Appliances

For health, safety, and sanitation considerations, only the following appliances are authorized for use in the residence halls: small electrical appliances that have a completely enclosed heating element and are UL-approved (i.e. coffeemakers and popcorn poppers); and, small microwaves and refrigerators that meet the residence hall specifications.

Refrigerators

- The maximum size, internal dimensions of less than 4.0 cubic feet.
- Maximum of 2 running amps. Refrigerators must be unplugged during semester break periods.

Microwaves

- Maximum wattage, less than 1000 watts.

Appliances that are not permitted in the student rooms are electric skillets, toaster ovens, electric blankets, hot plates, items with exposed heating elements, air conditioners, and halogen lamps. The high potential of fires and damage from these items make these provisions necessary.

Candles, Open Flames Devices, and Smoking

Open flame devices (except for cigarette lighters and matches) are prohibited in residence halls. Candles, incense, and similar items may not be burned or lit in any residence hall. If lit or previously burned candles or incense are found or reported they will be confiscated. Smoking is prohibited in all academic buildings and residence halls. Smoking is not permitted in buildings or within 25 feet of a building entrance or air intake.

Holiday Decorations

Per the Massachusetts Fire Prevention Regulations, the following decorative items *shall not be permitted* in the Fitchburg State University buildings and residence halls:

- Candles
- Christmas or other sawn trees (except UL or FM-approved artificial Christmas or decorative trees)
- Christmas or other decorative wreaths
- Corn stalks or shucks
- Cotton or confetti
- Dry moss or leaves
- Paper streamers
- Tree branches or leaves

Only UL or FM-approved lighting for indoor use can be used in academic and residential buildings. If used, the lights cannot be run over ceiling tiles grids, or through walls or doorways. The lights must be hung below the ceiling using non-conductive material (i.e., string or tape). Not more than three sets of lights can be attached to a single extension cord. Lights must be turned off when the area is left unattended.

Electrical Extension Cords

Electrical Cords (primary and extension) must not pass through walls, floors, or above-suspended ceilings. Electrical Cords (primary and extension) cannot be beneath carpets or across corridors or fire escapes. This type of placement could cause a fire or be responsible for a personal injury accident. If temporary wiring is required, the cord must be run along the wall, and not across an aisle or overhead.

It must be held up with a non-conductive material such as string or tape, and may not run above a concealed space such as a drop ceiling.

Electrical and mechanical closets and rooms are hazardous locations. They are not to be used for general storage and they must be kept clean at all times to reduce the risk of fire.



Electrical panels shall be properly maintained. Under the Massachusetts Electrical Code, there must be at least three square feet of space around all electrical panels, boxes, disconnects, fuses, and other associated equipment. Students having questions about electrical closets, disconnects, panels, rooms, or service should contact the Capital Planning and Maintenance Department at (978) 665-3115 or (978) 665-3230.

Fire Doors, Escapes, and Exits

For health and safety reasons, all means of egress and their components must be properly maintained at all times per the requirements of the State Building and Fire Prevention Regulations. A means of egress shall include but is not limited to corridors, doorways, fire escapes, and stairwells. They incorporate an “exit access” (corridors and stairs that lead to an exit), an “exit” (the door itself), and the “exit discharge” (the exterior side of the door, which could include a fire escape, another building, or sidewalk).

The corridors in the residence halls are required to be free of hazards and obstructions. Corridors, fire escapes, hallways, and stairwells cannot be used for the placement or storage of combustible material (i.e. boxes, cardboard, and/or paper), bicycles or furniture, waste receptacles, or any other item or equipment that would hinder a safer means of egress or firefighting operations. Corridors, fire escapes, hallways, and stairwells cannot be used as runways for extension cords, telephone wires, or television cables that could create a personal injury hazard. Fire escapes cannot be used for the storage of grills, regardless of size or fuel. Fire doors in corridors and stairwells cannot be chocked open (except smoke-activated fire doors that close when the fire alarm is activated).

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing

are held at the beginning of the academic year. The Fitchburg State University utilizes a documentary, “After the Fire” which is mandatory for all incoming students. “After the Fire” discusses the January 19, 2000, Seton Hall University fire that claimed three lives and injured 56 others.

Copies of their book, “After the Fire,” are available in the library. Members of the Fitchburg Fire Department and Fitchburg State University Police Department are also on hand to answer questions.

Fire Drill procedures can be found in the Student’s Handbook with additional information on fire safety in the student’s housing occupancy agreement. Procedures for fire drill is the same as the University’s Emergency Evacuation Plan referenced earlier in this document.

Fire Reporting Procedure

The following general procedures should be followed if you discover a **FIRE**:

Smoke is the greatest danger in a fire. As you evacuate, or if you are trapped, always stay near the floor where the air is less toxic. **STAY LOW!** In advance, familiarize yourself with fire extinguisher locations, exits, and alarm pull stations.

