



**Jeanne Clery Disclosure of Campus Security Policy  
and  
Campus Crimes Statistics Act**

**2024 ANNUAL SECURITY REPORT  
and  
Fire Safety Report**

Covering Calendar Year 2023





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## FROM THE CHIEF OF POLICE

**Trish Murphy**

To the University Community,

This report is a crucial component of our commitment to campus security and provides an overview of the measures we have implemented to ensure a secure environment. Your awareness and understanding of these safety measures are vital in promoting a secure campus environment. This report is published to comply with the federal Crime Awareness and Campus Security Act of 1990 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. Additionally, this report contains information demonstrating compliance with the 2013 reauthorization of the Violence Against Women Act (VAWA), which incorporates the Campus Sexual Violence Elimination Act (SaVe Act).

The members of the Salem State Police Department are dedicated to fostering a secure environment for our entire community. I look forward to working with community partners and stakeholders to enhance our efforts.

Trish Murphy

Executive Director of Public Safety

Chief of Police

September 2024



# PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

This report has been prepared in compliance with the:

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. Institutions must publish a report every year by October 1 that contains three years of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims' rights, the law enforcement authority of the university police and where students should go to report crimes. Each school must disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and non-campus facilities.

The full text of this report is available online at: [saalemstate.edu/clery](https://saalemstate.edu/clery)

This report is prepared by the Salem State University Police Department in cooperation with the Offices of Student Life and Residence Life and other offices as deemed necessary. For issues concerning this report, please call the University Police Department at 978.542.6511.

Paper copies of this report may also be obtained at the Salem State University Police Department, located at 71 Loring Avenue, Salem, MA 01970

## **ABOUT THE SALEM STATE UNIVERSITY POLICE DEPARTMENT**

The Salem State University Police Department provides protection to the SSU community around the clock, year- round. Police department staff work with university community members to prevent crime, solve problems, and take proactive steps to make the university as safe as possible. Police department personnel include the chief, captain, lieutenants, sergeants, police officers, communications dispatchers, institutional security officers and support staff.



The department is prepared to deal with the same types of incidents handled by municipal police agencies in cities or towns. All SSU police officers attend full-time police academies operated by the Municipal Police Training Committee (MPTC) and upon completion of training are certified by the Commonwealth of Massachusetts Police Officer Standards and Training Commission (POST-C). The Salem State University Police enforce state laws, including motor vehicle laws, as well as university rules and regulations.

Follow the Salem State University Police on the web at: [saalemstate.edu/police](https://saalemstate.edu/police)

Follow the Salem State University Police on X at: @SSUPolice

Instagram @saalemstatepolice

## **SAFETY, OUR NUMBER ONE PRIORITY**

The SSU Police Department takes great pride in the community at Salem State University. This community is a great place to live, learn, work, and study; however, this does not mean that the campus community is immune from problems that arise in other communities. With that in mind, SSU has taken progressive measures to create and maintain a reasonably safe environment on campus.

Though the university is progressive with its polices, programs, and education, it is up to each of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

## **UNIVERSITY LAW ENFORCEMENT AUTHORITY AND JURISDICTION**

Salem State University, with a population of over 8,000 students and employees, including 1,500 plus resident students, is both a center for higher education and a vibrant, active community. As with any community of similar size, criminal activity and emergencies can and do occur on campus.

To combat crime and preserve public order, the Salem State University Police Department is a visible part of campus life. The SSUPD is organized, trained, and equipped to provide progressive law enforcement and emergency services to the university community.

Pursuant to the General Laws of Massachusetts, Chapter 15A, § 22, and Chapter 73, § 18, the Board of Trustees at Salem State University has established the Salem State University Police Department; and the Board has invested the department all the same powers, authority, immunities, and privileges of state and municipal police officers including, but not limited to, the power to make arrests, to handle prisoners, and to enforce all traffic laws on streets and highways, throughout the property owned, leased, used, or controlled by the university.

In addition to the enforcement of state law, Salem State University Police officers enforce the rules, regulations, and policies of Salem State University, including but not limited to parking and traffic regulations, whether or not violation thereof constitutes a criminal offense.

Police officers' authority has also been interpreted by case law to include the vicinity of the campus – the “environs and passageways” – in certain circumstances.

Police officers are also granted limited police authority under G.L., Chapter 147 § 10F for the enforcement of university parking regulations. Parking enforcement officers also receive grants of authority under this law.

Subject to the approval of the Chief of Police, Salem State University Police officers may also receive supplemental police authority through special appointment as City of Salem police officers under G.L., Chapter 41§ 99, or Essex County deputy sheriffs pursuant to G.L., Chapter 37 § 3.

Salem State University Police officers attend full-time Municipal Police Training Committee (MPTC) academies located throughout the Commonwealth and are certified through the Police Officer Standards and Training Commission (POSTC). The Salem State University Police Department operates 24 hours per day, seven days a week, providing all patrol, investigation, specialized, and emergency response, as well as crime prevention and educational services at the Salem State University campus.



By mutual agreement with state and federal agencies, SSUPD maintains a Criminal Justice Information Services terminal which provides department personnel with access to the National Crime Information Computer Network as well as the Criminal History Systems Board of the Commonwealth of Massachusetts. These computer databases are used to enhance public safety by accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

The sworn personnel and support staff of the Salem State University Police Department are dedicated to ensuring that the Salem State University campus is a safe environment for studying, teaching, researching, recreating, and living. Our department strives toward this goal through problem-solving partnerships with the faculty, staff, and students, as well as state and local governmental bodies, and our community's neighbors.



## MEMORANDUM OF UNDERSTANDING WITH LOCAL, STATE, AND REGIONAL AGENCIES

The Salem State University Police Department maintains a close working relationship with the Salem Police Department (SPD). The SSUPD routinely works with other public safety agencies in Salem, including the Salem Fire Department, MBTA Transit Police, Essex County Sheriff's Department, and the Massachusetts State Police. Meetings are held between the leaders of these agencies on both a formal and informal basis. The officers of SSUPD and SPD communicate regularly on the scene of incidents that occur in and around the campus area. The SSUPD detectives work closely with the investigative staff at SPD when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary. The SSUPD and SPD have entered into a Memorandum of Understanding with respect to the request for supplemental law enforcement services as well as the use of prisoner holding facilities, breathalyzer machine and fingerprinting.

## REPORTING CRIME OR EMERGENCIES ON CAMPUS

### STATEMENT OF REPORTING A CRIME OR OTHER EMERGENCY

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the **university police department** in a timely manner. While this publication focuses primarily on reporting to the university police department, we recognize that members of our university community may witness or be involved in incidents off campus or immediately adjacent to campus. In these instances if assistance is required from the city police department, fire department or emergency medical service, the university police will contact the appropriate department and coordinate a response.



Crimes should be reported to the university police department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate. When calling for either emergency or non-emergency service, be prepared to:

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

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

The Salem State University Police Department emergency number is:

- 978.542.6111

## **SALEM STATE UNIVERSITY MANDATORY CRIME REPORTING POLICY**

Except for victims of sexually based offenses (including instances of sexual conduct under Title IX of the Education Amendments of 1972), all Salem State University students, staff, and faculty are required under this policy to report any crime occurring on campus to the Salem State University Police Department. Victims of sexual offenses may report such crimes on a voluntary, confidential basis for inclusion in the university's annual disclosure of crime statistics by mailing a written statement to the chief of police, Salem State University Police Department.

### **Legally Mandated Crime Reporting**

In addition to SSU's policy mandating the reporting of all crimes to the Salem State University Police Department, the following individuals on campus are legally required to report crimes under certain circumstances;

#### **Campus Security Authorities (CSA)**

For the purposes of the federal Clery Act, a "campus security authority" is any university official who has "significant responsibility for student and campus activities," including, but not limited to, student housing or student disciplinary proceedings. See 20 U.S.C. § 1092(f).

Campus security authorities are required by law to receive Clery crime reports and to:

- Report them to law enforcement
- Forward all crime reports received for statistical purposes to the institution's coordinator of campus security authorities. (At SSU, the university's chief of police.)

Examples of individuals who meet the criteria for being campus security authorities include:

- A vice president for student life who oversees student housing, a student center or student extracurricular activities.
- A director of athletics, a team coach or a faculty advisor to a student group.
- A student resident assistant or a student who monitors access to dormitories.
- A coordinator of Greek Life.

Examples of individuals who would not meet the criteria for being campus security authorities include:

- A faculty member who does not have any responsibility for student and campus activity beyond the classroom.
- Clerical or cafeteria staff.



## Limited Voluntary Confidential Reporting

As previously stated it is Salem State University's policy that all crimes be reported to the university police department or other appropriate law enforcement agency. Anyone who is the victim of a crime or witness to a crime on campus is encouraged to promptly report the incident to the university police. The University has no formal procedures for victims or witnesses to make voluntary confidential reports other than those made through Counseling and Health Services.

Campus "pastoral counselors" and "professional counselors," when acting as such, are not considered to be campus security authorities for the purposes of the Clery Act and are not required to report crimes for inclusion in the annual disclosure of crime statistics. However, as a matter of policy, counselors at Salem State University are encouraged; if and when they deem it appropriate, to report incidents on a voluntary basis that is personally non-identifiable for inclusion in the university's report of annual crime statistics.

Counselors are defined as:

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

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

## Mandated Reporters of Child Abuse or Neglect

Certain professionals are required under state law to report child abuse or neglect to the Massachusetts Department of Children and Families. They may also report the abuse or neglect to law enforcement or the state Child Advocate. See G.L. c. 119, § 51A.

Mandated reporters include (but are not limited to):

- Health care professionals, including physicians, nurses, psychological therapists, drug and alcohol counselors, and EMTs
- Educational administrators
- Child care workers
- Police officers
- Social workers
- Religious leaders, priests, ministers, rabbis, and other members of the clergy

Reports of child abuse or neglect must be made to the Salem State University Police Department, which will assist with the notification to the Department of Children and Families in conformance with G.L. c. 119, § 51A.

## Mandated Reports of Elder Abuse

As with child abuse reporting, certain professionals are required to report elder abuse. Reports of elder abuse must be made to the Salem State University Police Department, which will assist with the notification to the Department of Elder Affairs in conformance with G.L. c. 19A, § 15.

### **Witnesses to Certain Violent Crimes**

Massachusetts state law requires a witness to a murder, manslaughter, rape, armed robbery, or hazing to report that crime to law enforcement “to the extent that such person can do so without danger or peril to himself or others.” See G.L. c. 268, § 40; G.L. c. 269, § 18. Reports of violent crimes must be made to the Salem State University Police Department.

### **Physicians Treating Rape or Sexual Assault**

Massachusetts law requires any physician who provides treatment to a rape or sexual assault victim to report the offense to law enforcement, but without including the victim’s name or other identifying information. See G.L. c. 112, § 12A 1/2. Physician reports of sexual assault must be made to the Salem State University Police Department.

### **Witnesses to Carrying a Firearm or Other Dangerous Weapon on Campus**

Faculty and administrators are required to report the unlawful carrying of a firearm or other dangerous weapon on campus in conformance with G.L. c. 269, § 10(j). Reports of unlawful weapons-carrying must be made to the Salem State University Police Department.

### **Contacting the SSU Police Department to Report a Crime**

Salem State University Police headquarters are located in the rear of 71 Loring Avenue Salem, MA and the department’s communication center can be reached (24 hours a day, year-round) by dialing 978.542.6111. The office of the chief of police can be reached (from 8 am to 4 pm Monday through Friday) at 978.542.6542 regarding administrative and business matters.

The Salem State University Police Department responds to all reports of criminal incidents or emergencies and investigates crimes and takes whatever action is necessary to resolve emergencies.

To report a crime that occurs at an off-campus location, contact the appropriate local police department. In the case of an emergency it is always best to dial 911 and follow the procedures outlined above.

### **Daily Crime Log**

The Salem State University Police Department maintains a daily crime and fire log, which is available to the public for review during normal business hours. For a copy or to review the log, please visit the SSU Police station located 71 Loring Avenue Salem, MA. The latest daily crime log and public arrest log is also available online here: [records.salemstate.edu/police-log](https://records.salemstate.edu/police-log).

## STATEMENTS CONCERNING TIMELY WARNINGS AND EMERGENCIES

The purpose of this policy is to establish guidelines for the University's issuance of (a) "Clery Act Timely Warnings" in compliance with the timely warning requirement of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (Clery Act) and (b) Community Safety Notices for off-campus crimes and other incidents that are deemed to pose a danger to the SSU community or are otherwise determined, in the University's sole discretion, to be disclosed to promote safety and security awareness.

Please also see the University's Policy Regarding Emergency Notifications – Immediate Threat. If there is an immediate significant threat to the health or safety of students or employees occurring on campus, the University will follow its Policy Regarding Emergency Notifications – Immediate Threat in the University's current Annual Security Report in lieu of this policy.

### Crime Alerts – Timely Warnings

It is the policy of Salem State University to alert the campus community – via the issuance of "Clery Act Timely Warnings" – to the occurrence of certain crimes occurring on campus in compliance with the Clery Act. The Clery Act requires Clery Act Timely Warnings following incidents constituting "Clery Act crimes" that are considered to represent a potentially serious or continuing threat to the campus community. These crimes may include the Uniform Crime Reporting Program (UCR)/National Incident based Reporting System (NIBRS) classifications<sup>1</sup> of murder, non-negligent manslaughter, rape and other sex offenses, robbery, aggravated assault, burglary, major incidents of arson and hate crimes, among others. Crimes, such as aggravated assault and sex offenses (including rape, fondling, incest and statutory rape), are considered on a case-by-case basis, depending upon the facts of the case and the information known to the SSUPD. For example, if an aggravated assault occurs between two students who have had a disagreement and there is no ongoing threat to other SSU community members, then a Clery Act Timely Warning would not be distributed.

