

# Wentworth

INSTITUTE OF TECHNOLOGY



**2020**

## Annual Security & Fire Safety Report

Jeanne Clery Disclosure of Campus Crime Statistics Act  
Includes Crime & Fire Statistics for Calendar Years 2018, 2019, and 2020

Prepared by the Wentworth Police Department



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## Message from the AVP of Public Safety / Chief of Police

The Wentworth Institute of Technology Police Department is committed to enhancing and preserving the quality of the learning opportunities and life experiences of each member of the University community by actively working together to provide a safe and secure environment on our campus. We recognize that effective law enforcement and the prevention of crime is achieved by establishing mutual respect, trusting, and transparent collaboration with our diverse community. To achieve this goal, the Wentworth Police Department provides a comprehensive and integrated program of police, security, crime prevention, safety and security assessment, fire safety, emergency medical care, and other related public safety services.

While we are committed to creating and maintaining a setting which encourages mutual respect, caring and safety, our mission can only be achieved with everyone's active participation in the process. Put more clearly, public safety is everyone's responsibility, not just those officially and formally charged with enforcing laws, policies, and rules. The entire community must do their part if we are to achieve these common goals. We believe this process begins by becoming an active member in our campus community. We encourage everyone to get involved by attending safety education programs and when necessary, reporting suspicious activity to the Wentworth Police Department.

Most of the crimes which occur at WIT are commonly referred to as "crimes of opportunity." The people who commit these acts simply take advantage of the openings provided to them. Personal property that is left unattended or unprotected and is subsequently stolen is the most frequently occurring example of crimes of opportunity at WIT. Each of us must make a conscious effort to minimize such opportunities.

We ask for your help and support as our "extra eyes and ears." Never hesitate to notify the police when you believe that a crime has or is about to occur.

We highly encourage all members of the Wentworth community, whether you have been here for many years or are new to Wentworth, to read our Annual Security & Fire Safety Report. The Wentworth Police Department works diligently with the entire Wentworth community to maintain a safe environment. One way of accomplishing this is through education. Your safety is our top priority and your participation in this endeavor is paramount. This report will assist you in attaining the knowledge necessary to remain safe both on and off campus.

In compliance with the Clery Act, the Wentworth Institute of Technology Police Department publishes and distributes this information by October 1st of each year in our Annual Security & Fire Safety Report. The entire 2018-2020 Clery Report may be found by visiting the Wentworth Police Department website at <https://wit.edu/student-life/public-safety/clery>.

# Clery Act Information with Statistical Data

## Introduction

The purpose of the Clery Act is to provide the campus community with timely, accurate and complete information about crime and the safety of campus so that they can make informed decisions to keep themselves safe.

## The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as The Clery Act, requires colleges and universities who receive federal funding to disclose information about crime on and around their campuses.

Publish an annual report every year by October 1st that contains three years of campus crime and fire safety statistics and certain campus security policy statements, and to distribute the report to all enrolled students and all employees by October 1st of each year.

The Wentworth Institute of Technology Police Department (WITPD) fulfills this distribution requirement by posting the report on the department's website. A posting is made to the University community via email, advising all students and employees of the report's availability and location.

- 1) The Clery Act also requires WIT to inform all prospective students and employees about the availability of the Annual Security and Fire Safety Report. To comply with this aspect of the law, a notice has been placed on the University's Admissions website and the Human Resources website.
- 2) Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from Wentworth Police, local law enforcement, and other University officials who have "significant responsibility for student and campus activities".
- 3) Provide "Timely Warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees".
- 4) Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus.
- 5) Disclose in a public crime log "any crime that occurred on campus or within the patrol jurisdiction of the campus police/campus security department and is reported to the campus police/security department"; and maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

## Collection of Crime Statistics

In preparation of the annual disclosure of crime statistics, it is the policy of the Wentworth Institute of Technology Police Department to collect information reported directly to the Department and to solicit information about crimes from other campus security authorities with responsibility for students and campus activities, including representatives from the Center for Student Life.

In addition, specific information about Clery reportable crimes and offenses is sought from the Boston Police Department, MBTA Transit Police, Massachusetts State Police, MassArt Police, MCPHS Police, Northeastern University Police, Tufts University Police, and other law enforcement agencies with jurisdiction for international and domestic non-campus property locations.

These statistics are submitted to the U.S. Department of Education (DOE) annually by October 1st. The statistical information submitted to the DOE is available to the public through their website at: <https://ope.ed.gov/campussafety/>

## Daily Crime and Fire Log

The Wentworth Police Department maintains a Daily Crime Log and Fire Log of all crimes and fires reported to the Department. The log typically lists the nature of the crime; the date and time the incident occurred; the date the incident was reported; general location of the crime and the disposition of the reported crime or fire, if known. Entries or updates within two business days may be withheld if the information is protected by statute, there is a danger to the complainant or a need to keep the investigation confidential. If there is reason to believe that release of information will jeopardize an investigation or result in the perpetrator leaving the area or that evidence could be destroyed, information may be withheld until it is deemed appropriate to release.

The Daily Crime and Fire Log for the most recent sixty (60) days is open to public inspection during normal business hours at the Wentworth Police Department, located on the first floor of 610 Huntington Ave. Daily Crime and Fire Log requests for crimes and fires reported beyond sixty (60) days will be made available within two business days of a request. Normal business hours are Monday through Friday, 8:00 a.m. to 4:00 p.m.

## Law Enforcement Authority

The Wentworth Institute of Technology Police Department consists of 27 full time personnel reporting to the Associate VP of Public Safety/Chief of Police. The Wentworth Police Department is located on the first floor of a residence hall located at 610 Huntington Avenue.

There are 19 sworn police officers who provide twenty-four-hour emergency police and medical response to the students, faculty, staff, and visitors at the University. All police officers are armed. The Department hierarchy is the Chief, 1 Lieutenant, 5 Sergeants and 12 Patrol Officers.

Wentworth Police Officers are commissioned as Special State Police Officers in accordance with the provisions of Chapter 22C, Section 63 of the Massachusetts General Laws and have full law enforcement and arrest authority in and within all property owned, occupied, or used by the University. Wentworth Police Officers are also sworn as Suffolk County Deputy Sheriffs, which expands their police authority throughout Suffolk County.

All police officers are graduates of a police training academy conducted or sanctioned by the Massachusetts State Police or the Municipal Police Training Committee (MPTC). In addition to their basic training, officers receive annual in-service training in a wide variety of topics such as: domestic violence, criminal law and procedure, crime prevention, prevention, and investigation of sexual assault, first aid/CPR/AED, and community policing. Personnel are also sent to select external trainings, applicable online training/webinars, and attend regular roll-call information sessions. All armed personnel qualify annually in the use of firearms and perform a practical application of active shooter training. All officers are trained as First Responders in the Commonwealth of Massachusetts.

Some of the primary functions of the Department are responding to incident calls; responding to disturbances; providing escorts; taking reports of missing and stolen property; responding to alarms; investigating trespassers or unwanted guests; and maintaining security and control over the seven campus parking lots. In addition to these activities, officers present safety and security information at community meetings, make presentations at student and parent orientations, teach Rape Aggression Defense (RAD) classes, initiate informal contact with students, faculty and staff while performing bike and foot patrols. Officers are committed to keeping the Wentworth community safe and secure.

The Wentworth Police Department are members of Wentworth's Critical Incident Response Team (CIRT) and the Behavioral Intervention Team (BIT).

The Wentworth Police Department operates a twenty-four-hour Communications Center at the 610 Huntington Avenue facility. In addition to answering telephone calls and walk-in requests for public safety services, the Wentworth Police Communications Specialists are responsible for the monitoring of all emergency alarms and visual scrutiny of campus activity captured and recorded by a system of video cameras covering most of the campus area. There are 3 employees who are designated as Communications Specialists.

In addition to the sworn personnel and Communications Specialists, there are two employees who are designated as Community Service Officers. Their responsibilities vary daily depending on the ever-changing Department needs and the requests for assistance from the Wentworth community. Their duties may include roving foot patrol or stationary posts, responding to building alarms, assisting with campus-wide locking, and unlocking of buildings and classrooms and the enforcement of parking regulations.

## Interagency Relationships

The Wentworth Police Department maintains a close working relationship with, and receives support from the Boston Police Department, the Massachusetts State Police, the Massachusetts Bay Transportation Authority, the Departments of Public Safety at Northeastern University and the Colleges of the Fenway and numerous federal law enforcement agencies. Crime information is exchanged daily, and the Communications Center constantly monitors off-campus crime and incidents occurring in and around the campus area. Boston Police Headquarters is located two city blocks from the front door of Wentworth's main building. The University does not have student organizations that are officially recognized in off campus locations.

Wentworth Institute of Technology is one of five colleges located in the Fenway area of Boston that are collectively known as the Colleges of the Fenway (COF), a consortium that enhances academic and social opportunities between the students, faculty, and staff of each institution. Each college has separate and distinct governing bodies. Each college also has its' own public safety department or police department. Although independent of one another, there is regular communication and collaborative support between the police/public safety departments.

Wentworth Police does not have any MOUs with any local agencies to investigate alleged criminal behavior yet relies on coordinated efforts between local law enforcement agencies for any criminal or inappropriate activity engaged in by Wentworth students at off-campus locations is monitored, shared, and documented. This information may also be provided to the Dean of Students for any disciplinary action or follow-up that may be appropriate in accordance with the Student Code of Conduct Handbook.

By mutual agreement with state and federal agencies, The Wentworth Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system, police personnel can access the National Crime Information Computer (NCIC) database. This database is used to access criminal history data, nationwide police records and driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

The Wentworth Police Department is one of many Boston-area policing agencies that partner with the Boston Regional Intelligence Center (BRIC). The BRIC, which is staffed and hosted by Boston Police personnel, is at the forefront of intelligence collection and analysis. Information gathered by the BRIC pinpoints specific areas of crime, follows developing crime trends, and gang violence, as well as helping to identify major "players" and ex-offenders returning to our neighborhoods.

Funded by the U.S. Department of Homeland Security, the BRIC also supplies intelligence vital to the Department's counterterrorism plans. The BRIC disseminates information in daily bulletins and provides important advisories as critical incidents are unfolding.