- Close the door to the room involved. This will contain the fire.
- Activate the closest fire pull station.
- Call the Fitchburg State University Police Department when it is safe to do so.
 - Non-Campus Landline phone: **(978) 665-3111**
 - On-Campus Landline phone: **3111**
- Awaken any sleeping roommate.
- Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open them slowly, if heat or smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should the condition in the corridor deteriorate.



- Get on your knees or belly and stay low always making your way to the nearest marked exit. Alert others as you exit.
- **DO NOT USE ELEVATORS!**
- Housing staff members who are present on their floors should facilitate the evacuation of their floor/section if possible.
- Stay back at least 500 feet or more from the building.

If trapped during a fire:

- Shout at regular intervals to alert emergency crews of your location.
- Find a window and place an article of clothing outside of it to use as a marker for rescue crews.
- If there is no window, stay near the floor where the air is less toxic.

Emergency Fire Procedures

General Procedures for Students and Employees in case of a fire states that “All faculty, staff, and students are required to evacuate the building during a fire alarm”.

Evacuation Procedure

- When evacuating the building, use the most direct means of egress possible.
- Before opening the door, feel the door with the back of your hand. If the door is hot, or you can see fire or smoke in the corridor, do not pass through. Stay in the room. Pack towels (wet if possible) under the door to prevent smoke from entering. Telephone the Fitchburg State University Police Department and report your location.
- If the door is cool, open it slowly. If there is no smoke, proceed to the nearest exit. If the smoke is light, crawl low to the closest exit. If you encounter smoke along the way, choose an alternate escape route. Make sure the doors close behind you to prevent the spread of smoke.

Evacuation Plan for Persons with Disabilities

- If the occupant, resident, or visitor is located on the ground floor of the building, exit through the closest appropriate means of egress.
- If the occupant, resident, or visitor is located above the ground floor, **DO NOT USE THE ELEVATOR**. Stay in your office or room, or see specific examples below.
- Call the Fitchburg State University Police Department at (978) 665-3111 and give the dispatcher your name, exact location, room number, and telephone number. Remain by the phone until contacted by the Fitchburg State University Police Department. Firefighters will assist persons who are unable to evacuate.
- Persons with hearing impairments can be assisted out of the building, providing that they are made aware of the activation of the fire alarm.
- Persons with visual impairments can be safely helped out of the building, provided that a person is there to assist them and that most of the other building occupants have already left the building. The evacuation of persons with disabilities at the same time as everyone else might increase the risk of an accident or otherwise endanger all persons trying to vacate the building.
- Persons with mobility impairments should most often remain in their rooms until assisted by the Fire Department. Untrained occupants should not attempt to carry people from the building. This could cause stairway restrictions for other evacuees and may also result in serious injury to the parties involved as well as others.



Fire Definitions

The following definitions apply to this section:

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

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

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

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

Fire-Related Death: Any instance in which a person:

- Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- Dies within one year of injuries sustained as a result of a fire.

Fire-Safety System: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke

alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

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

Reporting That a Fire Occurred

Per federal law, Fitchburg State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing.

These numbers should only be used for fires for which you are unsure whether the Fitchburg State University Police Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the Fitchburg State University Police Department **(978) 665-3111**. For an active fire, call **911** and **(978) 665-3111**.

Future Fire Safety Improvement

Fitchburg State University complies with state and local fire codes. Fire Safety and monitoring are currently to code, and no further improvement are scheduled for the 2024 Calendar year.



Fire Safety Measures

	Fire Alarm Monitoring: Fitchburg State University Police Department	Fire Alarm Monitoring: Fitchburg Fire Dept.	Sprinkler System: Full Building	Sprinkler System: Partial Building	Smoke Detection	Heat Detection	Fire Extinguishers
Aubuchon Hall 234 North St	X	X	X		X	X	X
Cedar St House 30 Cedar St	X	X	X		X	X	X
Mara Village #1 299 Highland Ave	X	X	X		X	X	X
Mara Village #2 210 Cedar St	X	X	X		X	X	X
Mara Village #3 220 Cedar St	X	X	X		X	X	X
Mara Village #4 329 Highland Ave	X	X	X		X	X	X
Mara Village #5 339 Highland Ave	X	X	X		X	X	X
Mara Village #6 250 Cedar St	X	X	X		X	X	X
Mara Village #7 260 Cedar St	X	X	X		X	X	X
Mara Village #8 349 Highland Ave	X	X	X		X	X	X
Mara Village Common 319 Highland Ave	X	X	X		X	X	X
Russell Towers 260 North St	X	X	X		X	X	X
Simonds Hall 45 North St	X	X	X		X	X	X
Townhouse #1 241-243 Highland Ave	X	X		X	X	X	X
Townhouse #2 261-263 Highland Ave	X	X		X	X	X	X
Townhouse #3 170 Cedar St	X	X		X	X	X	X
Townhouse #4 158 Cedar St	X	X		X	X	X	X
Townhouse #5 152 Cedar St	X	X		X	X	X	X
Townhouse #6 150 Cedar St	X	X		X	X	X	X
Townhouse #7 140 Cedar St	X	X		X	X	X	X