The purpose of the Clery Act Timely Warning is to aid in the prevention of similar crimes by alerting the University community about the incident and providing information on the actions people can take to diminish their chances of being victimized.

The Chief of Police or designee reviews all reports of these crimes to determine if there is an ongoing threat to the community and, if time permits, consults with other University administrators as deemed necessary. The Chief of Police or designee also considers the timing of the issuance of a Clery Act Timely Warning regarding the possible risk of compromising law enforcement efforts.

### Community Safety Notice

While not required by the Clery Act, as an additional service to the campus community, SSU may, in its discretion, distribute a Community Safety Notice for on or off campus crimes and other incidents (e.g., kidnapping, suspicious activity) that are deemed to pose a danger to the SSU community or are otherwise determined, in the University's sole discretion, to be disclosed to promote safety and security awareness.

### Authority and Responsibility for Issuance of Timely Warnings

Clery Act Timely Warnings and Community Safety Notices are usually written and approved for distribution by the Chief of Police, Deputy Chief or Police Lieutenant. If time permits, SSUPD may consult any other administrator as deemed necessary to determine the content of a Community Safety Notice.

If it is determined that a Clery Act Timely Warning or Community Safety Notice will be issued, the Chief of Police, Captain, or Lieutenant will approve the content, timing, and dissemination method.

### Means of Dissemination of Clery Act Timely Warnings

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<sup>1</sup> Federal crime definitions apply even if state law differs from federal law.

Dissemination methods of Clery Act Timely Warnings may include but are not limited to the following:

- Campus-wide email
- Text messages
- Phone
- X
- Facebook
- University homepage ([salemstate.edu](http://salemstate.edu))

<b>Clery Act Timely Warnings</b>					
<b>Clery Act Timely Warnings – System to Use</b>	<b>Primary Message Creator</b>	<b>Backup Message Creator</b>	<b>Authority for Approving and Sending Messages</b>	<b>Primary Message Sender</b>	<b>Backup Message Sender</b>
<b>PRIMARY</b>					
Campus-Wide email	Chief of Police	Deputy Chief	Chief of Police	Chief of Police	Deputy Chief
Text Messages		Lieutenant	Deputy Chief		Lieutenant
Phone		AVP, Marketing and Communications	Lieutenant		AVP, Marketing and Communications
Twitter					
<b>SECONDARY</b>					
SSU Police website	Chief of Police	Deputy Chief	Chief of Police	Chief of Police	Deputy Chief
University homepage		Lieutenant	Deputy Chief		Lieutenant

Clery Act Timely Warnings are primarily distributed to the University community via campus-wide email, text messages, and phone; provided, however, that the Chief of Police, Police Captain, or Lieutenant may use other methods of dissemination as determined in their sole discretion.

### **Means of Dissemination of Community Safety Notice**

Dissemination methods of Community Safety Notices may include, but are not limited to, the following:

- Campus-wide email
- X
- SSU Police Website
- Community Announcements/Flyers/Posters
- University website

# POLICY REGARDING IMMEDIATE EMERGENCY RESPONSE AND EVACUATION PROCEDURES

## Emergency Response and Evacuation Procedures and Policies

Salem State University maintains a Comprehensive Emergency Management Plan (CEMP) as well as an Emergency Information Guide. The CEMP is designed to serve as a resource for Salem State University personnel and administrators in assisting with information and guidelines in planning and responding in a crisis. The Emergency Information Guide contains information for students, faculty and staff regarding how to react and respond to various emergency situations that may arise on campus. While these documents do not cover every conceivable situation, they do supply the basic administrative guidelines necessary to cope with most campus emergencies.

All campus administrators, especially those whose responsibilities and authority included the operational areas specified in the CEMP must adhere to these guidelines. Only those University administrators responsible for directing and/or coordinating emergency operations may approve exceptions to these crisis management procedures as required to fulfill the emergency response.

The SSU Emergency Information Guide includes information regarding shelter-in-place and evacuation guidelines. During the school year, the university conducts evacuation drills coordinated by the university police department. These drills are typically conducted twice a year at a minimum and more frequently as deemed necessary or if facilities are altered. During evacuation drills, every building is evacuated and all persons are instructed to proceed to pre-determined evacuation assembly areas. During the 2021 calendar year, due to the increased risk associated with the COVID-19 pandemic, only one evacuation drill was conducted. The university also publishes an emergency information guide that is available to all students and employees. This guide contains detailed information regarding a variety of emergencies and hazardous conditions.

## Evacuation Procedures

Every person in the building, including staff, faculty, students, visitors, and contractors where the fire alarm is sounding, regardless of known or suspected cause, is required to evacuate immediately. Persons evacuating must leave via the closest exit. Any equipment that could cause a fire should be turned off before exiting if it can be done quickly and safely. All occupants will assemble at a safe distance from the building and await further instructions from fire or police personnel. No occupant will re-enter a building until clearance is given by fire or police personnel.



The following evacuation procedures are in place for the residence halls. These procedures are to be followed when a fire alarm sounds. All residents and their guests must exit the building when a fire alarm sounds, regardless of whether it is a fire drill, false activation, or actual fire. Any persons physically unable to exit the building should immediately contact the SSU Police Department at 978.542.6111. Questions regarding the procedures should be directed to The Residence Life office or the SSU Police Department.

Please use the emergency exits available in your building. **DO NOT USE ELEVATORS.** It is important to be aware of all possible exit locations in your residence hall in the event that one or more of the fire exits are unsafe.

## When Evacuation is Not Possible

In a fire or fire alarm situation, always check doors to see if they are hot or warm to the touch before you open them. If heat or smoke prevents you from evacuating, return to your room and use towels or other cloth items to seal around the door. Hang a white object in the window and reclose the window (if it opens) as much as possible. Do not reopen your window (if it opens) unless forced to do so by smoke. After you have sealed your door, immediately call 911 and advise emergency responders of your location and situation. Wait for help to arrive.

## Sheltering In Place

Because sheltering in place may be the protective action recommendation for several emergencies with differing risks, and because sometimes the initial recommendation is to shelter in place followed by relocation, there is no single set of shelter in place procedures. Based on the type of emergency, such as Tornado, Hostile Intruder, or Hazardous Material Release Outside, you should consult each relevant section of the Emergency Information Guide for guidance. Emergencies change as they progress. The questions to ask yourself are: Am I safer inside or outside? Where am I safest inside? Where am I safest outside?

## POLICY REGARDING EMERGENCY NOTIFICATIONS – IMMEDIATE THREAT

Salem State University has various systems in place, such as an Emergency Notification System and Siren/Public Address System (see chart below for a list of all systems) that may be used to communicate official information during an emergency or crisis situation that disrupts normal campus operation. SSU will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus. The SSU Police Department receives information from various offices/departments on campus, such as the Emergency Management Team. Some or all of the below listed systems will be used to immediately notify the campus community that a dangerous situation or emergency exists involving an immediate threat to the health or safety of students or staff on campus and when immediate action is required by the recipient.

If the SSU Police Department confirms (when possible, with the assistance of key campus administrators, local first responders or the National Weather Service) 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 SSU community, SSUPD has the authority to distribute an immediate notification message without approval. If time permits, SSUPD will collaborate with the university's president and any other administrator as deemed necessary to determine the content of the message and the messages will be initiated by the systems described below to communicate the threat to the SSU community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Follow up information pertaining to a significant emergency or dangerous situation on campus will be sent using some or all of the systems listed under "Timely" warnings.

System to Use	Primary Message Creator	Backup Message Creator	Authority for Approving and Sending Messages	Primary Message Sender	Backup Message Sender
<b>PRIMARY</b>					
<b>Outdoor Siren</b>	<i>Police Command Staff/ Dispatcher</i>	<i>Police Department Staff</i>	<i>Police Command Staff</i>	<i>Police Command Staff</i>	<i>Dispatcher/ Police Dept. Staff</i>
<b>Emergency Text, Email and Phone Messaging</b>	<i>Police Command Staff/ Dispatcher</i>	<i>Police Department Staff</i>	<i>Police Command Staff</i>	<i>Police Command Staff</i>	<i>Dispatcher/ Police Dept. Staff</i>

System to Use	Primary Message Creator	Backup Message Creator	Authority for Approving and Sending Messages	Primary Message Sender	Backup Message Sender
<b>SECONDARY</b>					
<b>Network Emails</b>	<i>Chief of Police</i>	<i>Police Command Staff</i>	<i>Police Command Staff</i>	<i>Chief of Police</i>	<i>Police Command Staff</i>

**Emergency Notification System includes:**

- Text messaging
- Email
- Voice Messaging (including messages to all University Phones)

NOTE: If technology fails, SSU may communicate using face to face communication and loudspeakers installed on SSUPD cruisers.

**Members of the Larger Community**

In the event of an incident requiring significant emergency response and evacuation of the campus, the university will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

**SAFETY AND SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS**

Salem State University believes that through crime prevention and security awareness education, community members are better prepared to prevent crime and to respond if crime does occur. During New Student Orientation, students and their parents are informed of safety and crime prevention resources offered by the university. They are informed of crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime prevention programs and sexual assault prevention programs are offered on a continual basis. Periodically, during the academic year, the Salem State University Police Department, in cooperation with other university organizations and departments, presents crime prevention awareness sessions on sexual assault, domestic/dating violence, theft, and vandalism, as well as educational sessions on personal safety and residence hall security. A common theme of all security awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

**Specific Education in Sexual Assault, Domestic Violence, Dating violence and Stalking:**

The university is committed to providing on-going education and support programs aimed at the eradication of sexual misconduct and relationship violence.

The university has implemented primary and on-going prevention and awareness programs for students and employees focused on sexual misconduct, relationship violence, risk reduction and bystander prevention (e.g., safe and positive options that may be carried out to prevent harm or intervene when there is a risk of sexual misconduct or relationship violence), and promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality. Additional information regarding these programs can be found in this report under the section detailing our Policies and Procedures regarding Sexual Assault, Domestic Violence, Stalking and Dating Violence, Title IX and the Violence Against Women Act.

## Rape Aggression Defense System (R.A.D.)

The R.A.D. Program is designed to teach women about awareness, prevention, risk reduction and avoidance while progressing into the basics of hands-on defense training. R.A.D.'s objective is to "develop and enhance the options of self-defense, so they may become viable considerations to the woman who is attacked." Contrary to popular belief, rape is not a crime of sex. Rape is a violent crime and a devastating experience, but it is survivable. Rape affects all people, no matter what their age, race or economic status. It is one of the most rapidly growing crimes in American society. FBI projections suggest that one out of three women can expect to be sexually assaulted in their lifetime. In the United States, one forcible rape occurs every seven minutes. Each year, about 90,000 forcible rapes are reported to the police, but it is estimated that almost 90% of all rapes and attempted rapes are not reported. Each situation is different, making rape prevention especially challenging. Steps can be taken, however, to lessen the chances of being raped. The Rape Aggression Defense System is a program of realistic, self-defense tactics and techniques. R.A.D. is dedicated to teaching women defensive concepts and techniques against various types of assaults, by utilizing easy, effective and proven self-defense tactics. This system of realistic defense will provide women with the knowledge to make an educated decision about resistance.



The Salem State University Police Department invites female students and staff to take advantage of the woman's self-defense course that is provided free of charge. The course requires a 14-hour commitment from each participant. Certified R.A.D. instructors teach each course and courses are offered every semester or upon request. Classes are generally held in the evenings during the academic year.

## Additional Safety Tips

The following safety tips are offered to all community members to help protect themselves from crime:

### Know Your Environment:

- Emergency phones are located throughout all areas of campus. Familiarize yourself with the location of the emergency phones and how they function.
- Dial 978.542.6111 to reach the university police department 24/7. Notify the police department of anything suspicious and an officer will gladly respond and investigate.
- Stay in well-lit areas.
- Know where to obtain help when you need it.
- Keep items left in vehicles inside a locked compartment such as a trunk or glove box so that they are out of view.
- Keep all valuables under your direct control. Do not leave valuables unattended.



**Safety in Numbers:**

- Walk with a friend.
- Use the student shuttle service when vans are available.
- If you are uncomfortable or concerned walking from a building to your vehicle then call the university police department to request a safety escort.

**Residence Hall:**

- Keep the doors locked
- Do not allow or encourage unauthorized visitors in your residence hall, room or apartment.
- Know the location of fire extinguishers and fire alarms.
- Follow campus rules about candles, combustibles, microwaves, refrigerators etc.
- Mark all equipment using an identifier and keep a record of all serial numbers.
- Use a cable-locking device to secure computers, TV, gaming devices etc.

**SSU Viking Shuttle and Evening/Weekend Shuttle**

The SSU Viking Shuttle provides free and continuous on-campus transportation for all members of the SSU Community in an effort to:

- Provide safe, efficient, and courteous passenger service
- Achieve fuel conservation and reduction of traffic congestion on campus
- Provide part-time student employment and management experience
- Increase student mobility and campus security
- Increase utilization of mass transportation

**SHUTTLE SERVICES HOURS OF OPERATION:****Viking Shuttle**

Monday – Friday 7:15 AM-4:00 PM

**Evening/Weekend Shuttle**

Sunday - Thursday 5:00 - 10 PM

Friday - Sunday 5:00 PM - 12 Midnight

\*\*Please note that inclement weather, vehicle maintenance, and heavy traffic conditions may affect the times listed on the schedules. All Viking Shuttle vehicles are handicapped accessible.

The shuttle service is free of charge and is available to all students, employees, and guests of Salem State University.