Wentworth is one of eighteen colleges, hospitals, and research institutions that make up the Longwood Medical and Academic Area (LMA). This partnership works together on numerous topics and projects that are of concern to all or most because of the potential impact that individual projects may have on other member institutions. There are a series of standing committees that meet regularly on subjects as diverse as building construction, emergency management, disaster planning, hazardous material storage, traffic planning etc. There are two groups that have a direct impact on public safety: The Committee on Emergency Preparedness and The Committee on Security. The Chief of the Wentworth Police Department is a member of both committees and regularly attends the monthly meetings. These committees share information on recent criminal activity, discuss best practices in security and crime prevention, and develop trainings that will benefit all member agencies.

The Colleges of the Fenway also share the services of one Emergency Preparedness coordinator who works as a group leader on public safety readiness projects that are designed to improve public safety on all five campuses. In addition, the coordinator works individually with the Emergency Preparedness committees on each campus with projects based on needs and desires that are unique to their campus and community.

The Boston Fire Department maintains a station, housing Engine 37 and Ladder 26, at 560 Huntington Avenue. The station is manned and operational 24 hours a day. This building is literally embedded into the Wentworth Campus and the firefighters provide rapid response to any public safety requests from the University.

## Investigations

Police officers assigned to the Wentworth Police Department investigate all complaints resulting from calls for service or as a result of a report or request from a Wentworth community member who believes he or she is a victim of a crime. Officers pursue investigations to their most reasonable conclusion. Cases are forwarded to the Wentworth Police Investigation Unit. Officers may conduct follow-up investigations, and if needed they may request the assistance of the Massachusetts State Police, Boston Police, MBTA Transit Police, the Suffolk County Sheriff's Office, the Office of the Attorney General, and the Suffolk County District Attorney's Office.

Complainants may choose to file a report with both law enforcement and the University when the incident constitutes both a crime and a violation of the University policy.

A Complainant may pursue some or all these reporting options at the same time (e.g., one may simultaneously pursue a Judicial Conduct Violation -or- Title IX complaint with the University and a criminal complaint). When initiating any report, a Complainant does not need to know whether they wish to request any course of action, nor how to label what happened.

Website - [www.wit.edu/public-safety](http://www.wit.edu/public-safety)

The Wentworth Police Department supports a web page on the main Wentworth site: <https://wit.edu/student-life/public-safety>. The page contains links to information ranging from a department overview, emergency telephone numbers, identification and contact numbers of all public safety personnel, personal safety tips and parking information. There are also direct links to the annual Safety, Security and Fire Safety Report and information about emergency procedures.

## Emergency Response Plan

Wentworth's Emergency Response Plan has been developed to ensure that the University is prepared and capable of providing the most effective response possible to any emergency affecting the University. The top priority is the protection of the life and safety of all students, faculty, and staff as well as the protection of the Institute's physical property and assets.

Within the plan, the following critical elements are considered and linked to procedures and policies aimed at ensuring an effective response:

- Identification of an Emergency Response Organization
- Establishment of a protocol for declaring an emergency and mobilizing the response organization
- Development of plans for communicating the key elements of the plan across the Wentworth community of students and their families, faculty, and staff
- Implementation of plans for training through specific education and drills

## Emergency Notification and Evacuation Plan

Wentworth Institute of Technology has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation:

- Armed intruder/Active shooter
- Hostile intruder
- Bomb/explosives threat
- Communicable disease outbreak/Biological threat
- Severe weather
- Terrorist incident
- Civil unrest (riot)
- Natural disaster
- Hazardous materials incident
- Structural fire/Explosion

In the event of an emergency, Wentworth will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee, and visitors. Wentworth Police is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders, public health agencies and/or the national weather center. If Wentworth Police confirms that there is a significant emergency or dangerous situation involving an immediate or ongoing threat to the health and safety of some or all of the members of the University community, Wentworth Police will determine the content of the message and will use some or all of the systems described below to communicate the threat to the community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. At such time, the University will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification, in the professional judgment of responsible authorities, will compromise efforts to assist a victim or efforts to contain, respond to, or otherwise mitigate the emergency.

## Methods of Emergency Notifications

The primary method of communication to alert faculty, staff, and students of an emergency is through a mass notification system. The University uses RAVE mass notification system, which is a web-based system that allows designated University officials to send time sensitive communication to university students, faculty, and staff. The RAVE system offers an opt-in feature that allows visitors, guests, and contractors to receive RAVE notifications while they are connected to the Wentworth campus. There are two sign-up options: short term and long term. Short term is advised for those attending a campus event or visiting for a few days. Long term is advised for those working or affiliated with the campus for an extended time such as contractors, cafeteria workers or cleaning crew members that are on the campus during the week.

- *For Short Term, text the word: WITEVENT to phone number 226787. The texter will receive an immediate acceptance notification on their phone. The opt-in is good for three days.*
- *For Long Term, text the word: WITALERT to phone number 226787. The texter will receive an immediate acceptance notification on their phone. The opt-in is good for 180 days.*

The RAVE campus mass notification allows an authorized University administrators (such as Police Department personnel) to send a message to the University community within minutes. When deployed, the RAVE mass notification can broadcast messages to the community by several methods:

- Text message
- Telephone call
- E-mail

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information. Follow-up information will be distributed using some or all the identified communication systems. The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via Wentworth website and/or social media.

Wentworth Institute of Technology may employ other methods to communicate emergency messages to the community as warranted. These methods include the following:

- Police vehicles equipped with Public Address Systems
- University website: <https://wit.edu/>
- In-person communications
- Local Radio Stations
- Local Television Stations

## Evacuations

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Wentworth Police does not tell building occupants in advance about the designated location for long-term evacuation because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Wentworth Police staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency.

At the Wentworth Institute of Technology evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. Instructions to evacuate will be issued by first responders that may include the following agencies or departments but not limited to:

- Wentworth Police
- Local Police Department/Officials
- Local Fire Department/Officials
- University Officials

Upon instruction, faculty, students, and staff are required to immediately evacuate in a calm and orderly fashion to a safe area or area designated by first responders. Wentworth Police asks that you:

- Remain calm.
- Carefully follow instructions.
- Assist handicapped person and others in need of assistance.
- Do not turn off lights or equipment.
- Do not lock doors.
- Do not touch or handle anything you suspect is suspicious; immediately notify a first responder.
- Remain in the safe or designated area until a first responder or another official has deemed it safe to leave.

## Before an Emergency Requiring Evacuation

In advance, locate the nearest exit from your location and determine the route you will follow to reach that exit in an emergency. Establish an alternate route to be used in the event your route is blocked or unsafe.

## During an Evacuation

At the sound of a fire alarm or if you are instructed to evacuate, leave the area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Wentworth Police at 617-989-4444 or dial 911.

Only if time and conditions permit, secure your workplace and take your important personal items that are easily accessible such as car keys, purse, medication, and glasses. Read and understand the following steps:

- 1) Follow instruction from emergency personnel
- 2) Check doors for heat before opening and if the door is hot, do not open it.
- 3) Walk; DO NOT RUN, push, or crowd.
- 4) Use handrails in stairwells and stay to the right.
- 5) Keep noise to a minimum so you can hear emergency instructions.
- 6) Assist people with disabilities
- 7) Unless otherwise instructed, move quickly away from the building towards an assembly point.
- 8) Watch for falling glass and other debris.
- 9) Keep roadways and walkways clear for emergency vehicles.
- 10) If you have relocated away from the building, DO NOT return until notified that it is safe.

## Evacuation of Individuals with Disabilities or Special Needs

You should take into consideration that there might be someone near you who may need help during an evacuation. REMEMBER, the best way to help someone during an evacuation is to first consult with that person regarding how best to assist them.

## Shelter-In-Place Procedures

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. Shelter-in-place events are usually Weather-related emergencies requiring people to stay indoors.

### How Do I Shelter in Place?

#### REMAIN CALM!

- 1) Immediately seek shelter inside the closest sturdy building.
- 2) Do not wait until you physically see a tornado or severe weather event to react.
- 3) Resist the temptation to go outside and check the weather conditions yourself.
- 4) Once inside, stay away from windows, glass, and unsecured objects that may fall.
- 5) Seek shelter in interior rooms and corridors.

## Timely Warning Notices

Timely Warning Notifications (TWN) are issued “campus wide” for any crime defined by the Clery Act that occurs within the Wentworth’s Clery Geography (on campus, public property, and non-campus property) that, in the judgement of the AVP of Public Safety/Chief of Police or designee and in consultation with responsible authorities when time permits, may present a serious or on-going threat to members of the University community. Timely Warnings may be issued for other crime categories and/or for off campus crimes at the sole discretion of the University, when deemed necessary. These warnings could also include significant threatening weather conditions, traffic advisories, and dangerous conditions on or off campus.

The AVP of Public Safety/Chief of Police or designee reviews all reports to determine if there is an on-going or serious threat to the community and if the distribution of a TWN is warranted. If it is determined that such an event has occurred, the AVP/Chief or designee will determine the initial general content of the notice and a campus wide TWN will be issued. In certain cases, and when necessary, the Office of Marketing and Communications (MarCom) may also draft the TWN. TWN’s will be distributed as soon as pertinent information becomes available. However, the name(s) of any complainant(s) or confidential complainant(s) are confidential and will be withheld, as the purpose and intent of a TWN is to aid in the prevention of similar occurrences. Wentworth Police will work with the Office of Communications to distribute the timely warning notice to the campus community which

is the primary method of communication via email blast to all WIT assigned email accounts. Timely Warning Notifications may also be issued using some or all the following, but are not limited to:

- a) WIT website
- b) University Email
- c) Flyers
- d) In-person communications
- e) RAVE Messaging

Information contained within the Timely Warning notice may include, but is not limited to, the following: the nature of the crime, date, and location of crime, suspect(s)/involved parties, and any additional details that would benefit members of the community. Timely Warnings may include information about the process to be followed for anyone having additional information regarding the incident and precautions that individuals may take to reduce any further risk of similar crimes being committed.