Statistics and Related Information Regarding Fires in Residential Facilities for 2023

Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
Aubuchon Hall 234 North Street	2	0	N/A	0	0	\$0
Cedar Street House 30 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #1 299 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #2 210 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #3 220 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #4 329 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #5 339 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #6 250 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #7 260 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #8 349 Highland Ave	2	0	N/A	0	0	\$0
Mara Village Common 319 Highland Ave	2	0	N/A	0	0	\$0
North Street Apartments 185 North Street	2	0	N/A	0	0	\$0
Russell Towers 260 North Street	2	0	N/A	0	0	\$0
Simonds Hall 45 North St	2	0	N/A	0	0	\$0
Townhouse #1 241-243 Highland Ave	2	0	N/A	0	0	\$0
Townhouse #2 261-263 Highland Ave	2	0	N/A	0	0	\$0
Townhouse #3 170 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #4 158 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0



Statistics and Related Information Regarding Fires in Residential Facilities for 2022

Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
Aubuchon Hall 234 North Street	2	0	N/A	0	0	\$0
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Mara Village #1 299 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #2 210 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #3 220 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #4 329 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #5 339 Highland Ave	2	0	N/A	0	0	\$0
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Townhouse #4 158 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0



Statistics and Related Information Regarding Fires in Residential Facilities for 2021

Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
Aubuchon Hall 234 North Street	2	0	N/A	0	0	\$0
Cedar Street House 30 Cedar Street	2	0	N/A	0	0	\$0
Herlihy Hall 320 North Street	2	0	N/A	0	0	\$0
Mara Village #1 299 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #2 210 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #3 220 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #4 329 Highland Ave	2	0	N/A	0	0	\$0
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Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0