A detailed shuttle schedule is posted on the university website at:

[ask.salemstate.edu/kb/campus-shuttle-bus-information](http://ask.salemstate.edu/kb/campus-shuttle-bus-information)

## Blue Light Phones — Emergency Notification

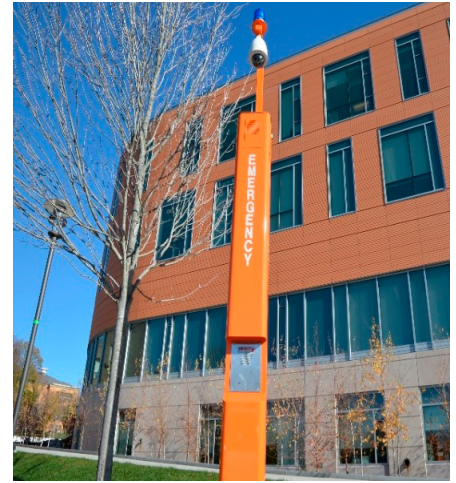
There are blue light emergency communication towers throughout campus. With the push of a button the user can communicate directly with the University Police Communications Center. Upon receiving notification from the blue light emergency phone, SSU police officers will respond immediately to the location and render aid.

## Video Cameras

Salem State University seeks to enhance public safety and security by utilizing video cameras, in a professional and ethical manner, in select locations on campus.

## Response to Medical Emergencies

All Salem State University police officers are trained as First Responders in emergency medical care. Several officers are trained to the Emergency Medical Technician (E.M.T.) level in emergency medical care. All patrol vehicles are equipped with E.M.T. emergency equipment and automatic defibrillators.



# STATEMENT OF POLICY CONCERNING FACILITY SECURITY AND ACCESS

## Administrative and Academic Building Security and Access

Academic and administrative buildings are typically open and accessible during normal business hours. Salem State University utilizes a state-of-the-art card access system –using an ID card called a “Clipper Card”– and secondary locking devices in most of its campus buildings. Officers conduct routine patrols of academic and administrative buildings to monitor and maintain security protocols.

## Residential Facilities Security Access

Residential facilities are locked 24/7 and are only accessible to building residents and their authorized guests. Residents are helpful in maintaining a safe living environment if they avoid allowing unknown individuals to follow them into the building. All residence halls are monitored by student desk receptionists. These student employees monitor access to all residence halls and ensure that only authorized residents and guests are permitted entry. Residence Life staff members and SSUPD officers routinely patrol residential facilities to observe and report any security related matters.



The Clipper Card is the official Salem State University identification card. Students, faculty, staff and other campus community members are eligible to obtain Clipper Cards. Students must be registered for classes and provide a photo ID (such as a driver’s license) in order to obtain a card.

These systems help ensure that only faculty, staff, students, and guests with proper authorization are allowed to enter university facilities. Individuals found on university property without a legitimate purpose may be directed to leave campus. Failure to comply with a warning will result in arrest for trespassing.

## **POLICY ADDRESSING SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF FACILITIES**

Salem State University is committed to maintaining a safe physical campus. The campus is maintained in a manner that minimizes hazardous conditions, by providing well-lit walkways and parking areas. Additionally, SSUPD works closely with Facilities Management to promptly address malfunctioning door locks, burned out lights or other issues relating to physical security.

## **STATEMENT OF POLICY FOR ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS**

Criminal activity occurring off-campus is addressed by the appropriate law enforcement agency having jurisdiction where the crime occurs.

Salem State University has entered into an agreement with the City of Salem to hold students accountable for their off-campus behavior. When a Salem State University student is involved in an off-campus offense, SSU police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Salem Police routinely work and communicate with SSU officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. Salem State University operates no off-campus housing or off-campus student organization facilities. However, many students live in the neighborhoods surrounding Salem State University. While the City of Salem Police have primary jurisdiction in all areas off campus, Salem State University officers can and do respond to student-related incidents that occur in close proximity to campus. Salem State University officers have direct radio communications with the city police, fire department, and ambulance services to facilitate rapid response in any emergency situation.

## **STATEMENT OF POLICY ADDRESSING ALCOHOL, ILLEGAL DRUGS, AND SUBSTANCE ABUSE EDUCATION**

### **General Statement Regarding Drug Free Schools and Campuses Regulations**

The use of illicit drugs and the improper use of alcohol at Salem State University, on university property or at university activities impairs the safety and health of students and employees, inhibits the personal and academic growth of students, lowers the productivity and quality of work performed by employees and undermines the public's confidence in the university. Only in an environment free of substance abuse can Salem State University fulfill its mission of developing the professional, social, cultural and intellectual potential of each member of this community.

In compliance with the Drug-Free Schools and Campuses Regulations (EDGAR Part 86), the information which follows outlines the standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on university property or as a part of any university activities and describes the applicable legal sanctions, associated health risks and support programs and services available to employees and students. All members of this community – faculty, staff and students – are urged to carefully and seriously reflect on their personal responsibility to remain drug free, and further, to demonstrate care and concern for others through timely intervention, support and referral.

### **General Alcohol Policy For Faculty, Staff, Administrators and Students**

The acquisition, possession, transportation and consumption of alcoholic beverages, including but not limited to ale, beer and wine are governed by various provisions of the laws of the Commonwealth of Massachusetts. These statutes fully apply on campus.

These statutes are part of the criminal laws of the Commonwealth of Massachusetts. Penalties for violations include fines of varying amounts and imprisonment for varying terms. They are enforced by police authorities, to the university requires that all members of the university community comply with them. Violations of laws or policies governing alcohol use will constitute grounds for disciplinary action in accordance with university policies and procedures.

- Alcoholic beverages shall not be offered gratuitously, sold to or consumed by a person under age 21 under any circumstances.
- Alcoholic beverages shall neither be offered nor consumed at university events, whether indoors or outdoors, except in places and at times, and under circumstances approved by the Office of Risk Management in consultation with the Dean of Students or Vice President for Academic Affairs. Alcoholic beverages will not be offered as a raffle or door prize.
- Safeguards must be taken by the sponsor of an event of which alcoholic beverages are a component, in order to insure an orderly function in compliance with these regulations. These safeguards must be presented to the Office of Risk Management in order to gain approval for alcoholic beverages to be served. Adequate assurance must be given that there will be no violation of criminal or civil law.
- If a violation occurs, the violators may face prosecution which may result in fines or confinement, and they also may be subject to disciplinary action in accordance with university policies and procedures.
- No alcohol beverage will be served in any academic classroom setting.
- Open containers, including but not limited to bottles, cans, cups, mugs, pitchers and pouches of alcoholic beverages or previously opened containers (seal broken) of alcoholic beverages are prohibited from all university buildings and grounds except for areas designated by the university via application through Office of Risk Management or within residence halls in compliance with applicable residential policies and applicable sections of the student code of conduct.
- Alcoholic beverages may not be sold on campus for profit.
- Whenever alcohol is a component of an event, ample food and non-alcoholic beverages must be readily available. If under-aged students are present all students must present a valid government issued ID to verify age before being served alcohol.
- University property includes property owned by the Commonwealth and used by the university, as well as property owned or leased by the university.
- No advertising of alcoholic beverages or related products is allowed on campus.

### **Detailed Alcohol Policies for Students**

Students who are under 21 are not permitted to consume alcohol on campus at any time and doing so is a violation of state law and university policy that will result in legal and/or student conduct action. Students and their guests are subject to the laws of the Commonwealth of Massachusetts. Underage students who are cited for alcohol violations off campus may also face student conduct action by the university.

### **Alcohol Policy for Residence Halls**

Those students who are over 21 years of age may consume alcohol in the residence halls. Only residents are permitted to bring alcohol in the residence halls that they live in. Residence hall rooms are designated as wet or dry in accordance with age of the occupants.

**Wet Room:** A room or apartment is considered wet if every person assigned to the room, or every person present in the room is at least 21 years old. Consumption of alcohol is allowed provided students adhere to limitations based on amounts.

**Dry Room:** A room is considered dry if any person assigned to the room, or present in the room, is under 21 years old. Consumption of alcohol is not permitted by any persons in a dry room regardless of age.

**Consumption Limitations:** Residents who are 21 years old or older may individually have in their possession no more than the following amounts of alcohol at any time:

- 72 oz. of beer or malt beverages including wine coolers, hard ciders, twisted teas etc. or
- 750 milliliters of wine or
- 200 milliliters of hard liquor
- No alcohol stronger than 80 proof is permitted. Limits apply to full, partially full, or empty alcoholic beverage containers.

**Drinking Paraphernalia:** The university prohibits drinking paraphernalia, including but not limited to, drinking funnels, ice luges, and other items that encourage binge drinking. Furthermore, possession of a keg, beer ball, and other central sources of alcoholic beverages are not permitted.

Alcohol is not permitted in the lounges, stairwells, or hallways of any residential facility. Students are allowed to possess alcohol in their apartment/bedroom only when all present individuals are over the age of 21.

Large parties within the residential areas are not permitted. Social gatherings exceeding the guest limits with alcohol present will be dispersed regardless of the ages of guests. The maximum number of people allowed in a room or apartment at any time is two guests per resident of the room that is present (i.e., in a six (6) person apartment, there can be no more than 18 people present). Students who host parties, with or without alcohol, will be held accountable for any violations.

### **Good Samaritan Policy**

In order to ensure that students receive prompt and appropriate attention for alcohol intoxication and that there are no impediments to seeking such assistance, the university upholds a Good Samaritan Policy.

In those instances, in which a student calls university police or another university office for assistance with an intoxicated or impaired student, neither the individual calling nor the student in need of assistance will be charged with violations of the university's policies on alcohol and other drugs. (This policy does not preclude disciplinary action regarding other violations of university standards, such as causing or threatening physical harm, sexual abuse, damage to property, harassment, hazing, etc. Students should also be aware that this university policy does not prevent action by local and state authorities.) Students who are taken to the hospital for treatment related to alcohol will be referred to the university's Counseling and Health Services. Serious or repeated incidents will prompt a higher degree of intervention from the Dean of Students office with possible disciplinary actions. This policy is designed to save lives. The spirit of the Good Samaritan Policy is that we all have an ethical responsibility to help people in need. There is an expectation that students will take active steps to protect the safety and well-being of our community.

Students found in violation of the alcohol policy through report of a sexual assault, psychological or medical emergency will not be automatically subject to the minimum sanction. Such sensitive situations will be handled on a case by case basis.

## Sanctions for Student Violations of Alcohol Policy

It is the established practice of Salem State University to disclose the result of a disciplinary proceeding to a parent or guardian as long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of university alcohol policies, or any federal, state, or local law (affiliated with alcohol). Such notification is standard practice. In compliance with the Drug Free Schools and Communities Act Amendments of 1989, the Dean of Students office publishes the following procedural guidelines with respect to violations of the alcohol policy:

### First violation may include:

- Disciplinary Warning
- Alcohol and/or Drug Education

### Second violation may include:

- Disciplinary Probation
- Engagement Hours or Community Service
- Alcohol and/or Drug Education
- \$100 fine (for alcohol)

### Third violation may include:

- Range from university probation to suspension/expulsion from the residence halls or the university.

Notes: Depending on the situation, a sanction can be more or less severe. In addition, sanctions are determined by considering the nature of the misconduct, student's conduct history, and mitigating or aggravating factors.

Student found in violation of the alcohol and drugs policy through report of a sexual assault, psychological or medical emergency will be handled on a case by case basis. In addition to the above institutional sanctions guideline, students who violate the alcohol and other drugs policy may be subject to criminal penalties provided by federal, state, and local laws.



## DRUG FREE CAMPUS POLICY

The purpose of the Drug-Free Schools and Campuses Regulations is to implement section 22 of the Drug-Free Schools and Communities Act Amendments of 1989, which adds section 1213 to the Higher Education Act and Section 5145 to the Drug-Free Schools and Communities Act. These amendments require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE), state educational agency (SEA) or local education agency (LEA) must certify that it has adopted and implemented a drug prevention program. In part the IHE must establish standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.

### Student Conduct Policy Related to Drugs

- It is a violation of university policy to possess, use, manufacture, distribute, transfer, consume, sell (or intend to sell), broker or facilitate the distribution of any controlled substance including marijuana.
- Possession, use, sale, distribution, or manufacture of drug paraphernalia
  - o Drug paraphernalia is defined as any equipment, product, material and/or ingredients that is/are used or modified for making, using, or concealing illegal drugs, including but not limited to, pipes, smoking masks, screens, bongs, hookahs, vape pens or roach clips. Certain scales, grinders, vials and baggies may also be considered drug paraphernalia.

- Marijuana – While Massachusetts state law permits the use of recreational marijuana and medical marijuana for certain aged persons, federal law prohibits marijuana use, possession, distribution, and/or cultivation at educational institutions. Therefore, the use, possession, distribution or cultivation of marijuana for recreational or medical purposes is not allowed in any SSU residence hall or any other SSU premises, nor is it allowed at any University –sponsored events or activity off campus or any student organization event or activity.
  - o Anyone who possesses or uses marijuana at any University premises may be subject to federal prosecution and University discipline.

### **Sanctions for Student Violation of the Drug-Free Campus Policy**

1. Alleged violators of the drug policy are subject to immediate suspension from the university or any area thereof pending completion of due process as outlined in the Student Conduct Code.
2. If following due process, the alleged violator is found responsible, he/she/they may be subject to expulsion from the university and may also be subject to criminal prosecution under applicable state and federal laws.

### **Disciplinary Sanctions for Marijuana Possession and Use for All Students**

#### **First violation may include:**

- Written Warning
- 5 Engagement Hours
- \$100 citation from the Police

#### **Second violation may include:**

- General Probation
- 10 Engagement Hours
- \$100 fine (if not cited)

#### **Third violation may include:**

- Range from disciplinary probation to suspension from the residence halls or the university depending on the severity of the violation and disciplinary history of the involved student.

## **EMPLOYEE DRUG AND ALCOHOL POLICY AND SANCTIONS**

### **Policy for Employees**

The use of illicit drugs and alcohol at Salem State, on university property or at university activities impairs the safety and health of employees, lowers the productivity and quality of work performed and undermines the public’s confidence in the university. Only in an environment free of substance abuse can Salem State fulfill its mission of developing the professional, social, cultural, and intellectual potential of each member of the university community.