Anyone with information which may potentially warrant a timely warning is urged to report the circumstances to the **Wentworth Police Department (617-989-4444)** or in person at the Communications Center located at the Wentworth Police Department on the 1st floor of the 610 Huntington Avenue residence hall.

### Access to Campus Residence Facilities

Student residence halls are only accessible to residents and their guests. Residence halls are locked and secured twenty-four-hours a day and require residents to swipe their identification cards to gain access. In the major residence halls (excluding several smaller, brownstone style residences) all guests arriving after 6:00 PM must be signed in by a building resident and they must present proper identification to a Desk Attendant at the front desk. The desk attendant maintains a log with the guest's pertinent information. Federal Work Study Desk Attendants provide evening and overnight security in the residence halls except for the previously mentioned smaller "brownstone" units.

### Access to Campus Buildings

Most campus buildings are locked 24 hours a day, 7 days a week. During times when the buildings are locked, access may only be gained by swiping in with Wentworth identification cards (when and where authorized) or by contacting the Wentworth Police Department and requesting access. Faculty and staff wishing to gain access to buildings after hours must sign in at the Communications Center and produce their Wentworth Identification Card.

# Public Safety Services

## Proactive Patrolling

Police Officers assigned to the Wentworth Police Department patrol the Wentworth campus 24 hours a day, 7 days a week. All officers are equipped with two-way radio communications and stay in constant contact with the Communications Center while on patrol. Police officers patrol on foot, on bicycles and in marked and unmarked SUVs that can also serve to provide emergency transportation for sick or injured parties.

## Bike Patrol

Police officers utilize mountain bicycles as an effective method of patrol and increased visibility in the Wentworth community. Officers selected for bike patrol are trained and certified following a 24-hour rider safety program (C.O.B.W.E.B.). Bicycle patrols cover a wider area and travel faster than a foot patrol and can quickly get to and into areas that a full-size vehicle cannot. Bike patrols are weather dependent and generally occur from April through November.

## 24-Hour Safety Escort Service

Escort services are provided to community members traveling on campus to and from parking lots, residence halls or to Massachusetts Bay Transportation Authority (MBTA) bus, trolley, and train stops (Ruggles, Museum of Fire Arts, and Longwood Medical). The escorts are conducted by Wentworth Police Officers and are available upon request at all hours of the day.

## Medical Assistance

Wentworth Police Officers are trained first responders and respond to medical emergencies. In addition, officers have received specialized training in the use of tourniquets, AEDs and Narcan.

Each police vehicle is equipped with a medical supply bag and medical equipment that includes, an AED, Narcan, Stop-the-Bleed kits, and extensive first aid equipment. Wentworth Police Officers respond to medical assistance calls daily.

## Campus Security Technology

### Closed-Circuit Camera System

A campus wide closed-circuit camera system records external and internal activity 24 hours a day, 7 days a week. There are currently 174 active and recording cameras on the Wentworth campus. Their primary use is to assist the Wentworth Police in both preventing and solving crime. The cameras also offer support in other ways such as: 1) spotting and monitoring weather-related problems like flooding and dangerous snow buildup; 2) overseeing of campus sponsored activities such as concerts, fairs, barbecues, etc.; and 3) observing foot and vehicle traffic in most of the campus parking lots. The system also monitors foot and auto traffic on the streets and sidewalks that border the campus. The camera system records and preserves the captured information for approximately thirty days. Images and information obtained from the cameras that may assist in criminal investigations external to the

campus are often shared with the State, Boston and Transit Police as well as with the area college and university police departments.

## Electronic Alarm Monitoring

Most of Wentworth's points of access in buildings, rooms, elevators, and offices are equipped with electronic alarms. When activated, these alarms report to the 24/7 Communications Center at the Wentworth Police Department.

## Card Access Control

Wentworth's residence halls, studios, computer labs, and academic buildings are equipped with an electronic card access system. This system both limits and monitors access to Wentworth campus facilities.

## Emergency Phones

There are 17 Blue Light Emergency Police Assistance Phones strategically situated throughout the campus at outside locations. These phones have blue lights above for easy identification. These phones go directly to the 24/7 Communications Center at the Wentworth Police Department and are answered immediately.

## Maintenance Services

Wentworth's Physical Plant Department is responsible for the maintenance of campus buildings and grounds. Unsafe conditions or those raising concerns for personal safety or property protection, including inoperative locking hardware, exterior and interior lighting, steps and handrails, unsecured equipment, and hazardous conditions (including weather related conditions) should be brought to the attention of the Physical Plant office (617-989-4550). Physical Plant is staffed from 6:00 a.m. until 10:00 p.m., Monday thru Friday. There is limited weekend coverage, but designated employees are "on-call" and can be reached and activated when needed. During non-business hours, contact the Communications Center (617-989-4400) to report maintenance issues or problems.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Wentworth Police regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Physical Plant for corrections. Other members of the University community are helpful when they report equipment problems to Wentworth Police or to the Physical Plant Department.

## Safety / Crime Prevention Programs

The Wentworth Police Department believes that a well-informed interactive community is the best defense against crime. Safety and security are concerns that should be shared by all members of the campus community. For these reasons, the Wentworth Police Department offers educational awareness programs throughout the academic year. These programs are intended to address personal safety, fire safety, property security, and crime prevention. They are scheduled through

many of the organizations on campus. The following is a partial list of crime prevention programs presently available at Wentworth:

#### New Employee Orientation

Crime prevention presentations and printed materials are provided to employees throughout the year.

#### New Student Orientation

A one-hour presentation on crime prevention, accompanied by brochures and other printed material, is presented to all new students at the start of each academic year.

#### Sexual Assault Awareness, Education, and Prevention

Wentworth Police are members of local and regional sexual assault prevention and investigation networks. All Police Officers have received specialized training and certification in the investigation of sexual assault and related crimes. Programs on sexual assault awareness, education and prevention are presented each semester through the Department of Student Affairs and/or in conjunction with the Wentworth Police Department.

#### Active Shooter Preparedness Training

This program is designed for and delivered to Wentworth faculty, staff, and students each semester and is also offered upon request by individual academic or administrative departments. The program is based on "Active Shooter: How to Respond" an initiative of the Federal Government's Department of Homeland Security. It addresses the recognition of potential indicators of violence, actions to be taken to prevent and prepare for potential active shooter incidents, understanding the actions taken by law enforcement in responding to active shooter situations and managing the consequences of an active shooter incident.

#### RAD and Self-Defense Programs

A Rape Aggression Defense Program (RAD) is offered to community members by specially trained and certified Police Officers at least once per semester or upon special request. The objective of this program is to develop and enhance the options of self-defense, so they may become viable considerations should one become the victim of an attack. These programs are offered in concert with other Colleges of the Fenway and the Longwood Medical Area group.

The Wentworth Police Department also offers a basic defensive tactics program for community members. The class is designed for those that have no previous defense training of any kind. This class is interactive, and the instructors demonstrate several simple but effective techniques that may help a person defend themselves against any attacks.

#### Crime Prevention Presentations

Crime Prevention Presentations are offered by specially trained officers at various times and places on campus in conjunction with, but not limited to, campus fairs and gatherings, student, faculty and staff orientations, and open houses. These programs are tailored to the interests of students, staff, or faculty groups.

## Printed Crime Prevention Materials

Brochures and other crime prevention and awareness information are widely distributed at crime prevention presentations and are available at the Wentworth Police Department office anytime.

## Emergency Response Guide

The Wentworth Police Department, in conjunction with Wentworth's Critical Incident Response Team (CIRT) and the Colleges of the Fenway has prepared and distributed an Emergency Response Guide for students, faculty, and staff. A hard copy of this cascading style manual is affixed to walls in every classroom and administrative area on campus. In addition, numerous copies hang in the residence halls, student center, gymnasium, and library.

The guides are attached to hooks on the walls and can be easily removed for use during a time of crisis or danger.

The Guide Topics are:

- Reporting Emergencies
- Utility Failure
- Medical Emergency
- Mental Health Emergencies / Suicide Threats
- Suspicious Persons
- Severe Weather / Natural Disaster
- Fire / Fire Alarms / Hazardous Materials
- Bomb Threat / Suspicious Package
- Shelter in Place / Evacuation
- Active Threat / Shooter
- Campus Map
- Window Sign - I Need Help

In addition to the full-sized wall hanging Emergency Response Guides, the Wentworth Police Department has reproduced all the same information and included a campus map on a 2-inch by 3-inch wallet sized Z-Card that expands to a 9-inch by 15-inch easy to see and read format. The Z-Cards are distributed at campus events, safety talks, open houses, and orientations. They are also available 24/7 at the walk-up window in the Communications Center.

## Reporting Emergencies, Crimes, and Suspicious Activities

Wentworth Institute of Technology strongly encourages all community members (students, faculty, staff, visitors, and guests) to promptly report criminal activity, suspicious persons/behavior, medical emergencies, and hazardous situations to the Wentworth Police Department. Reports and requests for service can be initiated by notifying any Police Department employee, stopping by the 24-hour Police Communications Center, using one of the 17 blue light emergency information call boxes located throughout the campus, or by calling 617-989-4444 or x4444 on any campus phone. Reports made in a timely and accurate nature are vital to assuring the safety of all. Accurate and prompt reporting ensures the Wentworth Police Department can evaluate, consider, and send timely warning

notices, disclose through ongoing disclosure processes such as the posting of crimes in the Daily Crime Log and accurately documenting reportable crimes in its annual statistical disclosure.

If a community member chooses, they can report crimes to the Boston Police Department by calling 911. They can also request that the Wentworth Police contact the Boston Police Department for them. Off campus crime and incidents should be immediately reported to the local police by calling 911.

The Wentworth Police Department investigates all reported criminal activity and other safety related incidents occurring on campus. Officers enforce state and federal law, Institute policies, parking regulations, and violations of the Student Code of Conduct. Wentworth encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

The Title IX Office (617-989-4119) and the Office of Residential and Commuter Life (617-989-4160) routinely assist students in reporting crimes and serious incidents while the Office of Employee Relations & Engagement (617-989-4190) assists faculty and staff. Counseling and other victim support services are available upon request to all students and employees at Wentworth. Wentworth Police and the offices mentioned above will always assist community members and assist in reporting crime.