FITCHBURG STATE UNIVERSITY

CAPITAL PLANNING DIVISION
160 PEARL STREET, FITCHBURG MA 01420
PHONE: 978-665-3115 FAX: 978-665-3682

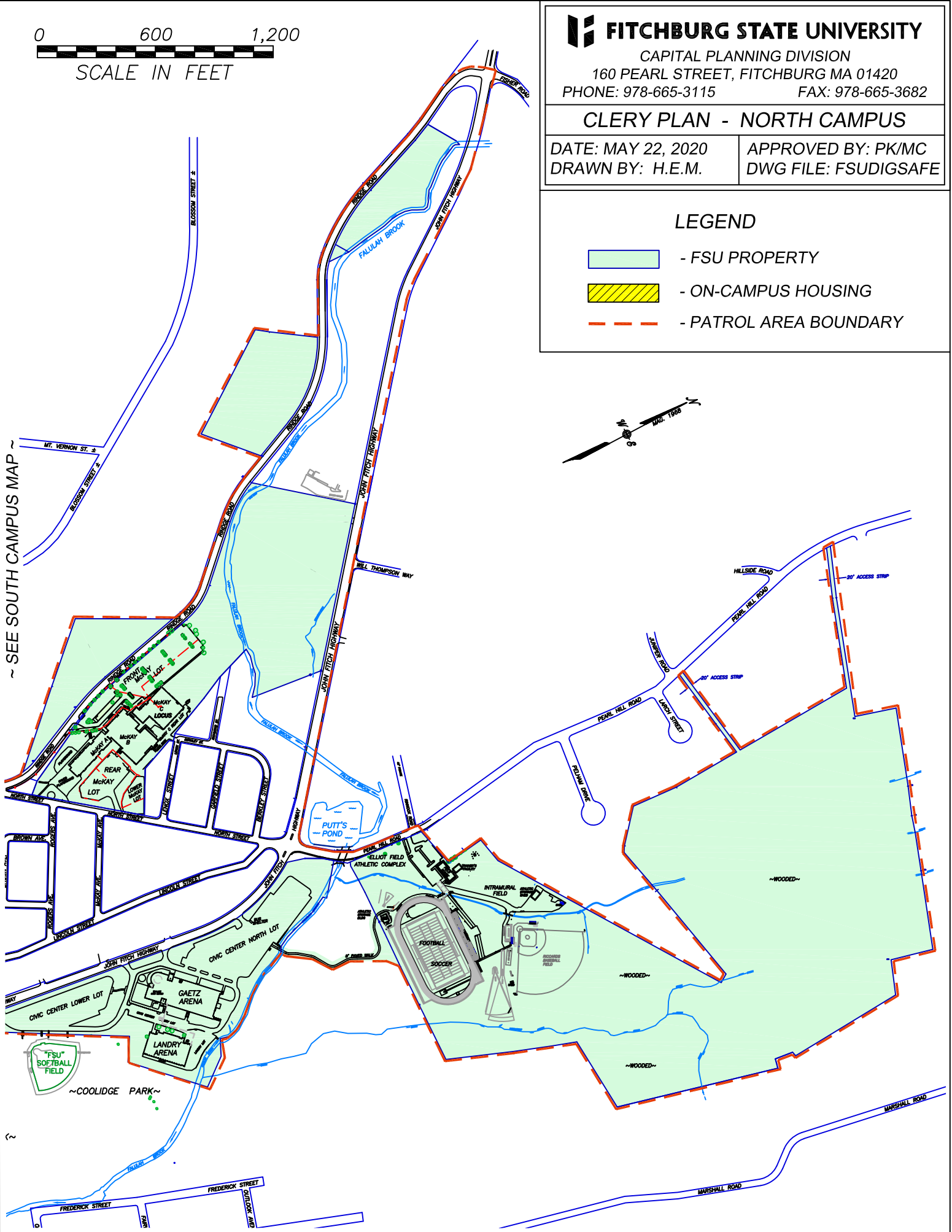
CLERY PLAN - NORTH CAMPUS

DATE: MAY 22, 2020
DRAWN BY: H.E.M.

APPROVED BY: PK/MC
DWG FILE: FSUDIGSAFE

LEGEND

- FSU PROPERTY
- ON-CAMPUS HOUSING
- PATROL AREA BOUNDARY



Coversheet

Executive Director of Housing and Residential Services/Special Assignment to President, Matt Lechter: Real Estate

Section: IV. President's Report
Item: C. Executive Director of Housing and Residential Services/Special
Assignment to President, Matt Lechter: Real Estate
Purpose:
Submitted by:
Related Material: Residence Life Board Report.pdf



FITCHBURG STATE UNIVERSITY

SPECIAL REPORT: HOUSING AND REAL PROPERTY
BOARD OF TRUSTEES REPORT
DECEMBER 12, 2024



MATT LECHTER

EXECUTIVE DIRECTOR

HOUSING AND RESIDENTIAL SERVICES

SPECIAL ASSIGNMENT TO THE PRESIDENT:
REAL ESTATE AND UNIVERSITY PROPERTY



FITCHBURG STATE
UNIVERSITY

HOUSING OVERVIEW

MSCBA

Massachusetts State College Building Authority (MSCBA)

- The Massachusetts State College Building Authority is a public instrumentality of the Commonwealth charged with financing, designing, constructing, and overseeing the management of revenue-funded facilities - housing, dining, athletic, parking, and other student activity facilities - for the nine state universities.
- The Authority receives no appropriation from the Commonwealth; all revenues to support facility design, construction, and operation are derived from the rents and fees paid by students for the use of these facilities and services.

Our Campus Partner when it comes to managing our Residence Halls right here at Fitchburg State.



OCCUPANCY

- **MSCBA Occupancy:** Based on original design and intended use of the buildings.
- **Current Occupancy:** Reflects how spaces are utilized and designed today designed by our campus.
 - **Example:** Mara 1-7 are all premium singles but for MSCBA they are doubles.
- 82% Occupied by Fitchburg State Occupancy vs. 59.9% MSCBA Occupancy
- **Current Bed Count Active on campus is 1238**
 - Note: This number may fluctuate as students continue to make changes and buy out options continue with premium single offerings.

OUR HOUSING PORTFOLIO

Hall	MSCBA Designed Occupancy	Description	Active Beds Today	Filled Beds Today	% Filled Today
Aubuchon	325	Suite Style- Doubles and Premium Singles	201	147	72
Cedar	28	Designed Singles in House Setting	32	31	96
Herlihy	154	Not Occupied	N/A	N/A	N/A
Mara 1-7	328	Full Size Bed Premiums/ Single Suites	168	159	95
Mara1	46	Premium Single	25	25	100
Mara 2	49	Premium Single	25	25	100
Mara 3	49	Premium Single	23	21	91
Mara 4	46	Premium Single	23	19	82
Mara 5	46	Premium Single	24	23	95
Mara 6	46	Premium Single	24	23	95
Mara 7	46	Premium Single	24	23	95
Mara 8	104	Double Room Suite Style	89	71	79
Russell Towers	445	First Year Community- Single Double in Traditional Pods and Suite Style Options	394	324	82
Simonds	132	Single Room- Apartment Style	135	121	89
Townhouse	189	Single Room- Apartment Style	189	166	88
Total bed spaces	1705		1238	1022	82

19 BUILDINGS WITH 7 COMMUNITIES ● MIXTURE OF TRADITIONAL, SUITE AND APARTMENT STYLE HOUSING OPTIONS

Next Summer, Work in Partnership with MSCBA Funding:

We have confirmed that MSCBA work will take place on campus during Summer 2025. Additionally planning meetings will be taking place.

Funding of \$1.3 million will be allocated within the Residential Services Portfolio.