The unlawful possession, use or distribution of illicit drugs and alcohol on university property or as part of any university activity is prohibited. All members of the university community- faculty, staff and administrators – are urged to carefully and seriously reflect on their personal responsibility to remain alcohol and substance free.

The employees of Salem State shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances or alcohol on university property, in conjunction with any university activity or in the university workplace. As a condition of employment, all employees will abide by this statement of policy. Employees will notify the university’s Assistant Vice President of Human Resources and Equal Opportunity within five (5) days of being convicted of violating a criminal drug statute in the workplace. The employer will notify a grantor agency that an employee has been convicted of a drug-related offense within ten (10) days.

## **Sanctions for Employee Drug and Alcohol Policy Violations**

Any individual who violates this prohibition will be subject to disciplinary action in accordance with any applicable bargaining agreement. Such disciplinary action may include suspension from employment, mandatory participation in an alcohol/drug abuse assistance or rehabilitation program, and termination of employment as well as referral of the matter for prosecution to an appropriate enforcement agency.

## **Student Employee Drug Policy and Sanctions**

Any student who is also employed in any capacity by the university, as a condition of such employment, will abide by the policies outlined in this document and applicable sections of the Student Conduct Code.

Student employees will notify the university's director of financial aid within five (5) days of being convicted of violating a criminal drug statute in the workplace. The university will notify a grantor agency that a student employee has been convicted of a drug-related offense within ten (10) days.

## **TOBACCO-FREE CAMPUS INITIATIVE**

Salem State University recognizes the medical evidence that indicates that smoking and the use of tobacco products create a serious health hazard, and that this health hazard extends to non-smokers forced to breathe second-hand smoke. The primary responsibility of the university is to provide a healthy working and learning environment.

In the interest of further protecting the health and well-being of members and visitors of the university community, as of September 1, 2011, the use of any tobacco product is prohibited on our campus. This includes all buildings, grounds, parking lots, work areas, offices, restrooms, lobbies, public entrances, any vehicle moving or parked on campus, etc. Because of our collective concern for the environment, our awareness of the harmful effects of tobacco use on the user, and how much is being written about the effects of second-hand smoke on the non-smoker, we are committing ourselves to a tobacco-free environment at Salem State University.

Recognition of this responsibility has resulted in the development of the following standards:

1. The use of tobacco products is prohibited anywhere on the university campus, in any university building, in any vehicle owned, leased or rented by the university or any privately owned vehicle on campus grounds.
2. The sale of tobacco products on campus is prohibited.
3. As with any university standard, violators will be subject to disciplinary action as prescribed in the university's student rules and regulations or appropriate agreement between the BHE and the university's unionized employees.
4. These university standards will be enforced by the university police department.
5. Individuals should not bring cigarettes/tobacco products onto the campus, including smoking devices such as, but not limited to, e-cigarettes and hookahs.

## **Tobacco Free Campus Policy**

In compliance with the laws of the Commonwealth of Massachusetts, smoking is prohibited in all buildings administered by Salem State University.

In addition, the university has adopted a tobacco-free campus initiative and there is no use of tobacco products anywhere on campus property, including in vehicles in campus parking lots. Violations of these standards will subject the individual to disciplinary procedures found for students in the Student Conduct Code or for employees in the applicable collective bargaining agreement.



## Smoking Cessation

A tobacco-free campus initiative has been implemented which includes an education and awareness component, smoking cessation opportunities, and other continuing efforts to facilitate the implementation of these new standards. Students seeking help with smoking cessation may contact Counseling and Health Services at 978.542.6410. Employees may contact human resources to learn what services are available through our employee assistance program or you may contact your personal health insurance company.

## Publicity

Every effort will be made to inform all members of the university community and public about the university's tobacco-free campus initiative. Such notification will include: signs on all buildings and on campus grounds, announcements at public events, reminders on programs and other materials, inclusion of the standards in the student code of conduct, accessibility via the university's counseling and health web page at [salemstate.edu/chs](http://salemstate.edu/chs) and will be relayed during orientation sessions for new employees and new students.

## Coverage

This policy shall apply to all administrators, faculty, staff, students, and guests of Salem State.

## Disciplinary Sanctions for Tobacco Use

The Dean of Students office publishes the following procedural guidelines to violations of the tobacco-free campus policy:

### First violation may include:

- Verbal Warning Smoking cessation packet

### Second violation may include:

- Written Warning

### Third violation may include:

- General Probation

### Subsequent violation:

- Referral to the Dean of Students office



## If You Need Assistance

Help concerning drug, alcohol and tobacco related problems is available from several sources. If you need assistance, or know of someone who needs help or have questions concerning alcohol and drug abuse, you may contact any of the following in confidence:

1. Counseling and Health Services, Ellison Campus Center, 978.542.6410.
2. Assistant Vice President of Human Resources and Equal Opportunity, Administration Building 978.542.6123.

Counseling and Health Services emphasizes prevention and education. Individual and group counseling is available to any student who seeks assistance in exploring or changing problematic substance use. Counseling and health services has established working relationships with area hospitals to facilitate referrals when inpatient treatment is indicated. Professional and student staff in the residence halls receive training on issues regarding drug and alcohol use and abuse prior to each fall semester. In-service training continues throughout the academic year.

## Drug or Alcohol Abuse Education Programs

Additional resources as well as descriptions of drug and alcohol abuse education programs can be found at the following link:

[salemstate.edu/campus-life/support-services/counseling-and-health-services/alcohol-and-drug-resources](http://salemstate.edu/campus-life/support-services/counseling-and-health-services/alcohol-and-drug-resources)

# STATEMENT OF POLICY ADDRESSING HAZING

## Hazing Policy

All forms of hazing by any individual, group, or organization are strictly prohibited by the university. Any infractions of the hazing policy by students, groups of students, or student organizations shall be processed through established campus disciplinary procedures.

1. Individual students found guilty of the hazing policy will be subject to disciplinary sanctions in the form of suspension, dismissal, or expulsion from the university.
2. Any student organization found guilty of the hazing policy will be subject to immediate loss of recognition for a specified period of time and possible revocation of its campus charter (if applicable). An organization desiring recognition after the specified time period shall reapply for recognition through the established campus procedures.
3. If a student affiliated with an organization acts individually or on the part of the organization to commit an act of hazing, both the student and the organization shall be held liable for the action and appropriate sanctions shall be imposed.

The following are the applicable laws of the Commonwealth of Massachusetts regarding hazing:

### **MGL Chapter 269 Sec. 17 Hazing Prohibited; Definition; Penalties.**

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

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

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

### **MGL Chapter 269 Sec. 18 Failure to Report Hazing; Penalty.**

Section 18. Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

### **MGL Chapter 269 Sec. 19 Notification by Schools of Hazing Law; Report by Schools; Disciplinary Policy.**

Section 19. Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team, or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections 17 and 18; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections 17 and 18 to unaffiliated student

groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations. Each such group, team or organization shall distribute a copy of this section and sections 17 and 18 to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections 17 and 18, that each of its members, plebes, pledges, or applicants received a copy of section 17 and 18 and that such group, team or organization understands and agrees to comply with the provisions of this section and sections 17 and 18.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment deliver to each person who enrolls as a full time student in such institution a copy of this section and sections 17 and 18.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections 17 and 18 and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The Board of Regents and, in the case of secondary institutions the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

## STATEMENT OF POLICY REGARDING FIREARMS AND OTHER WEAPONS

**Weapons of any type, unless otherwise indicated as an exception below, are prohibited on campus.** A weapon is generally anything somebody could use to hurt or harm somebody else. Weapons could be any of the following including but not limited to:

- a knife
- a gun/firearm
- a BB gun, pellet gun or air soft gun
- any available object that could be used to hurt somebody else

Massachusetts General Laws, MGL Chapter 140 Section 121 defines a weapon as any rifle, shotgun or firearm.

A firearm is defined as a pistol, revolver or other weapon of any description, loaded or unloaded, from which a shot or bullet can be discharged and of which the length of the barrel or barrels is less than 16 inches or 18 inches in the case of a shotgun as originally manufactured; provided, however, that the term firearm shall not include any weapon that is: (i) constructed in a shape that does not resemble a handgun, short-barreled rifle or short-barreled shotgun including, but not limited to, covert weapons that resemble key-chains, pens, cigarette-lighters or cigarette-packages; or (ii) not detectable as a weapon or potential weapon by x-ray machines commonly used at airports or walk-through metal detectors.

- All firearms are prohibited on campus.
  - Under Massachusetts General Law Chapter 269 Section 10 possessing a firearm on school grounds is prohibited.
  - “Whoever, not being a law enforcement officer...carries on his person a firearm...loaded or unloaded or other dangerous weapon in any building or on any grounds of any elementary or secondary school, college or university...shall be punished by a fine or not more than one thousand dollars or by imprisonment for not more than one year, or both”.
- All imitation firearms or facsimile firearms are prohibited.
- All ammunition is prohibited on campus regardless of the presence of a firearm.
- Electronic defense weapons are prohibited on campus.
- The carrying or storage of knives or other edged weapons on campus is prohibited except a pocket knife with a single edge blade measuring less than 2 ½ inches<sup>2</sup>. No person shall carry on his/her person or under his/her control in a vehicle or within a campus building any stiletto, dagger or a device or case which enables a knife with a locking blade to be drawn at a locked position, any ballistic knife, or any knife with a detachable blade capable of being propelled by any mechanism, dirk knife, any knife having a double edged blade, or a switch knife, or any knife having an automatic spring release device by which the blade is released from the handle, having a blade or over one and one half inches, or a slung shot, blowgun, blackjack, metallic knuckles or knuckles of any substance which could be put to same use of with the same or similar effect as metallic knuckles, nunchaku, zoobow, also known as klackers or kung fu sticks, or any similar weapon consisting of two sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather, a shuriken or any similar pointed star-like object intended to injure a person when thrown, or any armband, made with leather which has metallic spikes, points or studs or any similar device made from any other substance or a cestus or similar material weighted with metal or other substance and worn on the hand, or a manrikigusari or similar length of chain having weighted ends.
- All chemical sprays with the exception of certain pepper sprays as specified below are prohibited on campus.
- Certain pepper spray canisters are allowed by persons 18 years of age or older for personal defense purposes. Pepper spray canisters must be standard form personal use size (2.5 oz. or less). Pepper spray canisters must not be in the form of a firearm or anything resembling a firearm. Only oleoresin capsicum form pepper spray is allowable in aerosol form (no gels allowed). Anyone wishing to carry pepper spray on campus must register it, in person, with the university police prior to carrying it on their person or storing it on campus.

## STATEMENT ON REPORTING CRIMINAL HARASSMENT

All members of the Salem State University community have the right to be free from being harassed and or placed in fear. The law has provided victims of criminal harassment with the ability to receive relief from the courts even though there is no relationship with the abuser. The Harassment Prevention Order, Massachusetts General Law 258E, fills a critical gap in the law to protect victims of criminal harassment, stalking, or sexual assault from being harassed repeatedly regardless of their relationship with the perpetrator. If you are a victim of criminal harassment contact the Salem State University Police Department immediately for assistance or report to the Assistant Director of Labor and Employee Relations.

<sup>2</sup> Knives utilized strictly for cooking purposes or cutting food (such as steak knives) are permissible in apartment style housing however these instruments must be properly stored within residential facilities and must not be carried on one’s person outside of residential units.

# STATEMENTS AND POLICIES CONCERNING SEXUAL VIOLENCE AND RELATIONSHIP VIOLENCE

## POLICES ON SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, TITLE IX AND VIOLENCE AGAINST WOMEN ACT (VAWA)

Title IX of the Educational Amendments of 1972 (Title IX), 20 U.S.C. §§1681 et seq., and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Title IX also covers sexual violence and reminds schools of their responsibilities to take immediate and effective steps to respond to sexual violence. Sexual harassment of students and/or employees, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

## SALEM STATE UNIVERSITY'S TITLE IX COORDINATOR

Grace Napolitano, Title IX Coordinator, 978.542.5130

Salem State University will not tolerate, and specifically prohibits, sexual assault, sexual misconduct, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, and/or retaliation in any form. Where there is cause to believe that the university's regulations prohibiting such acts have been violated, the university will encourage the alleged victim to pursue a complaint through the Title IX Complaint Investigation and Resolution Procedures contained in the Equal Opportunity, Nondiscrimination, and Title IX Plan ("the Policy") for any alleged misconduct that occurs on or after August 1, 2024. To view complete information regarding Title IX, please refer to the Policy, which is available here: [records.salemstate.edu/policies/title-ix-policy](https://records.salemstate.edu/policies/title-ix-policy)

Disciplinary sanctions for sexual assault violations may include suspension, dismissal or expulsion from the university. A student charged with sexual assault can be prosecuted under Massachusetts criminal statutes and disciplined following a finding of responsibility under the university's policy. In those instances in which criminal justice authorities choose not to prosecute a student for involvement in an alleged sexual assault, the victim retains the option to pursue disciplinary action via the Title IX grievance process contained in the Complaint Investigation and Resolution Procedures in the Policy.

Salem State University will not tolerate, and specifically prohibits, any member of the university community sexually harassing, discriminating or assaulting another employee, student or other person having dealings with the university. This policy applies to face-to-face violations as well as those perpetrated through the use of electronic media. The university is committed to providing a working, living and learning environment that is free from all forms of sexually abusive, harassing or coercive conduct. This policy seeks to protect the rights of all members of the university community (faculty, librarians, administrators, staff, and students) and other persons having dealings with the university, to be treated with respect and dignity.