Community members are urged to trust their instincts! If something doesn't seem right, it probably isn't. The following are signs of behavior that may be suspicious:

- A stranger carrying property at an unusual hour or location, especially computers, other electronic items, or locked bicycles.
- A person going door-to-door in an academic, administrative, or residential building when no one is around.
- Any person forcibly entering a locked vehicle or building.
- One or more persons sitting in a parked car for an extended period and scanning the area.
- Anyone being forced into a vehicle or area.
- A person exhibiting unusual mental or physical behavior or appearing "not to fit" the location or time of day.
- Unusual noises such as screaming, gunshots, barking dogs, fighting, etc.

## Missing Persons Procedure

The purpose of this procedure is to establish protocols for Wentworth Institute's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

A student may be considered a "missing person" if their absence is contrary to their usual pattern of behavior or if unusual circumstances may have caused the absence. Such circumstances may include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

## Procedures for Designation of Emergency Contact Information

### 1. Students aged 18 and above and emancipated minors:

Students will be given the opportunity along with the housing agreement to register a confidential individual or individuals to be contacted by the college in an emergency. This contact information will only be accessible to authorized campus officials and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation. This individual(s) will be contacted no later than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. This designation will remain in effect until changed or revoked by the individual.

### 2. Students under the age of 18:

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the college is required to notify a custodial parent or guardian and the emergency contact as soon as possible, and in any case no later than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

## OFFICIAL NOTIFICATION PROCEDURES FOR MISSING PERSONS

1. Any individual on campus who has information that a residential or other student may be a missing person must notify the Wentworth Police Department (617-989- 4444 or ext. 4444) immediately.
2. The Wentworth Police will gather all essential information about the student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
3. If the above actions are unsuccessful in locating the student or it is immediately apparent that the student is a missing person (e.g., witnessed abduction), Wentworth Police will contact the Boston Police Department to report the student as a missing person and the Boston Police will also begin a concurrent investigation.
4. No later than 24 hours after determining that a residential student is missing, the Dean of Students will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

## Reporting Threatening Behavior or Other Behavioral Concerns – “See Something, Say Something”

Whether on or off campus, anyone who is witness to or the victim of an assault, a threat, or any other crime is strongly encouraged to contact the WIT Police Department at 617-989-4444 for assistance. One may also contact the following departments for assistance in reporting concerns:

- Student Affairs Department / Dean of Students Office - 617-989-4702
- Office of Residential and Commuter Life - 617-989-4160
- Center for Wellness - 617-989-4390
- Employee Relations & Engagement - 617-989-4190

In addition, any member of the Wentworth community who is concerned about a student’s well-being may share their concerns by submitting a CARE report. CARE reports are reviewed by the Deans in the Dean of Students Office and the CARE Team. Based on the information received, the CARE Team will determine the best plan for outreach. The CARE report is NOT for use in an emergency. If you witness a situation or have information that threatens the safety of a student or another individual, call Wentworth Police immediately at 617-989-4444.

*More information regarding submitting a care report at link below:*

<https://wit.edu/about/reporting>

Personnel working in these departments have received specialized training and have a wide array of experience in dealing with unusual behaviors and circumstances. They should be informed of any individual exhibiting potentially threatening, intimidating, or dangerous patterns and/or individuals that may be participating in destructive behavior (self-destructive and/or destructive towards others).

They should also be informed about anyone who may have talked about plans to harm themselves or others or may have access to weapons that can be used to harm themselves or others. Individuals who have not yet developed plans or obtained the means to harm themselves or others may still benefit from intervention. Though no single indicator necessarily means that an individual will harm themselves or others, that behavior should be reported. Multiple observed factors are often involved therefore observations by several different persons at different intervals should all be reported.

The Wentworth Police Department strongly encourages the reporting of individuals who may fall into these categories.

### Campus Security Authorities

Federal law requires the Wentworth Institute of Technology (WIT) to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the WIT Clery geography and that are reported to campus security authorities (CSAs) and local law enforcement. The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, the Wentworth Police Department, those allegations of Clery Act crimes that

they receive. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner. Under the law, CSAs include any member of the Wentworth Police Department, any individual who has responsibility for campus security but who is not a member of the Wentworth Police; any individual identified by WIT as someone to whom a crime should be reported; and any WIT official who has significant responsibility for student and campus activities. Individuals serving WIT as CSAs vary from unit to unit based on their job functions, but include by way of example (but not limitation):

- Dean of Students; Assistant Deans
- Vice President of Employee Relations & Engagement
- Title IX Coordinator
- Residential Directors and Resident Assistants
- Athletic Directors, Coaches, Trainers
- Residence Hall Desk Attendants
- Student Group Advisors
- Director of Student Health
- Director of CO-OPs and Careers

All CSAs should encourage any person who reports a crime or other incident involving campus security to notify the Wentworth Police immediately. Any CSA who receives a report of an incident involving a crime or campus security matter must contact Wentworth Police immediately and inform the Department of the incident consistent with the confidentiality considerations discussed below. CSA reports are used by the institution to compile statistics for Clery Act reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e., a timely warning or emergency notification). However, those responsibilities can usually be met without disclosing personally identifying information. A CSA report does not need to automatically result in the initiation of a police or disciplinary investigation if the victim does not want to pursue this action.

## Confidentiality Considerations

A CSA is not required to disclose confidential information to WIT concerning an incident such as information that would identify a victim of a crime who wishes for his or her identity to remain confidential. However, CSAs are required to inform Wentworth Police of the existence of all known incidents, including confidential incidents, so that such incidents can be recorded as statistics and, assessed for timely warnings and where appropriate, included in the Annual Security & Fire Safety Report.

If a reporting party does not consent to the disclosure of his or her identity to the Wentworth Police, then CSAs are expected to inform the Wentworth Police of the reporting party's wish for

confidentiality and to report the incident to Wentworth Police for statistical purposes. CSAs must report an incident to the Wentworth Police Department without disclosing personal identifying information concerning the reporting party unless the reporting party consents to disclosure of their identity.

Wentworth strongly urges all community members to report any criminal incident to the Wentworth Police Department. In the event an individual chooses not to report a crime, Wentworth advises that person to at least disclose the occurrence of the incident to Campus Security Authority so it may be counted, where appropriate, in the Annual Security & Fire Safety Report.

## Counselors and Confidential Crime Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092(f), clarification was given to those considered to be Campus Security Authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such are not considered to be a Campus Security Authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may learn about. This exemption is intended to protect the counselor-client relationship. However, even the legally recognized privileges acknowledge some exemptions, and there may be situations in which counselors are in fact under a legal obligation to report a crime.

### Pastoral Counselor

A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

### Professional Counselor

A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

### Anonymous Reporting

Community members may report criminal or suspicious activity anonymously by calling Wentworth Police at 617-989-4400. Calls to report domestic violence and sexual assaults, drug usage and dealing, or any other criminal or safety related activities are encouraged. The information provided should be as detailed as possible.

To anonymously report incidences of Sexual Misconduct and Sex-Based Discrimination including sexual harassment (including quid pro quo and hostile environment), as well as sexual assault, dating violence, domestic violence, stalking, discrimination based on sex, sexual exploitation, and retaliation,

visit: [https://cm.maxient.com/reportingform.php?Wentworth&layout\\_id=2](https://cm.maxient.com/reportingform.php?Wentworth&layout_id=2)

In those situations where you prefer to place an anonymous report in confidence, you are encouraged to use a third-party hotline provider, EthicsPoint. You are encouraged to submit reports relating to violations of laws, policies or our standards of behavior and conduct. This service has also been established to report situations where you are concerned about the behavior of another member of our community but are reluctant to tell someone on-campus. Visit: [wit.ethicspoint.com](http://wit.ethicspoint.com).

## Good Samaritan Policy

Wentworth Institute of Technology is strongly committed to both the development of the student and the health and safety of the community. All members of the Wentworth community are expected to uphold the Wentworth Creed, the Student Code of Conduct, the Leopard's Oath, and to look out for one another. Students may be reluctant to seek help in alcohol, prescription drug and illegal substance related emergencies due to their own involvement for violating the Code of Conduct. When these emergencies are serious and/or life-threatening, Wentworth wants to promote a culture of students seeking assistance when it is needed, as well as a culture of responsibility. For this reason, Wentworth has developed a Good Samaritan Policy.

In cases of a medical emergency resulting from alcohol, prescription drug, or illegal substances, students are expected to seek out help for an individual(s) needing medical attention by contacting Public Safety and/or 911 and remain with the individual(s) until the time assistance arrives. Students who seek out emergency assistance for an individual(s) will face no formal Institute disciplinary action or sanction for their own conduct which could be a policy violation relating to personal alcohol, prescription drug and / or illegal drug use that occurred immediately before or during the medical emergency incident. However, the personal use will be documented, and an educational response may be required. This policy also applies to the individual for who the emergency assistance was requested.

Violations other than personal use of alcohol and / or prescription drugs and/or illegal drugs do not fall within the scope of this policy.

The Good Samaritan Policy will not apply for calls for medical assistance made after the Institute or local authorities have already intervened and / or confronted a situation. Students who abuse the protections of the Good Samaritan Policy by seeking help for others when there is no good-faith basis for doing so, will not be able to claim the benefits of the Policy.

## Behavioral Intervention Team (BIT)

Wentworth has an established Care Team and Behavioral Intervention Team (BIT) that is committed to improving safety for the entire Wentworth community through a proactive, collaborative, coordinated, objective, and thoughtful approach to the prevention, identification, assessment, intervention, and management of situations that pose, or may reasonably pose, a threat to the safety and well-being of the campus community.

The purpose of the BIT team is to serve as the coordinating hub of a network of existing resources, focused on prevention and early intervention in community situations involving members experiencing distress or engaging in harmful or disruptive behaviors. The BIT team develops intervention and support strategies and offers case coordination. The Team meets on a bi-weekly schedule and as often as needed when special circumstances dictate. The Team consists of the AVP Student Affairs / Associate Dean of Students, Assistant Dean of Students, Assistant Dean of the Center for Health and Wellness, Wentworth Police Sergeant, AVP of Employee Relations & Engagement and Executive Director of Equity and Compliance / Title IX Coordinator.