- **Aubuchon: Fire Pump Replacement** - Estimated cost: \$250,000
- **Aubuchon: Light Study/Upgrades** - Estimated cost: \$250,000
- **Cedar St: Hot Water Replacement** - Estimated cost: \$240,000
- **TH5: Exterior Replacement (In-kind)** - Estimated cost: \$260,000
- **Town House 1: Boiler Replacement** - Estimated cost: \$340,000

HRS & CPM will continue to look at how this impacts general summer operation to the campus and housing operations.

Properties outside MSCBA used for Employee Housing:

- 11 faculty/staff reside in university/ foundation owned properties
 - Rental Income to Supporting Org: \$14,450
- Waiting list at any time can have close to 20 employees of the university

Properties that have been purchased but not in conditions to use:

- **66 Day Street FND. SUPP ORG 15,268 Vacant**
- **153-155 Snow Street FND. SUPP ORG 4,600 Vacant**
- **164-168 Highland Avenue FND. SUPP ORG 11,850 Vacant**
- **174 Highland Avenue FND. SUPP ORG 4,569 Vacant**
- **133 Snow Street FND. SUPP ORG 4,250 Vacant**

FITCHBURG STATE UNIVERSITY



THE **FUTURE** OF FITCHBURG STATE REAL ESTATE



During FY26, we will begin to establish a sustainable housing (and real property) strategy, we will reimagine and prioritize the role of Housing, Real Estate, and Dining Services as “auxiliary” operations -- operations that are critical to campus life and culture but that do not rely so heavily on university backfill funding, which means we need to think about how to attract, retain, and provide more attractive and competitive services to the students of Fitchburg State... today and tomorrow.

TODAY. TOMORROW.

- Look to create a housing model for approximately 1400 students
- Summer Student Housing: Explore the feasibility of installing floor unit ACs in Townhouse apartments to enhance amenities for students.
 - This would allow us to look to increase summer conference services and create revenue across the university as well as 12 month housing options in apartment style housing.
- Graduate and Family Housing: MSCBA has agreed to assist in a market study to help determine a rent that becomes affordable and attainable for our students to reside on campus versus residing elsewhere in the broader community.
 - 4 or 5 bedroom options

All of these options allow for us to create new opportunities for our students while also increasing the revenue potential for Housing & Residential Services.



FITCHBURG STATE
UNIVERSITY

HERLIHY HALL

YOUR LIVING EXPERIENCE. **REIMAGINED.**



ENHANCED
COMFORT & CONVENIENCE.



KEY UPDATES

- **Wall Mounted Smart TV**
- **Full Retro Fridge and Microwave**
- **New Modern Lighting**
- **Full-Size Beds, Standard**
- **Common "Game" Rooms**
- **Direct Interior Access to Dining Hall**

PREMIUM STUDIO SINGLE BEDROOM SHOWN



UPDATED & REFRESHED.

PREMIUM DOUBLE BEDROOM SHOWN





 FITCHBURG STATE UNIVERSITY
HERLIHY HALL



FITCHBURG STATE
UNIVERSITY

Coversheet

Student Trustee Report

Section: VI. Student Trustee Report
Item: A. Student Trustee Report
Purpose:
Submitted by:
Related Material: Student Trustee Report 1.pdf

Matthew Gill, Student Trustee

Good afternoon everyone,

We have had quite an interesting couple of weeks since we last met, and I am excited to inform you of everything that has been going on.

I know that the last time we met, I had mentioned that the Student Government Association was planning our Election Results Party event that was hosted in Hammond's Falcon Hub downstairs. This event had a greater turnout than we had expected, and saw so many students invested in our election night activities. We used multiple news channels to broadcast during the event and used the most unbiased sources we had access to. We also played election trivia and other games to keep people interested throughout the night.

We have also elected new members into our senate, and currently have a total of 24 members in SGA. 6 of our newest members are **freshmen**, reflecting the surge in first year engagement on our campus.

Since our last board meeting, we have had a total of **468** events or meetings by Fitchburg State students. These events and meetings vary across all of our clubs on campus and highlight the growing trend of engagement we are seeing this year.

One of our largest events that we hosted was our Homecoming weekend, which spanned from Friday, October 18th, through Sunday, October 20th. On that Friday, we kicked off our celebrations with a Homecoming pep rally held on the Main Quad. At this pep rally, our sports teams were cheered on and recognized as they entered a weekend full of athletic competitions. At 3pm that same day, our carnival opened in the Ross Street Parking Lot. At the carnival, we had a total of 875 students in attendance, which did not include the amount of outside guests, faculty, staff, and alumni. On the following Saturday, the Falcon Tailgate was hosted in the Wallace Civic Center Parking Lot at 10am, and we got to taste President Hodge's delicious Fitchburgers! We had three games to watch that evening, including our football, men's soccer, and women's field hockey teams, who all put their best effort into their performances. At 7pm, we had our Dance and Casino Night, which had a total of 286 students in attendance. On Sunday, we hosted our 10am Athletic Hall of Fame Induction Ceremony, which was held in the Hammond Main Lounge.