At times, persons may be hesitant to report the occurrence of sexual misconduct or violence to University officials because they are concerned that they themselves, or witnesses to, or persons with knowledge of the conduct, might be charged with violations of the University's alcohol and/or drug policies. While the University does not condone these behaviors, it places a higher priority on the need to address instances of sexual misconduct and violence. In such cases, the University will not pursue disciplinary action towards violations of the alcohol and/or drug policies against a person who, in good faith, reports misconduct or violence, is a witness to, or has knowledge of the incident.

Cases of alleged sexual assault, domestic violence, dating violence, stalking, sexual harassment, and sexual misconduct involving students and staff will be investigated by a Title IX investigator assigned by the Title IX coordinator. An associated criminal investigation may be conducted by the university police or local law enforcement. For details on the administrative investigation process, please refer to the definitions and protocols portion of this section.

## **TITLE IX, VAWA**

### **Definitions and Protocols (Code of Conduct):**

Refer to [saalemstate.edu/offices-and-services/human-resources-and-equal-opportunity/title-ix](https://saalemstate.edu/offices-and-services/human-resources-and-equal-opportunity/title-ix) for more information regarding Title IX and VAWA

#### *What is Title IX?*

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX also covers sexual violence and reminds schools of their responsibilities to take immediate and effective steps to respond to sexual violence.

#### *What is the Violence Against Women Act (VAWA)?*

This Act addresses and prohibits acts of violence motivated by gender.

#### *What is the definition of consent?*

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

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

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

When consent cannot be given:

- One of the persons is under the age of consent (16 years old in Massachusetts)
- Persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question
- Persons who are physically helpless (i.e., one who is asleep, blacked out, involuntarily physically restrained, unconscious, or, for any other reason, unable to communicate unwillingness to engage in any act)

The use of alcohol or drugs to render another person mentally or physically incapacitated as a precursor to or part of a sexual assault is prohibited. The use of alcohol, medications or other drugs does not excuse a violation of this policy.

Furthermore, consent is not effective if a person is coerced, pressured, intimidated or threatened.

### *Who is the Complainant?*

The Complainant is the individual making a complaint against someone else of engaging in sexual assault, sexual misconduct, sexual harassment, gender-based harassment or discrimination, domestic violence, dating violence, stalking, and/or retaliation in any form.

### *Who is the Respondent?*

The Respondent is the individual who is being accused of engaging in sexual assault, sexual misconduct, sexual harassment, gender-based harassment or discrimination, domestic violence, dating violence, stalking, and/or retaliation in any form.

### *What is the definition of preponderance of evidence?*

The preponderance of the evidence is the burden of proof standard used in Compliant Investigation and Resolution Procedures contained in the policy. This means the Complainant must prove by the greater weight of the evidence that the Respondent violated the policy. In other words, considering all the evidence in the case, the Title IX Decision-Maker must be persuaded considering all the evidence in the case that it is more likely than not that a violation of the policy occurred.

### *What is the definition of retaliation?*

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

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

### *Title IX and VAWA Reminders*

- Title IX requires that institutions with actual knowledge must respond promptly and confidentially, including contacting the complainant to provide notice of available supportive measures and inform complainant of the process to file a formal complaint.
- Students have the right not to share information. It is important to know that the University may then be limited in its response.

### *Confidentiality*

Under the policy, certain employees are obligated to report alleged misconduct to the EO Officer or Title IX Coordinator as soon as the employee becomes aware of it. The contents of a Title IX report are kept private and cannot be shared publicly, rather only with the Title IX Coordinator and those trained to respond to such information.

At the same time, different resources on campus come with different levels of confidentiality and, subsequently, different abilities to assist with the situation. Faculty, staff and administrators are not considered a confidential source that is protected by law. If a student wants to talk to someone and be assured of confidentiality, please refer to the following offices:

- Counseling and Health Services, Ellison Campus Center Room 107, 978.542.6413
- Prevention, Education, Advocacy and Response (PEAR) Ellison Campus Center Room 112, PEAR Confidential Advocate (call or text): 978.594.7089
- YMCA North Shore Rape Crisis Center 24/7 Hotline 877.509.9922
- Healing Abuse Working for Change (HAWC) 24/7 Hotline 800.547.1649

### *Preservation of Evidence*

Any person who has experience sexual violence is encouraged to take steps to preserve evidence of the incident, as doing so may be necessary to the proof of a crime or to obtain a protection order from the court. After an incident occurs, one should try to refrain from bathing, showering, brushing teeth, drinking, eating, douching or changing clothes until the evidence can be collected. If one changes clothes, one should place each garment in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), take care to preserve copies and not delete the originals. University police officers are trained to collect evidence and will assist with this process regardless of whether a complainant wishes to pursue a criminal complaint.

### *Advisors*

Students have the right to have an advisor present during any meetings regarding the process, the live hearing and to be present to review and inspect evidence. During meetings, the advisor's role is limited to providing direct and non-disruptive assistance to the party. During grievance proceedings, the Decision-Maker generally asks questions of each party or witness, however an advisor may be responsible to conduct cross-examination during a live hearing in limited circumstances. The University maintains the right to remove an advisor from any meeting or proceeding if the advisor is disruptive. The meeting or proceeding may then be delayed to allow the party to secure another advisor. Finally, if a party does not have an advisor during the live hearing, the University will provide one.

### *What is the Formal Title IX Complaint Investigation and Resolution Procedures?*

If a formal complaint has been properly filed and submitted to the Title IX or Deputy Title IX Coordinator, the university will promptly provide the written notice to the parties who are known. The notice of the allegations will include sufficient details known at the time and with sufficient time to prepare a response before any initial interview. The respondent will have five (5) business days in which to respond to the complaint after the notification of allegations. In cases where a respondent refuses or fails to participate in the investigation and resolution process, the University may continue the process without the Respondent's participation.

The University will assign the matter to a Title IX Investigator.

The administrative investigation shall include, but is not limited to the following:

- interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party or any witness that the Title IX Investigator has deemed relevant;
- consideration of all relevant documents, including written statements and other materials presented by the parties and witnesses;



- evidence collection, including but not limited to, documents, text messages, emails, social media posts and messages, photographs, surveillance camera footage, door lock interrogations, card access records, guest sign-in logs, academic records, employee records and personnel documentation, and law enforcement reports;
- the Title IX Investigator’s findings of fact based on the preponderance of the evidence standard;
- the Title IX Investigator’s analysis of allegations, defenses, and evidence presented in order to make the factual findings.

A person making a complaint of sexual violence or other gender-based misconduct may submit a victim impact statement. A respondent to a complaint of sexual violence or other gender-based misconduct may submit a statement of mitigation or extenuation.

So that each party can meaningfully respond to the evidence prior to conclusion of the investigation, both parties are provided an equal opportunity to review the following: any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint; the evidence upon which the university does not intend to rely in reaching a determination regarding responsibility; and inculpatory or exculpatory evidence whether obtained from a party or other source. The parties will have ten (10) business days to review the evidence and submit a written response, which the investigator will consider prior to completion of the Investigative Report. Following the opportunity for the parties to review the evidence and respond in writing, the Title IX investigator will create an Investigative Report that fairly summarizes relevant evidence, the Title IX investigator’s findings of fact based on the preponderance of the evidence standard and the Title IX investigator’s analysis of allegations, defenses, and evidence presented in order to make the factual findings. Prior to the live hearing, the Title IX investigator will send each party and the party’s advisor, if any, the Investigative Report in an electronic format or a hard copy, for their review and written response. The parties can submit a written response to the Title IX investigator. The Investigative Report and written responses, if submitted, will be forwarded by the Administrative Investigator to the Decision Maker promptly upon receipt of the written responses or upon the response deadline.

The Complaint Investigation and Resolution Procedures may include a live hearing presided over by a Decision-Making Body. At the University’s discretion, live hearings may be conducted in-person or virtually where the parties, witnesses, and other participants are able to simultaneously see and hear each other with enabling technology. At the live hearing, the Decision Maker(s) will ask each party and any witnesses relevant questions and follow-up questions submitted in advance by the parties and their advisors, including those challenging credibility. If a party does not have an advisor present at the live hearing, the University will provide that party with an advisor.

Following the conclusion of the live hearing, the Decision-Making Body will submit a written determination regarding responsibility to the Title IX Coordinator and the Title IX Coordinator will provide the written determination to the parties simultaneously, which will include an explanation of appellate processes.

### **On Campus Resources, Important Information and Assistance**

The university recognizes that sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and/or retaliation can be a very traumatic crime and as such it will endeavor to work with students who are victims of such crimes to reduce fears and concerns regarding their personal safety. Any individuals who believes they may have experienced sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and/or retaliation may receive important information and assistance regarding the university’s policies and responsive processes from any of the following offices.

**1. Salem State University Police (available 24-hours a day)**

Office Location: Harrington Campus

Telephone: 978.542.6111

\*University Police is able to take immediate action to help you. They can assist in obtaining a restraining order or harassment prevention order.

**2. Dean of Students Office**

Office Location: Meier Hall room 245

Telephone: 978.542.6401

Email: [studentlife@salemstate.edu](mailto:studentlife@salemstate.edu)

\*The Dean of Students office is able to take action in many areas to protect you through utilization of the Sexual Violence Policy.

**3. Residence Life**

Office Location: Atlantic Hall room 131

Telephone: 978.542.6416

\*Residence Life is able to take action to help you, through utilization of the Sexual Violence Policy.

**Title IX Coordinator**

Grace Napolitano

Office Location: North Campus, Meier Hall Room 245

Telephone: 978.542.5130

Email: [gnapolitano@salemstate.edu](mailto:gnapolitano@salemstate.edu)

\*The Title IX Coordinator oversees and ensures compliance of issues related to sexual assault, sexual misconduct, sexual harassment, gender-based harassment or discrimination, domestic violence, dating violence, stalking, and/or retaliation.

**4. Counseling and Health Services**

Office Location: Ellison Campus Center room 107

Telephone: 978.542.6410 or 978.542.6413

\*Counseling and Health Services is a confidential resource and can provide medical and counseling services as well as information and support. They can advocate for you with your consent.

**5. PEAR (Prevention, Education, Advocacy, Response) Program**

Office Location: Ellison Campus Center room 112

Telephone: 978.594.7089

Email: [pear@salemstate.edu](mailto:pear@salemstate.edu)

\*The PEAR Program provides programs, trainings and advocacy on topics related to sexual assault, sexual misconduct, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, and/or retaliation. The PEAR Confidential Advocacy Line goes to a confidential advocate who can provide support, information, and follow-up for Salem State students.

Furthermore, if an apparent conflict of interest prevents use of the assistance of the above offices, the person complaining of sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and/or retaliation may request assistance directly from the President's Office, located on the third floor of the Lafayette Street Annex 331 Lafayette Street Salem, MA. The telephone number is 978.542.6134 and the email address is: [president@salemstate.edu](mailto:president@salemstate.edu).

Additional information regarding on-campus reporting options can be found here:

[salemstate.edu/campus-life/student-services/report-incident-or-concern](http://salemstate.edu/campus-life/student-services/report-incident-or-concern)

## Off Campus Resources:

In addition to the available on-campus resources there are a number of off-campus resources where victims/survivors of sexual assault can obtain services and support:

- **YWCA North Shore Rape Crisis Center**  
24-hour hotline – 877.509.9922  
Free, Confidential, and can accompany a victim/survivor to the hospital, police station, and/or court.
- **Healing Abuse Working for Change (HAWC)**  
24-hour hotline - 800.547.1649  
Free comprehensive services to all individuals experiencing domestic violence.

## Important Information

- Victims and/or survivors are reminded that on-campus and off-campus counseling services exist for the emotional well-being of Salem State University students.
- Students may request to change academic and residential (on-campus) situations after an alleged sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and/or retaliation incident, and may request assistance to do so if changes are reasonably available.

## How to report an incident

The University recognizes that sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and/or retaliation can be a very traumatic crime and as such it will endeavor to work with students who are victims of such crimes to reduce fears and concerns regarding their personal safety. Depending on the nature of the incident, one or more of the following options may apply:

- You can proceed with an on-campus formal complaint through the Title IX Complaint Investigation and Resolution Procedures contained in the policy. A written complaint can be filed with the Deputy Title IX or the Title IX Coordinator.
- Though the decision to contact the police is a personal one, the university is committed to supporting victims who decide to report the crime to the police. Deciding whether to report the crime to the police may be very difficult, but if you do decide to pursue criminal charges, you can proceed by filing a complaint with the Salem State University police department.
- You may request a court-issued restraining order through the Salem State University police department.
- You do not have to pursue any official action.

*Remember: Whatever option you decide, it is important that you at least report and document the incident.*

## Description of Options

- **Formal Title IX Complaint Investigation and Resolution Procedures:** If you want to pursue campus action, a complaint may be filed with the Deputy Title IX or Title IX Coordinator. The complaint will be processed through the Title IX Complaint Investigation and Resolution Procedures contained in the policy. See above in the section of Definitions and Protocols for a description of the administrative investigation process.
- **Criminal Charges:** If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. Deciding whether to report the crime to the police may be very difficult. The university police department strongly advocates that a victim of sexual assault report the incident in a timely manner. University police officers have received specialized training in the investigation of sexual assault and they work closely with other law enforcement professionals as well as university administrators and counseling staff throughout the investigative process. The officers will investigate your complaint and, if founded, will assist you in bringing the matter forward to the local district attorney's office. Time is a critical factor for evidence collection and preservation.

An assault should be reported directly to a university police officer, residence life staff member, Counseling and Health Services Center staff member or other university official. Filing a police report with a university police officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers or university officials. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests.
  - Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later. (Ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam).
  - Assure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- **Protective Order/Restraining Order:** If you feel a person is intimidating or harassing you, you can seek a protective order through the Salem State University police department. A protective order is a letter that is sent from the district attorney's office, notifying the student whom you feel is harassing you to stay away from you. The letter also informs the person that discipline charges will be filed if the protective order is violated.
  - **No Contact Order:** This is an administrative action. However, it is a directive from the University to two parties that states they are not to have any contact with each other whether in person, through social media, and/or through a third party. Violation of this order may result in disciplinary action through the University's student conduct system.
  - **Other Action:** Even if you decide not to file a complaint against someone, the university may be able to assist you in various ways. For instance, the university can document the incident that occurred. You may change your mind and reserve the right to file a complaint later on, so fresh and current documentation is important.