Each semester BIT members produce a Campus Safety Training Series that was developed with the interests of the safety and security for the entire Wentworth community. There are four separate and distinct components each lasting one hour. They are not mandatory but are well advertised and all our community members are urged to attend.

- **CARING FOR OUR COMMUNITY:** The purpose is to help recognize warning signs of people in distress and how to respond to and report the behaviors so the individual can receive proper care and treatment. It also introduces the attendees to the BIRT, and CARE teams and talks about available resources that are in place to assist those students, staff and faculty that are in need.
- **ACTIVE INTRUDER:** Familiarizes attendees with basic response practices when encountering workplace or school violence: “Run, Hide, Fight,”
- **SUICIDE PREVENTION:** Familiarizes attendees with the three simple steps to help save the life of someone in distress: “Question, Persuade and Refer.”
- **SPEAK UP:** Designed to teach participants how to actively intervene in bias incidents involving race, gender, ethnicity, religion, sexuality, disability, or any other marginalized identity.

## Security Awareness and Crime Prevention Programs

The Wentworth Police Department takes a proactive approach in dealing with issues of security and crime. The primary tool to accomplish this is a strict adherence to the concept of community policing and keeping the community well informed regarding all relevant issues. All members of the Wentworth community are encouraged to participate in the effort to keep our community free from crime and disruption. The following is a list of some of the programs utilized by the Wentworth Police Department that supports the educational mission of the University and enables our community to make well informed decisions regarding issues of safety.

WIT provides numerous education and awareness programs. For instance, the Rape Aggression Defense (RAD) Program promotes awareness, prevention, and self-defense skills. RAD is offered each year, often in conjunction with other Colleges of the Fenway (COF) institutions. Residence hall visits and talks are held to discuss safety in the city and on campus. Emphasis is placed on topics such as watching out for one another and how to deal with alcohol and drug related issues.

Orientation meetings are held with all incoming students to discuss safety issues that they may be confronting for the first time. Special programs are conducted every year to discuss the issues surrounding alcohol, drug and pharmaceuticals abuse that could lead to a student making poor decisions. Outside State and local agencies are frequently called upon to assist in some special areas of training.

- Safety escort/shuttle program provides walking escorts or shuttle transportation for our community members to certain areas both on and off campus.
- There are 17 Blue Light Emergency Telephones located throughout the campus. Calls made are directed to the Communications Center in the Wentworth Police Department and answered immediately.
- Residence Hall Security – Wentworth Police works with Residential Life staff to promote safe practices in residence halls through training and education of both residents and staff. Wentworth Police has a Residential Partnership Unit dedicated to the safety and well-being of resident students. The Residential Community Partnership Officers are assigned to specific residence halls on campus. The specialty unit officers are assigned during the evening/midnight hours and conduct high visibility foot and bicycle patrols throughout the residence hall areas. Desk Attendants also monitor and screen students and visitors from 6:00 PM – 12:00 AM in residence hall entrances. The officers work in collaboration with Housing & Residential Life Community Development Directors, Residence Directors (RDs), Resident Assistants (RAs), and student residents to identify and address quality of life issues within a residence hall.
- New Student Orientation – Wentworth Police participates in New Student Orientation, presenting crime awareness and prevention information to students and their parents during the summer and at the beginning of the academic year.

- Similar presentations are made available during open house sessions conducted by the Admissions Department.
- Parking Facility Security - parking lots are patrolled regularly by Wentworth Police Officers. CCTV and emergency phones are part of this security plan.
- Security and Fire Alarm Systems - a computer enhanced alarm system monitors a campus-wide network of fire, door intrusion and panic alarms. When activated, the alarms sound in the Communications Center and officers are immediately dispatched to the location of the alarm.
- Security Surveys - comprehensive physical and operational security surveys are conducted periodically by Wentworth Police to assist various College departments improve the security of their work or living spaces and personal and College property.
- Facilities Surveys - a program designed to identify and correct deficiencies in exterior/interior lighting, locking hardware and safety of campus grounds is regularly conducted by Wentworth Police.
- Timely Warnings - When a situation arises either on or off campus that in the judgment of the AVP/Chief of Police or Assistant Director/Lieutenant constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. This includes potentially dangerous criminal situations nearby allowing those receiving the information to take appropriate precautions to aid in the prevention of similar crimes. The warning will be distributed through the college e-mail system to students, faculty and staff and may be placed on the Wentworth website. The information may be manually posted throughout the campus.
- Community Policing – Wentworth Police works closely with all members of the University community, including the Faculty Senate and Student Government to facilitate the exchange of information and ideas and to minimize the instances of crime and disorder.
- Rape Awareness, Intervention and Prevention - All Wentworth Police Officers are certified under Massachusetts Law as Sexual Assault Investigators and work closely with community groups to present programs dealing with domestic violence, rape, and sexual assault, especially as part of New Student Orientation. Rape Aggression Defense (RAD) is also offered to all community members.
- Violence Prevention and Response - Training is offered to all community members in the best practices to respond to issues of campus violence in the event of an occurrence on campus.
- Crime Prevention Information - brochures, posters and other materials carrying crime prevention and awareness information regarding all aspects of personal safety and property security are frequently distributed at various locations on campus by Wentworth Police.

# Massachusetts General Laws

## Harassment, Stalking and Annoying Phone Calls

Harassment can take the form of personal contact, mail, telephone calls, social media, emails, or facsimiles. The specific action taken in any case depends on the nature and gravity of the reported conduct, and may include mediation, judicial hearings, or criminal prosecution, when appropriate. When harassment occurs, Wentworth Police will act to stop the harassment, prevent its occurrence, and hold those responsible accountable for their actions. At all times, the investigation will be conducted in a way that respects, to the extent possible, the privacy of all persons involved.

Wentworth Police takes reports of harassment very seriously and each report will be investigated to its most logical conclusion. There are three types of harassment under Massachusetts General Laws:

- Stalking
- Criminal Harassment
- Annoying Phone Calls

## Stalking

*Massachusetts General Laws Chapter 265 Section 43:*

Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and 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 five years or by a fine of not more than one thousand dollars, or imprisonment in the house of correction for not more than two and one half years or both. Such conduct, acts or threats described in this paragraph shall include, but not limited to, conduct, acts or threats conducted by mail or by use of telecommunication device including, but not limited to, electronic mail, internet communications and facsimile communications.

## Criminal Harassment

*Massachusetts General Laws Chapter 269 43A:*

- a) Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment and shall be punished by imprisonment in a house of correction for not more than 2 1/2 years or by a fine of not more than \$1,000, or by both such fine and imprisonment. The conduct or acts described in this paragraph shall include, but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but

not limited to, electronic mail, internet communications, instant messages or facsimile communications.

- b) Whoever, after having been convicted of the crime of criminal harassment, commits a second or subsequent such crime, or whoever commits the crime of criminal harassment having previously been convicted of a violation of section 43, shall be punished by imprisonment in a house of correction for not more than two and one-half years or by imprisonment in the state prison for not more than ten years.

## Annoying Phone Calls

*Massachusetts General Laws Chapter 269, Section 14A:*

Whoever telephones another person, or causes any person to be telephoned to, repeatedly, for the sole purpose of harassing, annoying, or molesting such person or his family, whether or not conversation ensues, or whoever telephones a person of the female sex, or repeatedly telephones a person of the male sex, and uses indecent or obscene language to such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months, or both. Federal Law also prohibits the making of obscene or harassing calls in interstate or foreign communications.

If you believe that you are a victim of harassing or annoying phone calls, contact Wentworth Police immediately to file a report. After taking information for the report, the Police Officer will ask you to keep a "Harassing Phone Call Log". You will be asked to record the following information for any future "Harassing/Annoying" type calls that you receive:

- Date and Time
- Type of call- Hang up, Threatening, Obscene, and Nuisance
- Type of voice- Male, Female, Young, Old, High, Low, Accent, Intoxicated, Nervous, etc.
- Any background noise heard
- Know to whom you are speaking
- Ask who is calling
- Ask what number they are trying to reach
- Never give out your name or number to strangers
- Hang up immediately if the caller doesn't respond to your questions
- Hang up at the first utterance of an obscene word
- Hang up if the caller does not make identification to your satisfaction

If at any time you are threatened over the phone or receive a harassing phone call notify the Wentworth Police at 617-989-4444.

## Massachusetts Legal Definitions of Sexual Assault, Domestic Violence, Dating Violence, Stalking and Consent

Sexual Assault means an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program. Sexual assault is any unwanted, coerced, or forced sexual

contact or intercourse OR sexual contact or intercourse with someone who is not able to give consent. Sexual assault can involve the sexual penetration of a body orifice, but also includes other unwanted sexual contact. Victims can be either women or men. Most victim/survivors know the perpetrators who may be the victim/survivor's best friend, lover, partner, date, family member, neighbor, teacher, employer, doctor, or classmate. The perpetrator can be a boyfriend or girlfriend. Sexual assault can occur between members of the opposite sex or same sex. Alcohol, date rape drugs, or other substances may be involved.

## Massachusetts Legal Definitions

**Domestic Violence:** Massachusetts General Law chapter 209A, section 1 defines domestic abuse as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”

<http://www.malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>

**Dating Violence:** Massachusetts does not have a law pertaining to violence that occurs between people in a dating relationship. Instead, Massachusetts General Law chapter 265, section 13A would apply: “an assault or an assault and battery: (i) upon another and [the perpetrator] by such assault and battery causes serious bodily injury; (ii) upon another who is pregnant at the time of such assault and battery, [the perpetrator] knowing or having reason to know that the person is pregnant; or (iii) upon another who [the perpetrator] knows has an outstanding temporary or permanent vacate, restraining or no-contact order or judgment issued pursuant to [applicable law], in effect against him at the time of such assault or assault and battery.”

<http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13a>

**Sexual Assault:** Massachusetts defines rape as (1) the penetration of any orifice by any body part or object (2) by force and (3) without consent. Rape also includes instances where the victim is incapacitated (“wholly insensible so as to be incapable of consenting”) and the perpetrator is aware of the incapacitation.