Moving away from Homecoming, we have also had some other great events that have also happened on campus. Most recently we had our FSU Winter Dance Showcase, which had **29** dances in it. I went to their Friday night showing, and the auditorium was packed!

I also recently attended our theater department's newest showing: *American Underground*, which is a very moving story that I encourage everyone to look into.

Our Student Government has also been increasing their efforts to increase graduate student engagement, and we are looking into seeing if there is a possibility of having graduate student seats in our senate. Our Fitchburg Activities Board has also included the opportunity for graduate students to buy tickets to their annual NYC trip. Also, the Student Government approved their first graduate student group on campus, the Fitchburg Indian Student Association. SGA President Burns and myself, along with some other senators, were able to attend the Diwali

Celebration put on by the Fitchburg Indian Student Association, and had a great time. We can't wait to attend again next year!

Lastly, the Student Government Association EBoard and Treasurer has been making efforts in reviewing our budgeting process for clubs and organizations in order to adjust the allocations we can give out.

Respectfully,
Student Trustee Matthew Gill

Coversheet

Presented by Dr. Hodge

Section: VII. Budget Report/Updates
Item: A. Presented by Dr. Hodge
Purpose:
Submitted by:
Related Material: FY25_WORKING_Budget_Dec2024.pdf
Corrected_FY25_BUDGET_BOT_Oct2024 (2).pdf



	FY 2025 Working Budget	FY 2025 Actuals Qtr 1	% of Spend
REVENUE			
State Maintenance	44,430,917	13,996,713	31.50%
Fringe Total Costs	19,296,347	6,078,772	31.50%
State Funded Fringe Benefits	(19,296,347)	(6,078,772)	31.50%
Collective Bargaining Funds	-	-	0.00%
Performance Funding	-	-	0.00%
Total State Revenue	44,430,917	13,996,713	31.50%
Tuition/ Non state Support	875,000	-	0.00%
Tuition/ Out of State Undergraduate	1,375,000	721,762	52.49%
Total Tuition	2,250,000	721,762	32.08%
UG Day Division Fees	20,380,729	10,281,579	50.45%
UG Day Division Capital Debt Fee	4,561,850	1,695,039	37.16%
Ed Serv Fee Transfer (SGOCE/AP)	6,490,098	-	
Total Fees	31,432,677	11,976,618	38.10%
Net Tuition & Fees	33,682,677	12,698,380	37.70%
Sales & Service Income/Other	2,191,100	442,299	20.19%
Investments -Dividends/Interest	1,402,500	257,573	18.37%
Grants	1,896,181	802,616	42.33%
Financial Aid	7,250,343	349,682	4.82%
Dorm Authority - Housing	9,419,856	4,708,526	49.99%
Food Services	3,540,000	1,964,716	55.50%
Reserve from Fund Balance	1,442,190		0.00%
Sch of Grad and Continuing Educ	9,900,190	3,854,311	38.93%
Center for Professional Studies	571,011	323,154	56.59%
Accelerated Programs	9,397,415	4,197,629	44.67%
Ed Service Fee xfr to University	(6,490,098)		0.00%
Total Operating Revenue	\$ 118,634,282	\$ 43,595,599	36.75%
EXPENDITURES			
Personnel Costs (Day)	50,083,635	10,067,393	20.10%
Operations (Day)	27,816,213	7,429,664	26.71%
<i>Utilities</i>	<i>5,075,847</i>	<i>768,886</i>	<i>15.15%</i>
Housing	10,834,190	811,237	7.49%
Food Service	3,370,000	374,411	11.11%
Capital (Operations-Funded)	7,500,000	1,123,138	14.98%
School of Graduate Online Continuing	6,290,462	1,081,890	17.20%
Center for Professional Studies	\$ 570,917	\$ 138,731	24.30%
Accelerated Programs	\$ 6,441,367	\$ 1,790,127	27.79%
Operating Budget Expenses	\$ 117,982,631	\$ 23,585,477	19.99%
NET TOTAL	\$ 651,651	\$ 20,010,122	