## Applicable Definitions

### Sexual Assault and Sexual Misconduct

1. **Sexual Assault (Clery Act):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
2. **Rape (Clery Act):** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
3. **Sexual Harrassment<sup>3</sup>:**
  - a. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or,
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.
4. **Acquaintance Rape:** Sexual intercourse undertaken by a friend or acquaintance without the consent of the victim. Acquaintance rape occurs when a person is forced to have sexual intercourse over his or her objections or as a result of threats, physical restraints, or physical violence.
5. **Indecent Assault and Battery:** Any unwanted sexual contact; including but not limited to, unwanted touching, kissing, or fondling of any body part of a person.

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3 Please note, the university Equal Opportunity, Nondiscrimination and Title IX Plan also includes Sexual assault [as defined in the Clery Act], or dating violence, domestic violence, or stalking [as defined in the Violence Against Women Act (VAWA)] as part of the sexual harassment definition

## Consent

1. Definition of Consent (Institution's Definition): Consent is an understandable exchange of affirmative words or actions, which indicate a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage or sexual involvement.
  - a. Silence, previous sexual relationships or experiences, and/or a current relationship may not, in themselves be taken to imply consent. While nonverbal consent is possible (through active participation), it is best to obtain verbal consent. Similarly, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.
  - b. An individual who is incapacitated by alcohol and/or drugs both voluntarily or involuntarily consumed may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Evidence of incapacity may be detected from context clues, such as slurred speech, bloodshot eyes, the smell of alcohol on the breath, shaky equilibrium, vomiting, unusual behavior or unconsciousness. While context clues are important in determining incapacitation, they alone do not indicate incapacitation.
  - c. Consent cannot be given when:
    - i. One of the persons is under the age of consent (16 years old in Massachusetts).
    - ii. Persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question.
    - iii. Persons who are physically helpless (i.e., one who is asleep, blacked out, involuntarily restrained, unconscious, or, for any other reason, unable to communicate unwillingness to engage in any act).
2. Massachusetts General Laws does not specifically define consent solely for the purposes of rape aside from the age of consent (16 years old), and lack of mental capacity.

## Domestic Violence

1. Types of Domestic Violence: Attempting to cause or causing physical or emotional harm; placing another in fear or imminent serious physical harm; causing another to engage involuntarily in sexual relations by force, threat or duress (rape).
2. Definition of Domestic Violence (Clery Act): A felony or misdemeanor crime of violence committed:
  - a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d. 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;
  - e. 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.

### 3. Definition of Domestic Violence (Massachusetts General Laws<sup>4</sup>):

A pattern of coercive and controlling behaviors and tactics used by one person over another to gain power and control. This may include verbal abuse, financial abuse, emotional, sexual, and physical abuse.

M.G.L. Ch. 209A Section 1 further defines 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.

Persons involved in a Domestic Violence situation can file for an Abuse Prevention Order, otherwise known as a 209-A Order. The victim can contact University Police and they will assist with obtaining this order, 24 hours a day, and seven days a week.

## Stalking

1. Types of Stalking: Stalking may occur in a range of formats including, but not limited to, in-person conduct, writings, texting, voicemail, email, social media, following someone with a global position system (GPS), and video/audio recording.
2. Definition of Stalking (Clery Act): 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, or 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.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
3. Definition of Stalking (Massachusetts General Laws): Whoever (1) 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 or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1000, or imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

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4 MGL Chapter 209A Section 1

## Dating Violence

1. Definition of Dating Violence (Clery Act): 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:
  - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - b. Dating violence does not include acts covered under the definition of domestic violence.
2. Massachusetts General Laws does not separately define dating violence.

## Harassment

1. Definition of Harassment: Three or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse, or damage to property and that does in fact cause fear, intimidation, abuse, or damage to property. Unwelcome conduct of a nonsexual nature based on a person's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, is prohibited when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; and/or submission to, or rejection of, such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; and/or such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment, educational, or living environment based on gender.

## Sexual Misconduct

1. Types of Sexual Misconduct: Misconduct may include, but is not limited to, non-consensual videotaping or audio taping of sexual activity, engaging in peeping on others, sexting, internet dissemination of sexual materials, performing sexual acts in the presence of another without their consent, or any sexual exploitation, which is taking non-consensual sexual advantage of another for one's benefit or for the benefit of others, or sexual coercion, which is the act of persuading, pressuring, or forcing someone to have sexual contact with someone against their will, prostitution (cash or non-cash payments) or lewd and indecent behavior.
2. Definition of Sexual Misconduct: Misconduct of a sexual nature typically perpetrated against someone's will or without their consent or at the expense of another.

NOTE: Reporting procedures: Due to the physical and emotional trauma that often occurs as a result of a sexual assault, the victim may initiate university disciplinary charges at any time.

## UNIVERSITY'S PROCEDURES IN RESPONSE TO COMPLAINTS

Incident Being Reported	Procedure the Institution Will Follow
<p><b>Sexual Assault</b></p>	<ul style="list-style-type: none"> <li>• Depending on when the incident is reported (immediate or delayed report), the institution will provide the complainant with access to medical care.</li> <li>• Institution will assess immediate safety needs of the complainant.</li> <li>• Institution will assist the complainant with contacting university police or local police AND will provide the complainant with contact information for police.</li> <li>• Institution will provide the complainant with referral information for on campus and off campus mental health providers.</li> <li>• Institution will assess the need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" orders between involved parties.</li> <li>• Institution will provide a "No Trespass" order to the accused party if deemed appropriate.</li> <li>• Institution will provide instructions on how to apply for a Protective Order/ Restraining Order and will assist the complainant with the process.</li> <li>• Institution will provide a copy of the Title IX Sexual Harassment Policy to the complainant and inform the complainant about the formal complaint process.</li> <li>• Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.</li> <li>• Institution will enforce the anti-retaliation policy and take immediate and separate action against any and all parties that retaliate against a person who has made a complaint of sex-based discrimination or for assisting in the complaint and investigation process.</li> </ul>
<p><b>Domestic Violence</b></p>	<ul style="list-style-type: none"> <li>• Institution will assess immediate safety needs of the complainant</li> <li>• Institution will assist the complainant with contacting university police or local police AND will provide the complainant with contact information for police.</li> <li>• Institution will provide instructions on how to apply for a Protective Order/ Restraining Order and will assist the complainant with the process.</li> <li>• Institution will provide information to the complainant regarding how to preserve evidence.</li> <li>• Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>• Institution will provide a "No Trespass" order to the accused party if deemed appropriate</li> </ul>



<b>Incident Being Reported</b>	<b>Procedure the Institution Will Follow</b>
<b>Dating Violence</b>	<ul style="list-style-type: none"> <li>• Institution will assess the immediate safety needs of the complainant.</li> <li>• Institution will assist the complainant with contacting university police or local police AND will provide the complainant with contact information for police.</li> <li>• Institution will provide instructions on how to apply for a Protective Order/ Restraining Order and will assist the complainant with the process.</li> <li>• Institution will provide information to the complainant regarding how to preserve evidence.</li> <li>• Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>• Institution will provide a “No Trespass” order to the accused party if deemed appropriate.</li> </ul>
<b>Stalking</b>	<ul style="list-style-type: none"> <li>• Institution will assess immediate safety needs of the complainant</li> <li>• Institution will assist the complainant with contacting university police or local police AND will provide the complainant with contact information for police.</li> <li>• Institution will provide instructions on how to apply for a Protective Order/ Restraining Order and will assist the complainant with the process.</li> <li>• Institution will provide information to the complainant regarding how to preserve evidence.</li> <li>• Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>• Institution will provide a “No Trespass” order to the accused party if deemed appropriate.</li> </ul>
<b>Disciplinary Sanctions (Applicable to all conduct violations)</b>	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Probationary Status</li> <li>• Residence Hall Relocation</li> <li>• Temporary or Permanent Suspension from Residence Halls</li> <li>• Expulsion from Residence Halls</li> <li>• Suspension from the University</li> <li>• Dismissal from the University</li> <li>• Restriction from facilities or activities</li> </ul>

Incident Being Reported	Procedure the Institution Will Follow
<b>Range of Protective Measures in response to incidents of sexual assault, domestic violence, dating violence and stalking</b>	<ul style="list-style-type: none"> <li>• An immediate investigation</li> <li>• Safety Escorts</li> <li>• Allowing someone you choose to accompany you throughout the proceedings.</li> <li>• Allowing the victim and the accused to attend different classes.</li> <li>• Moving the accused to a different residence hall.</li> <li>• Counseling and medical services.</li> <li>• Academic support services.</li> </ul>

### Grievance Procedure

1. Salem State University will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own investigation. Salem State University will take immediate steps to protect the student in the educational setting.
2. The Associate Dean of Students or the Associate Director of Community Standards and Residence Life may waive the time limit at his/her discretion and in any situation including, but not limited to, incidents of sexual assault or harassment and instances in which criminal charges may be pursued. The decision of the assistant dean of students or the coordinator of student conduct and mediation programs about whether to waive the time limits shall be final.
3. The student being charged and the student bringing charges will be informed of the outcome of any campus disciplinary proceeding brought forward alleging a sexual violence or sexual harassment.
4. Victims of sexual assault shall have the opportunity to notify proper law enforcement authorities and shall have the option to be assisted by campus personnel in notifying these authorities, if the student chooses to do so.
5. The Title IX Coordinator will review the recipient's disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX.
6. Salem State University will provide an appeals process for both parties if needed.

### **The university will notify complainants alleging sexual harassment, sexual assault, domestic violence, dating violence, stalking and/or retaliation, in writing that they have the following rights:**

- to a explanation of the options available;
- to referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- to a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- to request that the University impose no contact/communication orders or other supportive measures;
- to obtain law enforcement assistance to seek a restraining order or harassment prevention order;

- to 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; to file no complaint with the University, but receive supportive measures from the University;
- to a prompt, thorough and equitable investigation and resolution of a complaint;
- to the confidentiality of the investigation process to the extent possible;
- to an advisor of their choice who 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;
- to an advisor provided by the University during the live hearing if you do not have one;
- to reasonable accommodations for a documented disability during the process;
- to know, in advance, the names of all persons known to be involved;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including inculpatory and exculpatory evidence;
- to provide witnesses, including fact and expert witnesses;
- to submit questions for the Administrative Investigator to ask witnesses;
- to know the status of the case at any point during the process;
- to be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- to be informed of the outcome of the process in a timely manner;
- to an appeal from the outcome of the process (if proper grounds for appeal exist);
- to file a police report and/or take legal action separate from and/or in addition to the University administrative process;
- to seek and enforce a no contact, restraining or similar court order;
- to be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- to not file a complaint or seek assistance from local law enforcement, but receive support services from the University;
- to be free from any behavior that may be construed by the University to be intimidating, harassing or retaliatory; and
- to have the matter handled in accordance with University Policy.

**The university will notify respondents to claims of sexual violence, sexual harassment, domestic violence, dating violence, stalking and/or retaliation, in writing that they have the following rights:**

- to an explanation of the allegation(s) against them, including sufficient details known at the time;
- to sufficient time to prepare a response to the allegation(s) before any initial interview;
- to referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- to request that the University impose no contact/no communication orders or other supportive measures;
- to receive a copy of the complaint filed against them;
- to know, in advance, the names of all persons known to be involved;
- to be presumed not in violation of University Policy and that a determination of responsibility is made at the conclusion of the grievance process;
- to the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- to an advisor of their choice who 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;
- to an advisor provided by the University during the live hearing if you do not have one;
- to reasonable accommodations for a documented disability during the process;
- to not to have irrelevant sexual history discussed;
- to be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- to speak and present information on their own behalf, including evidence inculpatory and exculpatory evidence;
- to provide witnesses, including fact and expert witnesses;
- to submit questions for the Administrative Investigator to ask witnesses;
- to know the status of the case at any point during the investigation and resolution process;
- to be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- to be informed of the outcome of the process in a timely manner;
- to an appeal from the outcome of the process (if proper grounds for appeal exist);
- to be free from any behavior that may be construed by the University to be intimidating, harassing or retaliatory; and
- to have the matter handled in accordance with University Policy.

## Appeal

Either party may appeal a determination regarding responsibility, a dismissal of a formal complaint, or any allegations therein, on the following bases:

- procedural irregularity that would change the outcome of the matter;
- new evidence that would change the outcome of the matter was not reasonably available at the time the determination regarding responsibility or dismissal was made; and
- the Title IX Coordinator, investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against either Complainants or Respondents generally, or the individual Complainant or Respondent, that would change the outcome of the matter.

Appeals of the written determination made by the Decision Maker(s) must be submitted within five (5) business days of receipt of the written determination. Appeals of the dismissal of a formal complaint, or any allegations therein, must be submitted within five (5) business days of receipt of the written notification of such action.

The University will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The Appellate Administrator/Body will not be the same person as the Decision Maker(s) who reached the determination regarding responsibility or dismissal, the Administrative Investigator(s), or the Title IX Coordinator.

The Appellate Administrator/Body will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

## Policy Regarding Protecting the Confidentiality of Victims

Salem State University will, at all times, protect the confidentiality of victims of sexual assault and domestic violence. Salem State will not make records, containing personally identifying information, prepared as part of an investigation of such matters available to the public. This includes any crime logs or other documents prepared in compliance with the Clery Act.