<http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

**Consent:** The voluntary agreement, demonstrated by words or actions, by a person with sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress. Commonwealth v. Lopez, 433 Mass. 722 (2001), Commonwealth v. Lefkowitz, 20 Mass. App. Ct. 513 (1985); see also:

<http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

**Stalking:** Massachusetts General Law chapter 265, section 43 defines “Stalking” as “(1) willfully and maliciously engag[ing] in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) mak[ing] a threat with the intent to place the person in imminent fear of death or bodily injury.”

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section43>

## What Happens When a Sexual Assault is Reported to the Police?

If a sexual assault happens on campus or the victim returns to campus following a sexual assault, they are encouraged to go immediately to a safe place and call the Wentworth Police (617-989-4444), a Residential and Commuter Life staff member, or a friend for help. Victims may also contact the Title IX Coordinator to report Prohibited Conduct such as a Sexual Assault. The Title IX Coordinator can be contacted in person, by telephone, email, or in person during regular business hours (Monday-Friday 8:30-4:30 pm) or by filing an on-line reporting form at:

[https://cm.maxient.com/reportingform.php?Wentworth&layout\\_id=2](https://cm.maxient.com/reportingform.php?Wentworth&layout_id=2)

Reporting a sexual assault to the police does not commit a victim to further legal action; however, the earlier the assault is reported, the more likely the police and medical personnel can preserve, document, collect and forensically test the physical evidence. This evidence can be critical if the victim decides to move forward and seek a prosecution against the alleged perpetrator. Victims are encouraged, if possible, to not wash, use the toilet or change clothing.

Going to a local hospital will be necessary for receiving medical care and/or the collection of evidence. Victims will be transported to and from a local hospital by Police Officers from the Wentworth Police Department for medical attention. The Wentworth Center for Wellness (617-989-4390) will assist the victim with counseling and provide information regarding medical and other assistance. If requested, the University will make reasonable changes to the victim's academic and living arrangements.

*After normal business hours, mental health services are available by calling 617-989-4390 option #2.*

All students involved in a sexual assault investigation have the right to be accompanied by a Wentworth advisor during all proceedings.

A student who has been sexually assaulted has the right to a thorough and exhaustive police investigation into the assertions surrounding the assault. At the same time, they will be the one to make the final decision regarding whether to proceed criminally, administratively, or both. Victims have options about the involvement of law enforcement and campus authorities, including notification of the victim's option to be assisted by campus authorities in notifying law enforcement authorities if the victim chooses; and – decline to notify such authorities.

All sexual assaults and offenses should be reported to the **Wentworth Police Department at 617-989-4444 or the Boston Police Department Sexual Assault Unit at 617-343-4400**. All of Wentworth's Police Officers are sworn Special State Police Officers and are trained and certified as Sexual Assault Investigators in the Commonwealth of Massachusetts. The Wentworth Police Department and the Boston Police may work cooperatively in the investigation. The initial report will result in a confidential meeting between the victim and a member of the police department taking the report. At the victim's request a male or female Police Officer and / or a Wentworth staff member will be present and assist throughout the entire reporting process.

## SEEK IMMEDIATE MEDICAL ATTENTION

It is important to receive immediate medical attention even if you feel you were not physically harmed. Several nearby hospitals have highly trained Sexual Assault Nurse Examiners (SANE) on staff that work specifically with victims of sexual offenses. A medical examination that includes a general physical exam and an exam to check for internal injuries will most likely be suggested. Also, the victim can choose to be tested for pregnancy and sexually transmitted diseases. A medical examination does not require the victim to press charges.

## PRESERVE EVIDENCE

Before going to the hospital, a victim should not shower, wash, or throw away any clothing worn at the time of the sexual assault. Evidence on one's body or clothes is critical if the choice is made to press charges, either immediately or later. Any recovered evidence will be transported to the Boston Police or Massachusetts State Police Crime Lab where it will be held for at least six months, regardless of the decision to seek a criminal complaint. The evidence is entered by a number and not a name. Lab personnel will not know the identity of the victim unless or until the victim chooses to move forward with a criminal complaint. Preserve copies of any related written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), taking care not to delete the originals.

## Campus Sexual Assault Victims' Bill of Rights

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" as part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SAVE Act). When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options. This law requires that all universities afford sexual assault victims certain basic rights such as:

- Accuser and accused must have the same opportunity to have others present, including an opportunity to be accompanied at any related meeting or proceeding by an advisor of their choice.
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing.
- Survivors shall be informed of their options to notify law enforcement, including on-campus and local police. (Wentworth Police will assist with notification to local police). (The decision to notify authorities remains with the victim.)
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so, requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- Survivors shall be notified of options for changing academic and living situations transportation and working situations, if so, requested by the victim and if such accommodations are

reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

## Domestic Violence, Dating Violence, and Stalking

### Relationship Violence

“Domestic violence” means 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.”
  - o \* Massachusetts includes roommates as family & household members\*

“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.”

What is relationship violence?

Relationship violence is defined as intentionally violent or controlling behavior by a person who is currently or was previously in a relationship with the victim. Relationship violence includes actual or threatened physical injury, sexual assault, psychological abuse, economic control, and/or progressive social isolation. Relationship violence occurs in heterosexual and same sex relationships.

This information is focused on romantic relationships. The same resources can be used for interpersonal violence between roommates.

How do I know if it’s relationship violence?

Does your partner exhibit a pattern of controlling behavior?

- Acting jealous all the time
- Criticizing your behavior and with whom you spend time
- Using looks, actions, or gestures that make you afraid
- Expecting you to ask permission
- Threatening to ‘out’ you
- Yelling at you, humiliating you or putting you down
- Checking up on you, playing mind games, or making you feel as if you are crazy

- Insisting on making all the decisions

Has your partner ever:

- Insisted on having sex or pressured you to do something sexual when you didn't want to
- Pushed, slapped, bit, kicked, or choked you
- Threatened to kill you or anyone dear to you
- Threatened to commit suicide

Do you feel?

- Like you are walking on eggshells
- That you must call your friends in secret
- That you must dress a certain way to keep your partner from getting upset

For example:

- My partner yelled at me for being late for lunch. It was so humiliating. My partner grabbed my arm and we left the dining hall. I was really upset. Later we made up and my partner was so sorry for embarrassing me. Things are OK now though I wonder when it will happen again.
- My partner hates it when I spend time with my friends. I feel like I must sneak around. The other day, my partner got angry about seeing me with a good friend and wouldn't speak to me for several days. When I apologized for seeing my friends without permission, we made up. We have a really good time together as long as I don't hang out with my friends.

**Remember, if you are a victim of relationship violence, it is not your fault.**

Do any of these examples describe your relationship? Or that of a friend? Do you feel like your relationship might be unhealthy or unsafe? Uncertainty about the health of your relationship can be confusing and feel overwhelming. You might want to talk to someone about your concerns.

What can I do?

- Talk to family and friends who can offer support.
- Talk to professionals who can help you decide what options will work best for your situation.

## Stalking

“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.”

Who are victims of stalking?

Anyone can be stalked, including College students from any economic, ethnic, or religious group. A few victims are picked at random by their stalker, but most stalking victims know their stalker, usually having had some type of present or past relationship.

The perpetrator can be an intimate partner or former partner, classmate, roommate, or other acquaintance. A victim can be stalked for several days or for many years. The stalker's actions can also affect family, friends, and coworkers. Stalking and criminal harassment can be difficult to distinguish. Talk to one of the resources listed in this pamphlet for help.

How do I know if it's stalking?

- Every time I went to my Political Science class, this guy would sit next to me. He kept trying to talk to me even though I told him I wasn't interested. Then he started showing up everywhere—outside my residence hall, in the Campus Center, even in the library, and threatening me if I don't go out with him. Am I being paranoid?
- I dated this woman a couple of times but then wasn't interested in seeing her again. She said someone would get hurt if I broke up with her. "If I can't have you, no one else can," she told me. We weren't in contact for a while, but now she keeps sending me e-mails. Sometimes I don't answer her. I changed my address but she found out what the new one was. I wish she would stop.
- Two weeks ago someone left me an anonymous "secret admirer" note in the library in one of my books while I was studying. Last week I was studying in the campus center and got up to stretch. When I came back, I found a cup of coffee with a note, "I am always watching you." This morning there were flowers outside my room. My friends don't know who is doing this and it feels creepy!

The absence of a threat means that this last example does not meet the legal definition of stalking. However, it might have the same impact. If you or someone you know is experiencing a similar situation, please get help by contacting any of the resources on campus, including the counseling office or Wentworth Police.

If you feel frightened or unsafe about someone's specific behavior, pay attention to your instincts! Seek help.

What can a stalking victim do?

- Talk to one of the University resources for help.
- Report the stalking to Wentworth Police, or the local police in your area, and follow their advice.
- Inform others close to you (family, friends, residential life staff, co-workers) about the stalking.
- Do your best to safely avoid all contact with the stalker.
- Keep a journal or log of all incidents connected to the stalking.
- Keep any letters, packages, taped telephone messages, or e-mails received from the stalker.
- Provide WIT Public Safety with photographs of the suspect, a description, and other information.
- Inform the Title IX Office and the Dean of Students and learn about other options including a Stay Away Order/Campus Contract, safe housing, class changes and privacy requests.
- Follow basic safety tips.

- Try not to walk alone.
- Know your surroundings and locations of emergency phones and panic buttons.
- Lock your car and house doors when alone.
- Use different routes to drive or walk to class or other routine places.
- Park your vehicle in well-lit areas.
- Check your vehicle including front and rear passenger seat areas before getting in.
- Change locks to your home and car.
- Use the safety escort program by calling campus safety.

## Assistance For Victims: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint, the college will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Massachusetts, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

### Victim's Rights

Wentworth does not discriminate based on sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited by Wentworth as well as federal law whether sexually based or not. These acts include sexual assault, dating violence, domestic violence, and stalking whether the incident occurs on or off campus.