	FY 2025 Working Budget	FY 2025 BOT Approved Budget	FY 2024 Actuals	FY 2024 BOT Approved Budget
REVENUE				
State Maintenance	44,430,917	41,993,969	41,419,232	37,687,632
Fringe Total Costs	19,296,347	-	-	-
State Funded Fringe Benefits	(19,296,347)	-	-	-
Collective Bargaining Funds		1,287,474	-	3,156,863
Performance Funding		1,149,474	574,737	1,149,474
Total State Revenue	44,430,917	44,430,917	41,993,969	41,993,969
Tuition/ Non state Support	875,000	875,000	380,749	875,000
Tuition/ Out of State Undergraduate	1,375,000	1,375,000	1,452,561	1,376,407
Total Tuition	2,250,000	2,250,000	1,833,310	2,251,407
UG Day Division Fees	20,380,729			21,063,192
UG Day Division Capital Debt Fee	4,561,850			4,561,850
Ed Serv Fee Transfer (SGOCE/AP)	6,490,098			-
Total Fees	31,432,677	-	-	25,625,042
Net Tuition & Fees	33,682,677	27,210,579	26,169,719	27,876,449
Sales & Service Income/Other	2,191,100	2,191,100	3,580,189	2,428,773
Investments -Dividends/Interest	1,402,500	1,402,500	1,618,590	1,402,500
Grants	1,896,181	1,896,181	4,674,890	1,596,181
Financial Aid	7,250,343	7,250,343	6,049,855	7,250,343
Dorm Authority - Housing	9,419,856	9,419,856	8,160,279	8,772,203
Food Services	3,540,000	3,540,000	3,433,044	3,200,000
Reserve from Fund Balance	1,442,190	1,442,190		1,336,502
Sch of Grad and Continuing Educ	9,900,190	9,900,190	9,319,958	9,912,009
Center for Professional Studies	571,011	571,011	342,244	486,696
Accelerated Programs	9,397,415	9,397,415	9,164,278	11,099,805
Ed Service Fee (xfr to university)	(6,490,098)			
Total Operating Revenue	\$ 118,634,282.00	\$ 118,652,282.00	\$ 114,507,015.00	\$ 117,355,430.00
EXPENDITURES				
Personnel Costs (Day)	50,083,635	50,083,635	44,241,418	49,635,208
Operations (Day)	27,816,213	31,186,213	30,425,758	29,564,328
Utilities	5,075,847	5,075,847	4,817,723	5,130,874
Housing	10,834,190	10,834,190	9,986,211	10,214,441
Food Service	3,370,000			
Capital (Operations-Funded)	7,500,000	4,725,000	6,125,313	4,725,000
School of Graduate Online Continuing Education	6,290,462	10,395,429	6,568,789	9,990,934
Center for Professional Studies	\$ 570,917			
Accelerated Programs	\$ 6,441,367	9,397,415	\$ 6,798,928	\$ 11,099,805
Operating Budget Expenses	\$ 117,982,631	\$ 121,697,729	\$ 108,964,140	\$ 120,360,590
NET TOTAL	\$ 651,651.00	\$ (3,045,447.00)	\$ 5,542,875.00	\$ (3,005,160.00)

Coversheet

Report

Section: VIII. Personnel Updates
Item: A. Report
Purpose:
Submitted by:
Related Material: Personnel Report.pdf

TO: Board of Trustees
 FROM: The President
 SUBJECT: Personnel Actions

DATE: December 12, 2024
 NOTIFICATION NUMBER: 02-24/25

Hires

Joshua Dodds Effective Date: 10/21/2024	Executive Director of Diversity, Equity & Belonging Programs <i>Replacement Position - Budgeted line</i>		\$105,000.00
Heide Messing Effective Date: 10/22/2024	Director of Capital Projects, Capital Planning & Maintenance <i>Replacement position - Budgeted line</i>	Changed title from Director of Operations and Maintenance	\$142,000.00

Separations

Megan Boyd Effective Date: 9/12/2024	Assistant Director Research & Sponsored Programs <i>Resignation</i>		\$71,989.38
Derek Craig Effective Date: 9/30/2024	Staff Assistant, Creative Cities Program Manager, InTown Fitchburg <i>Grant concluded</i>		\$54,080.00
Anders Johnson Effective Date: 10/04/2024	Staff Assistant, Server Administrator <i>Resignation</i>		\$82,000.00
Alexzandra Navarro Effective Date: 10/11/2024	Assistant Director of Admissions <i>Resignation</i>		\$56,243.20
Nancy Green Effective Date: 11/01/2024	Instructor, Nursing <i>Resignation</i>		\$73,226.58
Helen Ouellette Effective Date: 11/29/2024	Interim Chief Financial Officer, Finance & Administration <i>Resignation</i>		\$210,000.00

Retirement

Althea Aranda Effective Date: 8/31/2024	Instructor, Nursing <i>Retirement</i>		\$78,948.76
Cheryl Goldman Effective Date: 12/27/2024	Associate Professor of Psychological Science <i>Retirement</i>		\$104,727.37
Margaret Hoey Effective Date: 5/31/2024	Professor of Biology <i>Retirement</i>		\$143,025.20

Promotions

Ian Murray Effective Date: 10/21/2024	From: Lab Technician II To: Simulation Laboratory Director		From: \$80,736.30 To: \$86,000.00
Brian Duffy Effective Date: 11/04/2024	From: Staff Associate/Power Plant & CPM Trades Manager To: Director of MEP Trades & Power Plant Services		From: \$122,220.80 To: \$135,000.00
Richard Nelson Effective Date: 11/11/2024	From: Campus Police Officer III, University Police To: Detective/Lieutenant, University Police		From: \$80,322.84 to: \$93,000.00