### **In accordance with MGL Chapter 265 Section 24C:**

- That portion of the records of a court or any police department of the commonwealth or any of its political subdivisions, which contains the name of the victim in an arrest, investigation or complaint for rape or assault with intent to rape under section thirteen B, 13B ½ , 13B ¾ , twenty-two, twenty-two A, 22B, 22C, twenty-three, 23A, 23B, twenty-four, or twenty-four B, inclusive of chapter two hundred and sixty-five, or an arrest, investigation or complaint for trafficking of persons under section 50 of said chapter 265, shall be withheld from public inspection, except with the consent of a justice of such court where the complaint or indictment is or would be prosecuted.

Said portion of such court record or police record shall not be deemed to be a public record under the provisions of section seven of chapter four.

Except as otherwise provided in this section, it shall be unlawful to publish, disseminate or otherwise disclose the name of any individual identified as an alleged victim of any of the offenses described in the first paragraph.

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

## **Policy Regarding Disclosures to Alleged Victims of Crimes of Violence or Non-Forcible Sex Offenses**

Salem State University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the university against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Salem State University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **EDUCATION AND PREVENTION PROGRAMS**

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

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

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
- Define what behavior constitutes domestic violence, dating violence, sexual assault and stalking by using definitions provided by both the Department of Education as well as state law.
- Define what behavior and actions constitute consent to sexual activity in the Commonwealth of Massachusetts.
- Provide a description of safe and positive options for bystander intervention. Bystander intervention means 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.
- Provide information on risk reduction. Risk reduction means 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.
- Provide an overview of information contained in the Annual Security Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act.

Specific programming regarding primary prevention and awareness undertaken on campus include but are not limited to the following:

- Salem State University provides primary prevention programs intended to reduce violence, foster a safe campus climate, encourage bystander intervention and inform community members of campus policies and resources. These include:

### **Required Education for Incoming Students:**

- Online Prevention Education: Safe Colleges Sexual Violence Prevention module: This required 75-minute course includes information on definitions, consent, healthy and unhealthy relationships, bystander intervention, risk reduction, as well as SSU policies and resources.
- Orientation:
  - Healthy Viking Healthy U – A presentation that included content on healthy relationships, consent, and wellness resources.
  - Empowering You to Make Informed Decisions – A presentation for incoming students that included content on normative education, harm reduction messaging, consent, and resources.

**Additional Student and Professional Training:** These trainings and workshops usually include some or all of the following: an overview of gender-based violence on college campuses; definitions and policies; an understanding of consent, healthy and unhealthy relationships, and stalking; bystander intervention; responding to disclosures in a trauma-informed manner; reporting options and resources; and other topics.

- 2023 Training/programming for students carried out for the following groups:
  - Residence Life student staff and residence halls, Center for International Education, Student-Athlete Advisory Council (SAAC), Campus Life and Recreation desk staff, Orientation Leaders
- 2023 Training/programming for staff carried out for the following groups:
  - Residence Life professional staff, Title IX investigators, University Police, Athletics coaches, faculty
- Coordinated Community Response Team meetings with campus and community partners to discuss how to improve prevention of and response to interpersonal violence on the SSU campus. This includes internal trainings, discussions, and ongoing planning for these topics.

### **Awareness Programs and Passive Programming throughout the academic year include:**

- Provided marketing materials, such as flyers, posters, prepackaged programs, and resource cards that include warning signs of gender-based violence, students' rights, and resources. These are displayed across campus and handed out at various programs and tabling events.
- Posted content on SSU social media platforms on these topics during awareness months and throughout the year.

## 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.”<sup>5</sup> We want to promote a culture of respect, civility and responsibility within the Salem State community and as such, we have created Vikings CARE, a bystander intervention training that allows students to gain tools to recognize and confront various situations with an understanding of the ways individuals may be impacted by barriers and life experiences. Our goal is to create a culture of investment amongst students, staff, and faculty and provide knowledge and tools to empower the community to deal with problematic situations, including interpersonal violence. Our overarching mission is to foster and emphasize everyone’s responsibility to the larger community where bystanders are actively engaged in the prevention of violence and other problematic situations without causing further harm. Based on the Step Up! model from the University of Arizona, Vikings CARE trains on the five steps that must take place in order for any help to be given: (1) notice the event, (2) interpret it as a problem, (3) assume personal responsibility, (4) know how to help, (5) step up. Below is a list of some practical ways to be an active bystander.<sup>6</sup> If there is immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe to interrupt.

- Use the five intervention strategies outlined in the training: directly intervene, distract, delegate, delay, and/or document.
- Watch out for friends and fellow students/employees. If there is someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## Risk Reduction

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

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

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<sup>5</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>6</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault and Relationship Abuse.



- 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 find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situations, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or don't trust. If you choose to accept a drink, go with the person to the bar or to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect that you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests.
- If you need to get out an uncomfortable or scary situation here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
  - Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
  - If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **Alcohol and Other Drugs (AOD) Prevention and Intervention**

- Orientation/Welcome Week:
  - Summer 2023: Empowering You – all incoming students were required to attend an online training that included AOD harm reduction messaging, as well as normative education during welcome week.
- Online prevention education modules for AOD: eCheckup To Go
  - We require both the alcohol and cannabis eCheckup programs to be completed by all incoming students.
- “Individual counseling and consolation is available for those concerned about their own or someone else’s use of alcohol or drugs by calling Counseling and Health Services.
  - eChug- online checkup for alcohol use
  - eToke- online checkup for marijuana use
- Training for Students/Staff: Continued providing evidence-based AOD trainings for staff and student leaders use prevention for the following:
  - Trained all Residence Life professional and student staff.
  - All CHS/Wellness staff attended evidence-based alcohol skills training program highlighting SSU trends and harm reduction strategies especially for college students.
- Passive Programming
  - Social media – harm reduction and normative feedback on Wellness Instagram account.

## **STATEMENT OF POLICY ADDRESSING SEX OFFENDER REGISTRATION**

The federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide to appropriate state officials, notice of each institution of higher education in the state in which the offender is employed, carries on a vocation, or is a student.

### **How to Inquire**

Members of the Salem State University community may request information about sex offenders in Massachusetts at the Massachusetts Sex Offender Registry Board, telephone 978.740.6400 or <http://www.state.ma.us/sorb>

Members of the Salem State University community may obtain information from the SSU Police Department concerning registered sex offenders that either work or are enrolled as students at Salem State.

### **Penalties for Improper Use of Sex Offender Registry Information**

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

## STATEMENT OF POLICY ON MISSING PERSONS

The following policies regarding Missing Persons are being provided according to requirements of the 2008 Amendments to the Higher Education Opportunity Act.

Any person (student, staff or faculty) believed to be missing from the campus unexpectedly shall be immediately reported to the University Police.

It is the policy of the Salem State University Police Department to investigate any report of a missing person that is filed by someone with knowledge of that student being missing or otherwise not where he/she/they is expected to be. This report may be filed by a parent/guardian or other family member of the person, by a roommate, a Residential Life staff member (including student staff), Health Services staff member, faculty member, employment supervisor, or anyone else with information that indicates the person is missing.

The SSU Police will conduct an initial investigation to determine if the person appears to be missing, or has simply changed her or his routine unexpectedly, and whether or not there is reason to believe the person is endangered.

Police officers will check student's login records, class schedules, interview fellow students and faculty, and use other methods to determine the status of a missing person. From this initial investigation, the scope will continue to expand to make attempts to determine the location of the person reported missing to assure she/he is safe.

The SSU Police will enter a missing person record into the National Crime Information Computer database immediately upon determination that the person is missing.

After investigating the missing person report, should SSUPD determine that the student is missing and has been missing for more than 24 hours, SSUPD will notify the local law enforcement agency with jurisdiction in the area the student went missing (if other than on-campus) and the student's confidential contact no later than 24 hours after the student is determined to be missing. The local law enforcement agency will be contacted regardless if the missing person has identified a contact person, is above the age of 18, or is an emancipated minor. If the missing student is under the age of 18 and is not an emancipated individual, SSUPD will notify the student's parent or legal guardian and their confidential contact immediately after SSUPD has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by SSU in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, SSU will notify that individual no later than 24 hours after the student is determined to be missing.

A student who wishes to identify a confidential contact is able to do so during the housing application process. Additionally, should a student wish to identify a confidential contact a later date or wishes to change the confidential contact then they can do so by contacting the Office of Residence Life. A student's confidential contact information will be accessible only by authorized campus officials and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

### **Reports of missing persons should be filed with:**

University Police 24/7:	978.542.6111
Office of Residence Life:	978.542.6416
Dean of Students Office:	978.542.6401
City of Salem Police Department 24/7:	978.744.1212

## STATEMENT OF POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

As required by federal law, Salem State University compiles yearly crime statistics in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus that were reported to the Salem State University Police, designated campus officials (including but not limited to directors, deans, department heads, residence life staff, advisors to students, and athletic coaches). In addition, these statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor and drug law violations and illegal weapons possession.

Statistical information for certain off-campus locations or property owned or controlled by the Salem State University as well as public property within or immediately adjacent to and accessible from the campus are requested from Salem Police Department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported.

# CLERY CAMPUS GEOGRAPHY

## North Campus

1. Sullivan Building (SB)  
School of Graduate Studies  
McKeown School of Education  
School of Continuing and Professional Studies
2. Administration Building (ADM) / Human Resources
3. 331 Lafayette Street  
Admissions / Campus Tours  
President's Office  
Advancement Office
4. Gordon Center for Creative and Performing Arts
5. North Campus Café / SSU Bookstore (Upper Level)
6. Meier Hall (MH) / College of Arts and Sciences
7. Peabody Residence Hall (PH)
8. North Campus Parking Garage
9. Berry Library and Learning Commons (BL)
10. Ellison Campus Center (ECC) / Alumni Plaza
11. North Campus Quad / McKeown Plaza
12. Horace Mann Building (Temporarily Closed)
13. Bowditch Residence Hall (BH)
14. ITS Help Desk

## Nancy D. Harrington Campus (Central)

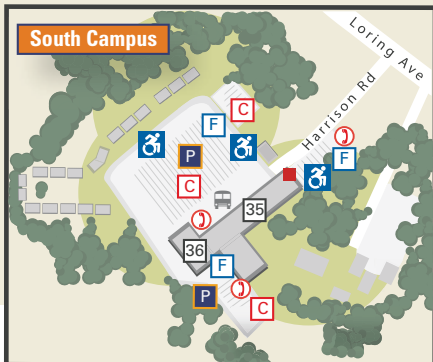
15. Classroom Building / Bertolon School of Business
16. Student Navigation Center
17. Recital Hall
18. University Police
19. Marsh Dining Commons / Conference Center
20. Marsh Residence Hall (MAR)
21. Atlantic Residence Hall (ATL) / Residence Life
22. Baseball Field
23. Tennis Courts
24. Agganis Building / Enterprise Center (ENT)
25. Student Technology Resource Center
26. Forten 123
27. Charlotte Forten Residence Hall (CFH)
28. Stanley Building (STLY) / Shipping and Receiving
29. Facilities Storage
30. Bike Path Entrance

## O'Keefe Complex (OK)

31. Alumni Field
32. Twohig Gymnasium
33. Gassett Fitness Center (GF)
34. Rockett Arena

## South Campus

35. Harrington Building (HB)  
Maguire Meservy College of Health and Human Services /  
School of Nursing
36. South Campus Gymnasium



- P Parking
- Shuttle Bus Stop
- Emergency Phone
- Handicapped Parking
- Accessible Entrance
- Commuter Student Parking
- Faculty/Staff Parking
- Enterprise Center Parking
- Visitor Parking
- Electric Car (EV) Charging Station

## DEFINITIONS OF REPORTABLE CRIMES

Under the Clery Act, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest and disciplinary referral statistics you must do so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying and Possessing Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program Standards.

For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that the institution must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Clery Act regulations.

The following list describes crimes reportable under the Clery Act regulations.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sex Offenses** – 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, including instances in which the victim is incapable of giving consent.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory 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, violence, and/or causing the victim fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. Classified as motor vehicle theft are all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding.

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

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Drug Law Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapons Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by

- A current or former spouse or intimate partner of the victim,
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- 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

**Dating Violence:** means violence committed by a person

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

**Stalking:** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress

## Hate Crimes by Prejudice

**Hate Crimes:** hate (bias) related crimes are reported by the type of bias as defined above on for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, simple assault, vandalism, and intimidation (see definitions below).

- **Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** 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.
- **Vandalism:** (Damage) To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- **Intimidation:** 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.

SALEM STATE UNIVERSITY CRIME STATISTICS <sup>7</sup>					
		GEOGRAPHIC LOCATION			
Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	1
Manslaughter By Negligence	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Rape	2021	3	3	0	0
	2022	4	2	0	0
	2023	8	5	0	0
Fondling	2021	0	0	0	0
	2022	1	1	0	0
	2023	3	3	0	0
Incest	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Statutory Rape	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0



## SALEM STATE UNIVERSITY CRIME STATISTICS<sup>7</sup>

		GEOGRAPHIC LOCATION			
Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Robbery	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	1
Aggravated Assault	2021	0	0	0	0
	2022	0	0	0	0
	2023	1	1	0	0
Burglary	2021	1	0	0	0
	2022	6	2	0	0
	2023	5	4	0	0
Motor Vehicle Theft	2021	0	0	0	0
	2022	0	0	0	0
	2023	1	0	0	0
Arson	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Domestic Violence	2021	0	0	0	2
	2022	1	1	0	0
	2023	6	3	0	0
Dating Violence	2021	0	0	0	0
	2022	0	0	0	0
	2023	4	4	0	0
Stalking	2021	1	0	0	0
	2022	1	1	0	0
	2023	2	1	0	0

Any crime reported in student-housing facilities are also included in the on-campus category.

<sup>7</sup> Statistics are accurate as of the date of publication.