Further, Wentworth Institute of Technology complies with Massachusetts law in recognizing Abuse Prevention Orders (209A) and Harassment Prevention Orders (258E). Any person who obtains an Abuse Prevention Order (209A) or a Harassment Prevention Order (258E) from Massachusetts or any reciprocal state should provide a copy to Wentworth Police Department. In the event a person is seeking to obtain either an Abuse Prevention Order (209A) or a Harassment Prevention Order (258E), the Wentworth Police will make all reasonable attempts to help facilitate the required process.

The victim may also meet with the Wentworth Police to develop a Safety Action Plan, which is a plan for Wentworth Police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home, etc.

### Abuse and Harassment Prevention Orders

There is no charge to get an abuse prevention order. If you need help with getting an order, the Massachusetts Office for Victim Assistance (<http://www.mass.gov/mova/>) offers a program called SAFEPLAN that provides specially trained and certified advocates to help you in many courts across the state.

There are other programs in some courts that provide people who can help you fill out the forms and go with you to the courtroom. In some cases, the advocate is from the local domestic violence service

provider. In other cases, District Attorney Office victim-witness advocates assist people in filing for a 209A order. A list of domestic violence service providers can be found at Jane Doe, Inc. (<http://www.janedoe.org/>). People at these organizations can tell you if they have court advocates or, if not, how to reach a court advocate. If you need help immediately such as safety planning or shelter, call the SAFELINK hotline at 1-877-785-2020, which can find you a domestic violence program or shelter near you.

#### HOW TO OBTAIN AN ABUSE PREVENTION ORDER (209A):

During regular business hours on weekdays, you can go to the District Court of jurisdiction. Proceed to the Civil Clerk's office and tell them you want to ask for a 209A order. They will give you the forms you need. If you are in crisis and courts are closed, you can call or go to Wentworth Police Department or the local Police Department of jurisdiction. The police will give you the forms to fill out and then call a judge. If the judge grants the order, it is only temporary until the next court business day. The order given to you by the police will tell you which court to go to and when you need to be at the court.

#### HOW TO OBTAIN A HARASSMENT PREVENTION ORDER (258E):

There is no charge to get a Harassment Prevention Order. During regular business hours on weekdays, you can go to the District Court of jurisdiction. If you are in crisis and courts are closed, you can call or go to the Wentworth Police Department or the local Police Department of jurisdiction. The police will give you the forms to fill out and then call a judge. If the judge grants the order, it is only temporary until the next court business day. The order given to you by the police will tell you which court to go to and when you need to be at the court.

### Bystander Options

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

#### Wentworth Resources

- Wentworth Police - Emergency: 617-989-4444
- Wentworth Center for Wellness and Disability Services (Confidential): 617-989-4390
- Title IX Coordinator: 617-989-4193
- Campus Health Services (Confidential): 617-879-5220
- Dean of Students: 617-989-4702
- Residential and Commuter Life: 617-989-4160

## Off-Campus Resources

- Boston Police Department (District B-2): 617-343-4270 (non-emergency)
- Boston Police Sexual Assault Unit: 617-343-0044
- Boston Area Rape Crisis Hotline (Confidential): 800-841-8371
- Beth Israel Deaconess Medical Center 330 Brookline Avenue, 617-667-7000 (SANE)
- Boston Medical Center One Boston Medical Center Place 617-638-8000 (SANE)
- Brigham and Women's Hospital 75 Francis Street, 617-732-6462 (SANE)
- Massachusetts Bar Association [www.masslawhelp.com](http://www.masslawhelp.com) (Lawyer Referral Service) 866-MASS-LRS

## Sexual Assault Educational Programs

During the current year (2020-2021), in accordance with Federal requirements, Wentworth Institute of Technology has planned several educational and prevention programs for students, faculty and staff, regarding sexual assault awareness, dating violence, domestic violence and stalking. This programming consists of prevention and awareness programs during new student and new employee orientations and ongoing awareness and prevention programs for all students, staff, and employees. WIT uses multiple strategies in a coordinated way throughout the year to reach all populations of students and employees at the institution. Campaigns and programming might include but are not limited to:

- communication strategies, such as social media posts, email blasts, notices on bulletin boards, posters, and/or radio and newspaper advertisements.
- programming, such as Take Back the Night events or a Safe Walk service, and the materials used to promote these activities.
- programming coordinated with and delivered to individual groups on campus (e.g., presentations or workshops for individual sports teams, fraternity or sorority houses, or residence halls).
- booths at student fairs or other campus events; and/or
- faculty discussing issues and available services in the classroom, or advertising programs or events.

Examples of ongoing and future programs include:

- Campus Climate Title IX Programming Committee's ("Know Your IX" Committee) mission is to serve as the central location of all programs and trainings pertaining to Title IX legislation under the Department of Education. This committee is charged with implementing, assessing and strengthening current programs and trainings as well as identifying needs for additional programming and trainings for the overall student population.

The goals of this committee are:

- To plan student-focused programs and trainings that are intentional and inclusive;

- To stay current with mandates and legislation and use that knowledge to guide student-focused programming efforts;
- To be a centralized resource for student-focused programs and trainings.
- 3rd Millennium Classroom offers online courses that first year students must take in order to attend Wentworth. The courses educate students about alcohol use, drug use, and consent/sexual violence. These courses are unique in that while they educate on these topics, they also offer personalized, confidential feedback for each student.

What are these courses about?

- Alcohol-Wise provides essential information about alcohol and its effects, enabling students to make healthy and safe decisions. Alcohol-Wise Part 1 students complete over the summer before they arrive at Wentworth and a Part 2 that they complete midway through the fall semester.
- Marijuana-Wise educates students about the harmful effects of marijuana and acts as a prevention tool for future marijuana related problems.
- The Other Drugs course provides the physiological, health, and legal consequences of drug use and possession. This course covers stimulants, inhalants, ecstasy or hallucinogens, street opioids, herbal/synthetic drugs, sedatives, and prescription painkillers.
- Consent & Respect provides information about sexual respect, consent, sexual assault, and healthy relationships. Wentworth mandates that incoming new students complete all four courses to ensure that all students have consistent knowledge on these important topics.
- Marijuana-Wise, Other Drugs and Consent & Respect only consist of a summer portion that students complete before classes start.
- STEP UP for faculty staff and students provided year long. Step UP! is a comprehensive bystander intervention program that teaches you how to be an active bystander by showing you how to use effective helping methods like the Five decision-making steps, Strategies for effective helping including the 5 D's, S.E.E.K. model: Safe, Early, Effective, Kind, Warning signs, action steps, and resources you can take advantage of.  
<https://stepupprogram.org/topics/discrimination/#considerations>
- Red Flag Campaign uses a bystander intervention strategy to address and prevent sexual assault, dating violence, and stalking on college campuses. The Campaign encourages friends and other campus community members to say something when they see warning signs ("red flags") for sexual assault, dating violence, or stalking in a friend's relationship.
- Consent Fair is a semi-annual interactive event that engages the community in a dialogue on consent, healthy relationships and sexual misconduct as well as the resources both on and off campus to support those affected by assault. The event has a lot of fun activities and chances to win prizes, t-shirts and food. The event is a great opportunity for Wentworth community members to come together to engage in a dialogue on our community and the values upheld at WIT.

- Featured Speaker Program brings highly credentialed and nationally recognized speakers to Campus during Wentworth Opening Week (WOW) and at other times during the Academic year, to offer lectures on such topics as “consent and respect in relationships” and “consent and sexual misconduct”.
- Resident Assistant (RA) Training is conducted each year and a significant amount of time is spent educating RAs relative to the concept of consent, sexual misconduct, sexual violence, dating violence, domestic violence, relationship violence, stalking and harassment.
- Athletic Team Coaching Staffs meet with the Dean of Students, the Assistant Director of Public Safety/Wentworth Police and the Director of the Wellness Programs to discuss issues of sexual misconduct, the concept of consent and bystander intervention strategies.
- Student Athletes in season meet with the Dean of Students, the Assistant Director of Public Safety/Wentworth Police, and the Director of the Wellness Programs to discuss the relevant issues of dating violence, domestic violence, stalking, the concept of consent and all matters of sexual misconduct and bystander intervention strategies.

## Registered Sex Offender Information

Upon release from prison, individuals convicted of sex crimes may be required by law to register with law enforcement agencies (some of these laws are referred to as “Megan’s Laws”). If registered sex offenders are enrolled at or employed at a postsecondary institution, the offenders also must provide this information to the state.

Massachusetts does not provide campus police with Registered Sex Offender information, However, any member of the Wentworth community desiring information about registered sex offenders studying or working at Wentworth Institute of Technology must contact the Commonwealth of Massachusetts Sex Offender Registry Board. Their contact information is as follows:

Hotline: 1-800-93MEGAN

Telephone #: 978-740-6400

Web: <https://www.mass.gov/orgs/sex-offender-registry-board>

Address: P.O. Box 4547, Salem, MA 01970

The link below will lead you to the National sex offender’s databases:

<https://www.nsopw.gov/>

Please note that Wentworth Institute of Technology neither creates nor maintains these databases and cannot guarantee accuracy or completeness of the information, which is the responsibility of various state and federal agencies.

## Alcohol and Controlled Substances

In accordance with the Drug-Free Schools and Communities Act Amendment of 1989 and federal and state law, Wentworth prohibits the unlawful possession, use and/or distribution of illicit drugs and alcohol on its property and/or as part of its activities. Members of the Wentworth community found in violation of this policy are subject to the penalties of local, state, and federal law as well as discipline under Wentworth's student and employee rules. Please refer to additional drug and alcohol abuse policies listed in the Student and Employee Handbooks or on the Wentworth Website: <http://wit.edu>.

The illicit use of drugs and alcohol can have a substantial impact on health, safety, and overall success of members the WIT community and their families. WIT is committed to reducing the harm related to the misuse and abuse of drugs and alcohol within the WIT community. In addition to health and safety, there are considerable legal consequences associated with the misuse and abuse of drugs and alcohol.

Wentworth Police works collaboratively with the Dean of Students, Residential and Commuter Life, Counseling Services, and various student groups to develop programs that seek to reduce the negative consequences associated with drug and alcohol use. Programs include drug and alcohol education during freshman orientation, training for residence life staff and special programs conducted for the WIT community with assistance from outside agencies.