Salary Adjustment

David Niemi Effective Date: 10/07/2024	Assistant Director of Technology, Technology <i>*Employee taking on additional duties temporarily until new administrator is identified</i>		From: \$98,000 To: \$111,000
Joanne Rivard Effective Date: 11/04/2024	Staff Assistant, Academic Affairs <i>*Equity adjustment</i>		From: \$80,299.45 To: \$82,229.45
Nicole Salerno Effective Date: 11/04/2024	Assistant Director of International Education <i>*Equity adjustment per Article VI- Appointment, Promotions, Salary Adjustments</i>		From: 58,897.07 To: \$62,000.00

Interim Pay/Additional Duties

Kristina Braun Effective Date: 10/13/2024	Associate Director of Housing & Residential Services <i>*Out of Title Pay until December 27, 2024 due to additional work</i>		From: \$74,880 To: \$85,280
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Return from Interim Pay/Additional Duties

Krysta Lopez-Acevedo	From: Acting Director, Student Diversity, Equity & Belonging Programs, Center for Diveristy & Inclusiveness		From: \$64,480.00
Effective Date: 11/3/2024	To: Staff Assistant/Program Coordinator for Student Diveristy, Equity & Belonging Programs, Center for Diversity & Inclusiveness <i>*Interim Pay until a new Executive Director was hired.</i>		To: \$54,080.00
Stefanie Aiken	Associate Director, Admissions		From: \$94,273.40
Effective Date: 11/01/2024	<i>*Salary adjustment due to new staff being hired</i>		To: \$87,773.14

Change in Title/Department/Salary or Status

Zoe Cruz	Staff Associate, Coordinator of Human Resources and Faculty Affairs	From: Jessica Murdoch	From: \$75,000
Effective Date: 9/29/2024	<i>*Change in Supervisor</i>	To: Kimberly Page	To: (Same)
Stephanie Leblanc	Director of Payroll Services	From: Jessica Murdoch	From: \$112,529.66
Effective Date: 9/29/2024	<i>*Change in Supervisor</i>	To: Donna Hodge	To: (Same)
Rebecca Newell	Director of Title IX and Equal Opportunity	From: Jessica Murdoch	From: \$115,000
Effective Date: 9/29/2024	<i>*Change in Supevisor</i>	To: Donna Hodge	To: (Same)
Kimberly Page	Director of Human Resources	From: Jessica Murdoch	From: \$105,00
Effective Date: 9/29/2024	<i>*Change in Supevisor</i>	To: Donna Hodge	To: (Same)
Pamela Mayou	Staff Associate, Coordinator for Contract Employment	From: Jessica Murdoch	From: \$76,823.31
Effective Date: 9/30/2024	<i>*Change in Supervisor/Dept.</i>	To: Becky Copper-Glenz	To: \$81,000
Shane Franzen	Associate Director of Student Development, Student Affairs	From: Associate Director Student Development	From: \$85,970.78
Effective Date: 10/21/2024	<i>*Change in Title</i>	To: Senior Associate Director Student Development	To: (Same)
Carin Bullis	Senior Director of Budgets & Acting Director of Universoty Finances, Finance & Administration	From: Helen Ouellette	From: \$149,9850
Effective Date: 10/27/2024	<i>*Change in Supervisor until new CFO is hired</i>	To: Donna Hodge	To: (Same)
Yvonne Malcolm	Comptroller, Finance & Administration	From: Helen Ouellette	From: \$150,019.21
Effective Date: 10/28/2024	<i>*Change in Supervisor until new CFO is hired</i>	To: Donna Hodge	To: (Same)
John (JD) Head	Associate Vice President of Capital Planning and Maintenance & University Operations, Capital Planning & Maintenance	From: Helen Ouellette	From: \$178,000.00
Effective Date: 10/28/2024	<i>*Change in Supervisor until new CFO is hired</i>	To: Donna Hodge	To: (Same)
Shaohua (Sandy) Hill	Staff Assistant, International Education	From: Staff Assistant, International Education	From: \$59,891.00
Effective Date: 11/04/2024	<i>*Change in Title and Equity adjustment per Article VI- Appointment, Promotions, Salary Adjustments</i>	To: Assistant Director, International Education	To: \$65,000.00

Return from Leave/No Pay

Reid Parsons	Associate Professor, Earth, Geographice and Public Halth Sciences
Effective: 1/1/2025	

Corrections from previous report

Krysta Lopez-Acevedo	Acting Director, Student Diversity, Equity & Belonging Programs, Center for Diversity & Inclusiveness	From: \$54,080.00
Effective Date: 7/01/2024	<i>*Salary adjustment and title change until a new Executive Director is hired</i>	To: \$64,080.00