## SALEM STATE UNIVERSITY CRIME STATISTICS<sup>7</sup>

		GEOGRAPHIC LOCATION			
Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
<b>Arrests:</b> <b>Weapons Carrying, Possession, Etc.</b>	<b>2021</b>	1	0	0	0
	<b>2022</b>	2	1	0	5
	<b>2023</b>	0	0	0	0
<b>Disciplinary Referrals:</b> <b>Weapons Carrying, Possession, Etc.</b>	<b>2021</b>	0	0	0	0
	<b>2022</b>	1	1	0	0
	<b>2023</b>	0	0	0	0
<b>Arrests:</b> <b>Drug Abuse Violations</b>	<b>2021</b>	0	0	0	1
	<b>2022</b>	0	0	0	0
	<b>2023</b>	1	0	0	0
<b>Disciplinary Referrals:</b> <b>Drug Abuse Violations</b>	<b>2021</b>	10	10	0	0
	<b>2022</b>	20	20	0	0
	<b>2023</b>	2	2	0	0
<b>Arrests:</b> <b>Liquor Law Violations</b>	<b>2021</b>	0	0	0	0
	<b>2022</b>	1	0	0	0
	<b>2023</b>	2	0	0	0
<b>Disciplinary Referrals:</b> <b>Liquor Law Violations</b>	<b>2021</b>	45	45	0	0
	<b>2022</b>	16	16	0	0
	<b>2023</b>	30	30	0	0

2021: No hate crimes reported

2022: No hate crimes reported

2023: No hate crimes reported

2021: No Incidents Unfounded

2022: No Incidents Unfounded

2023: No Incidents Unfounded

## POLICY ADDRESSING FIRE SAFETY, FIRE EDUCATION, AND FIRE STATISTICS

### Overview

The Higher Education Opportunity Act (P.L. 110-315) became law in August 2008, requiring all U.S. academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics related to student housing. The following public disclosure report details all information required by this law as it relates to Salem State University as outlined in the initial regulation; subsequent yearly reports will comply with the Act as amended and published October 29, 2009.

### Fire Safety

Salem State University takes fire safety very seriously and continues to enhance its programs to the university community through education, engineering, and enforcement. Educational programs are presented throughout the year to faculty, staff, and students so they are aware of the rules and safe practice. These programs include identification and prevention of fire hazards, actual building evacuation procedure and drills, specific occupant response to fire emergencies, and hand-on use of fire extinguishers.

### Fires, Fire Prevention and Housing Fire Safety Equipment

At Salem State University, all university residence halls are protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week. The buildings are also equipped with either emergency generators or lighting fixtures that incorporate backup batteries; upon loss of power, these systems automatically activate to assure adequate egress lighting in hallways and emergency exit stairwells. All of our residence halls are fully equipped with sprinkler systems. Carbon monoxide detectors have been installed in all residence hall mechanical rooms where products of combustion could occur. All fire safety systems and equipment are strictly maintained and tested in accordance with applicable national standards. All on campus buildings, residential, academic and administrative buildings are equipped with portable dry chemical fire extinguishers. The extinguishers are located on every floor of the building, inside laboratories, utility areas, and kitchens. The extinguishers are maintained annually in compliance with NFPA 10.

Fire prevention is the responsibility of all members of the Salem State University community. University residence halls are particularly susceptible to fires, and students residing in the halls must carefully adhere to fire safety regulations.

### Definitions

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act.

- **On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.
- **Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

## STUDENT FIRE SAFETY EDUCATION PROGRAM

Fire safety education programming for all students residing in on-campus student housing and all employees that have any professional association with on-campus housing is held each year. These programs are coordinated through the Office of Residence Life and in consultation with the City of Salem Fire Prevention staff. The programs are designed to familiarize everyone with the fire safety systems in each residence hall and train occupants on the proper procedures to follow in the event of a fire. At the start of each semester the residence life staff hold meetings with all occupants to review policies and procedures regarding fire safety and to ensure familiarity with evacuation routes and fire alarm systems.

In addition to the regular training in the residence halls the Salem State University Police Department periodically coordinates with the Salem Fire Department, Fire Prevention Office to provide additional awareness and prevention training for students residing in on-campus housing as well as students residing in off-campus housing. Additional information regarding fire safety for residence halls can be found here: [saalemstate.edu/campus-life/living-campus/guide-living-campus](https://saalemstate.edu/campus-life/living-campus/guide-living-campus)

### University Policy on Reporting Fires

Fire alarms for University owned buildings ring directly to the Salem State University Police dispatch and the Salem Fire Department. However, any member of the community who becomes aware of any active or past fire must notify the University Police or Salem Fire Department immediately.

### Procedures to Follow in the Event of a Fire

Every person in the building, including staff, faculty, students, visitors, and contractors where the fire alarm is sounding, regardless of known or suspected cause, is required to evacuate immediately. Persons evacuating must leave via the closest exit. Any equipment that could cause a fire should be turned off before exiting if it can be done quickly and safely. All occupants will assemble at a safe distance from the building and await further instructions from fire or police personnel. No occupant will re-enter a building until clearance is given by fire or police personnel.

## FIRE SAFETY POLICIES

### Prohibited Items

#### Appliances and Electronics

Because many appliances are considered fire hazards, and the use of too many appliances at one time may overload a building's electrical capacity, the following appliances are not permitted in any of the residence halls:

- Electrical extension cords
- Air conditioners
- Halogen lamps/octopus lamps
- Water coolers
- Grills (charcoal or gas)
- Televisions larger than 40"
- "Medusa lamps" (with multiple plastic shades)
- Electrical appliances with exposed heating elements, including toasters, toaster ovens, coffee makers, hot plates, deep fryers, soldering irons and hot pots without on/off switches (allowed in apartments)
- Waffle Irons or griddles
- Hover-boards

**Coffee makers and irons with automatic shut-off switches** are allowed in all residential areas.

**Microwaves** are allowed on North Campus (Peabody and Bowditch halls) if the microwave is under 700 watts/ 10 amps, and is plugged into an amperage overload protector (different from a surge protector). If a refrigerator is in the room, it must also be plugged into the amperage overload protector with the microwave.

**Individual refrigerators** must have a capacity of less than four cubic feet. **Micro-fridge units** may be rented by calling 1.800.637.7567. At the end of the year, all residents are responsible for cleaning the units, and returning them per posted information. Residents may be billed for failing to return a unit, or for not following the proper cleaning and return procedures.

**Stereo speakers** should be of a reasonable size; sub-woofers and amplifiers are strongly discouraged. If a resident does use these items, s/he may be asked to lower the volume if it disturbs other residents, or the noise level is deemed inappropriate.

**Candles and Incense:** Candles and incense are strictly prohibited from the residence halls, as they pose a significant fire risk. Residents are not allowed to possess any candles, including those of a decorative nature. This also includes candles that have not been burned. **Possession of candles and incense on campus could result in suspension from the residence halls (held in abeyance) or loss of housing!**

**Residents found in violation will be directed to correct the violation and remove the item immediately. Residence Life will hold illegal items for residents for a maximum of two (2) weeks, and then dispose of them if residents do not remove them from the building.** Repeat violations will result in administrative or judicial action.

### **Additional Guidance and Restrictions with Respect to Residence Halls**

Because of fire risk, Residence Life has strict guidelines about what is and isn't allowed on campus. Violations of this policy will result in judicial action, up to and including loss of housing. The following items and/or conditions are **not permitted** in any of the residential areas:

- Live Christmas trees, menorahs with candles, Kwanzaa candles, and similar decorations
- Heating coils, coffee pots without auto shut-off, hot pots and hotplates, and electrical space heaters
- Flammable decorations placed near light fixtures or in enclosed areas
- Popcorn poppers, toasters and toaster ovens and similar heating devices outside of the kitchen areas at Harrington Campus residence halls
- Stairwell and exit doors propped open
- Bicycles in hallways, lounges or blocking the doorways of rooms, apartments and stairwells
- Tapestries and similar hangings covering a door or significant portion of the wall or any lights and lamps, or hung from ceilings
- Electrical devices and appliances such as: halogen lamps, lanterns and sun lamps
- Gasoline, lighter fluid, flammable cleaning fluid, turpentine, and paint solvents
- Motorcycles, mopeds and automotive equipment in hallways or rooms
- Desks, chairs, dressers, closets, or beds that block any part of doorways, or one's ability to move
- Disconnected, covered or altered smoke detectors

## Plans for Future Improvements to Fire Safety

Salem State University continues to monitor trends related to residence hall fire incidents and alarms to provide a fire-safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty, and staff. While Salem State has worked diligently with the Fire Prevention Unit of the Salem Fire Department to provide education to students and staff we recognize that educational programming must be updated to account for current trends and must be reinforced each year as the building occupancy changes. Salem State University monitors communication from the National Center for Campus Fire Safety and will publish updates as deemed appropriate.

## FIRE DRILLS

Fire drills are conducted in all on-campus student housing units each year.

## EMERGENCY EVACUATION PROCEDURES

All students and staff are strongly encouraged to treat all fire alarms as real. In the event of a fire, the university expects that all campus community members will evacuate by the nearest exit, close doors and activate the fire alarm system as they leave. Once safely outside a building, it is appropriate to contact the university police department (978.542.6111) or 911. Trained staff will inform students, staff and guests where to relocate to if circumstances warrant at the time of the alarm. In the event fire alarms sound, university policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they do to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.



## Meeting Places for Residence Halls in the Event of a Fire Alarm

All students should gather at their buildings designated meeting place so that emergency vehicles and personnel can gain easy access to the building and ensure the safety of those who have exited the building. In the event of an emergency residence life staff will take attendance at the meeting place in order to give emergency personnel a list of individuals who may still be in the building and may need assistance exiting it. Residence life staff will also direct students to a temporary shelter if necessary.

## Special Needs/Disabilities

Individuals with special needs and/or disabilities that may require accommodations in the event of a fire alarm need to contact their Resident Director (RD) to create a plan to ensure their safety in the case of a fire alarm. Typically the university police maintain a database of those students in university housing who would need assistance in evacuating a building in the event of a fire.

## Re-Entering the Building

No one should re-enter the building until directed to do so by a member of the Residence Life and Housing staff or the Police Department. Even if an alarm stops sounding you must wait for university officials to direct you into the building.

## Definitions:

The following definitions are applicable to this section:

- **Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

- **Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.
- **Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of a fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.
- **Fire-related death:** Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of a fire.
- **Fire-safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- **Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

### Campus Fire Logs

A log of all fires and fire alarms in which there was a physical cause (i.e., smoke; heat, etc., rather than a faulty detector or system malfunction). For a copy or to view the fire log, please visit the University Police located at 71 Loring Avenue, Salem, MA 01970.

When changes in the causes or information about a University fire become known to Salem State University Police, any updates will be made to the log within two business days of the status change.

RESIDENTIAL FIRE EQUIPMENT AND SYSTEMS						
Residential Facility	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans on Placards	Number of Evacuation Drills each Calendar Year
Bowditch Hall		X	X	X	X	1
Peabody Hall		X	X	X	X	1
Atlantic Hall		X	X	X	X	1
Marsh Hall		X	X	X	X	1
Forten Hall		X	X	X	X	1

### Residential Facility Addresses

Bowditch Hall: 42 Loring Avenue, Salem, MA 01970  
 Peabody Hall: 1 College Drive, Salem, MA 01970  
 Atlantic Hall: 71A Loring Avenue, Salem, MA 01970  
 Marsh Hall: 71B Loring Avenue, Salem, MA 01970  
 Forten Hall: 73 Loring Avenue, Salem, MA 01970

<b>FIRE STATISTICS FOR 2021-2023</b>							
		<b>Bowditch Hall</b>	<b>Peabody Hall</b>	<b>Atlantic Hall</b>	<b>Marsh Hall</b>	<b>Forten Hall</b>	<b>TOTAL</b>
<b>2021</b>	<b>Fires</b>	0	0	0	0	0	0
	<b>Injuries</b>	0	0	0	0	0	0
	<b>Deaths</b>	0	0	0	0	0	0
<b>2022</b>	<b>Fires</b>	0	0	0	0	0	0
	<b>Injuries</b>	0	0	0	0	0	0
	<b>Deaths</b>	0	0	0	0	0	0
<b>2023</b>	<b>Fires</b>	0	0	1	0	0	1
	<b>Injuries</b>	0	0	0	0	0	0
	<b>Deaths</b>	0	0	0	0	0	0

**Residential Facility Addresses**

Bowditch Hall: 42 Loring Avenue, Salem, MA 01970  
 Peabody Hall: 1 College Drive, Salem, MA 01970  
 Atlantic Hall: 71A Loring Avenue, Salem, MA 01970  
 Marsh Hall: 71B Loring Avenue, Salem, MA 01970  
 Forten Hall: 73 Loring Avenue, Salem, MA 01970)

<b>FIRE DESCRIPTIONS FOR 2021-2023</b>				
<b>2021</b>				
<b>Residence</b>	<b>Cause of Fire</b>	<b>Fire-related Injuries</b>	<b>Fire-related Deaths</b>	<b>Property Damage</b>
<b>2022</b>				
<b>Residence</b>	<b>Cause of Fire</b>	<b>Fire-related Injuries</b>	<b>Fire-related Deaths</b>	<b>Property Damage</b>
<b>2023</b>				
<b>Residence</b>	<b>Cause of Fire</b>	<b>Fire-related Injuries</b>	<b>Fire-related Deaths</b>	<b>Property Damage</b>
Atlantic Hall	Accidental/Cooking	0 Injuries	No Deaths	\$0.00

**Residential Facility Addresses**

Bowditch Hall: 42 Loring Avenue, Salem, MA 01970  
 Peabody Hall: 1 College Drive, Salem, MA 01970  
 Atlantic Hall: 71A Loring Avenue, Salem, MA 01970  
 Marsh Hall: 71B Loring Avenue Salem, MA 01970  
 Forten Hall: 73 Loring Avenue, Salem, MA 01970

Bates Complex was no longer used as student housing in Fall 2021.