In addition to the elective on-campus programs all incoming students must take a mandatory on-line course that provides essential information about alcohol and its effects, enabling students to make healthy and safe decisions. The course is offered in two parts. Part One is offered over the summer and must be completed before the start of the Fall semester. Part Two is offered forty-five days after the completion of Part One. There is an exam that students must take and pass to be marked complete.

## Marijuana

Although the Commonwealth of Massachusetts in 2012, created legislation allowing the use of marijuana for medicinal purposes, the law did not require any school or public place to allow use on site and does not require any institution to violate federal law. Additionally, in 2016, the Commonwealth of Massachusetts decriminalized the personal use of marijuana. The Federal Drug Free Schools and Communities Act prohibits the use of controlled substances, including marijuana. The Federal Controlled Substances Act defines marijuana as a controlled substance and makes no distinction between the medical and recreational use. Accordingly, Wentworth Institute of Technology does not allow the use or possession of marijuana on its campus, or at any location, event, or activity sponsored or controlled by the Institute.

Any violation by the Institute of the Drug Free Schools and Communities Act, or facilitation of or acquiescence to a violation of the Controlled Substances Act, could jeopardize the Institute's eligibility to participate in financial aid programs administered by the U.S. Department of Education. A student convicted of an offense involving the possession of a controlled substance prior to or during a period

of school enrollment in which federal financial aid was received, is ineligible to receive federal student aid for specified periods of time, depending on the egregiousness of the offense.

## Employee Alcohol and Drug Abuse Policy

Wentworth recognizes that alcohol and drug abuse can impair the ability of faculty and staff to provide quality programs and services. Wentworth believes that constructive measures to deal with these problems are possible and strongly encourages employees with drug and alcohol problems to seek treatment. However, Wentworth cannot and will not tolerate drug or alcohol abuse in the workplace.

It is unlawful for employees to manufacture, distribute, dispense, possess, or use illegal drugs in the workplace or while fulfilling their job duties outside the workplace. Employees who violate this policy may be required to participate in a rehabilitation program and/or may receive disciplinary action up to and including termination. Employees, as a condition of employment with Wentworth, must abide by the terms of this statement.

Employees who need assistance in dealing with substance abuse problems are strongly encouraged to utilize the confidential assistance and services offered through the Wentworth Human Resources department and AllOneHealth (1-800-451-1834; <https://www.mylifeexpert.com/login>; company access code: witech), our employee assistance provider. Employees may also consult with the Officer of Employee Relations & Engagement for confidential advice and referrals through the various insured health plans or to seek out other resources in the community.

## Drug Abuse Education Programs

In compliance with federal legislation, the Coordinator of the Office of Wellness Education and the Assistant Dean of Students at the Wentworth Institute of Technology prepares a biennial review with a twofold purpose: 1) To determine the effectiveness of, and to implement any needed changes to, the Alcohol and other Drugs (AOD) program. 2) To ensure that the disciplinary sanctions for violating standards of conduct are enforced consistently and effectively. Alcohol and drug prevention large-scale programming efforts are planned throughout several pivotal times of the year including, opening weekend, high-risk weekends, and events on campus indicated from collaborative programming.

The first alcohol program that students are introduced to when coming to Wentworth Institute of Technology, is the 3rd Millennium course. 3rd Millennium Classroom offers online courses that all incoming students must take in order to attend Wentworth. The courses educate students around alcohol use, drug use, and consent/sexual violence. These courses are unique in that while they educate on these topics, they also offer personalized, confidential feedback for each student. The goal of all 3rd Millennium Classroom programs is to challenge ambivalence and help individuals consider their options. This is accomplished by integrating feedback into a knowledge-based curriculum. Students have time to process the information based on their own input and history. The student stays active and engaged through the process. Additionally, the courses are written using proven motivational interviewing techniques.

“Alcohol-Wise” is a 1-hour online alcohol abuse prevention course designed specifically for use on college campuses for first-year students and other high-risk groups. Alcohol-Wise is tailored for each user. Students access self-referral tools, as well as utilize pre- and post-course assessments to provide measurements of behavior change and knowledge gained. The course clarifies personal choices about drinking habits and attitudes, and how alcohol can affect academic progress and social behavior.

“Marijuana-Wise” educates students about the harmful effects of marijuana and acts as a prevention tool for future marijuana related problems. The course includes the eCHECKUP TO GO personalized marijuana assessment, feedback, and self-referral tools. Marijuana-Wise also includes research on the impact that persistent use has on IQ, marijuana as a gateway drug, links to schizophrenia, and health consequences from synthetic marijuana use.

Students also take an “Other Drugs” module. This module gives students feedback about their drug use (including interactions between drugs). The course covers opiates, stimulants, sedatives, inhalants, herbal/synthetic drugs ecstasy, and prescription painkillers misuse. The course covers the physiological, health and legal consequences of drug use and possession.

# Wentworth Institute of Technology Sexual Misconduct & Sex-based Discrimination Policy for Students and Employees

## Wentworth Institute of Technology Sexual Misconduct & Sex-based Discrimination Policy for Students and Employees

(Updated 11/16/2020)

### I. Statement of the Policy

Wentworth Institute of Technology (University) is committed to maintaining a safe and inclusive living, learning, and working environment for all members of the community. All members of the University are responsible for maintaining an environment free from sexual discrimination and harassment and are expected to commit themselves to be examples of the highest standards of personal and professional conduct.

As provided for in Title IX of the Higher Education Amendments of 1972, the University prohibits discrimination and discriminatory harassment in all of its educational and employment programs and activities on the basis of any individual's sex, including admission and employment. Additionally, this policy complies with the regulations provided for in the Violence Against Women Reauthorization Act of 2013 ("VAWA"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), and Title VII of the Civil Rights Act of 1964.

Pursuant to the University's commitment to provide an inclusive learning environment, this Policy prohibits a broad continuum of behaviors, including those which may not be prohibited by law. This policy prohibits discrimination and discriminatory harassment that occurs within the educational programs and activities that is based on sex, including admission and employment.

The University will respond to all allegations of Prohibited Conduct in a prompt, fair, and impartial manner. Retaliation against those who make a complaint or participate in a related grievance process, is strictly prohibited.

There is a presumption that a Respondent is not responsible for the alleged conduct. If upon conclusion of the grievance process, an employee or student is found responsible for violating University policy, the University will issue sanctions pursuant to established sanctioning guidelines.

Inquiries regarding the application of this Policy and the respective grievance procedures used to resolve complaints may be referred to the recipient's Title IX Coordinator, to the U.S. Department of Education's Office for Civil Rights, or both.

## II. Purpose of the Policy:

The purpose of this Policy is to:

1. explicitly prohibit discrimination and discriminatory harassment based on sex;
2. identify and define Prohibited Conduct;
3. outline the process for reporting an allegation of discrimination based on sex or gender
4. provide a fair and impartial resolution process;
5. identify on and off-campus resources and supportive measures available regardless if a formal complaint is filed; and
6. describe on-going and prevention and awareness programs.

## III. Related Policies

- [Non-Discrimination Policy for Students and Employees](#)
- [Family Education and Privacy Act \(FERPA\)](#)
- [Student Code of Conduct](#)
- [Consensual Relations Policy](#)
- [Non-Retaliation](#)
- [Employee Code of Conduct](#)

## IV. Applicability and Jurisdiction

This Policy applies to all University students, employees, vendors, visitors, and volunteers affiliated with the University. Third Parties are both protected by and subject to this policy. A third-party may make a report of a violation of this policy committed by a member of the University community. A third-party may also be permanently barred from the University or subject to other restrictions for failing to comply with this policy.

This policy applies to conduct that occurs on University property (i.e., on campus) and in the local vicinity. This policy also applies to conduct that occurs off University property (i.e., off campus) when the conduct is associated with a University-sponsored program or activity, such as travel, research, or internship programs or when such conduct may have a continuing adverse effect or could create a hostile environment on campus. Judgments about these matters will depend on facts of an individual case.

All actions by a member of the University community that involve the use of the University's computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus. On-line and/or social media conduct may violate this Policy if it meets the definition of Prohibited Conduct. Online postings are in the public sphere and are not private. These postings may subject an individual to allegations of Prohibited Conduct or other misconduct. The University does not regularly search for this information nor does it monitor any particular social media site, but it may take action if and when such information is brought to its attention. See the [University's Acceptable Use Policy](#) and [Responsible Use of Computer and Networks Policy](#).

Individuals are encouraged to report any violation of this policy as soon as possible in order to maximize the University's ability to respond promptly and effectively. Reports and Complaints may be made at any time without regard to how much time has elapsed since the reported incident(s).

If the Respondent is no longer a student or employee at the time of the report or Complaint, the University may not be able to take disciplinary action against the Respondent, but it will still seek to offer supportive measures for the Complainant and take steps, if necessary and possible, to end the prohibited behavior, prevent and address its recurrence, and address its effects.

For a party to file a formal Title IX complaint, the reported conduct must have occurred within the scope of the University's programs or activities as defined as locations, events, or circumstances over which Wentworth exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

Students who cross-register for courses at other Colleges of the Fenway institutions are expected to follow the policy and resolution process of the host institution.

## V. Application of Law and Policy to Allegations of Sex Discrimination and Sexual Misconduct

This Policy governs the University's response to allegations of sexual misconduct, including sexual harassment and/or sex-based discrimination. This Policy covers behaviors that fall both within and outside the jurisdiction required for response by Title IX.

Allegations of misconduct that, as reported, implicate the Department of Education's definition "sexual harassment" *and* are reported to have occurred in a University Program or activity shall proceed pursuant to the Title IX Grievance Procedures.

Allegations of sex discrimination or sexual misconduct that do not rise to the level of a policy violation under Title IX will proceed pursuant to the appropriate institutionally established grievance procedure.

The Title IX Coordinator is the University official designated to evaluate reports to determine which law(s) apply and which policies are implicated by the reported conduct, and which grievance process to utilize to resolve such reported behavior.

## VI. Notice of the Title IX Coordinator

The Title IX Coordinator is charged with coordinating the University's efforts to comply and carry out its responsibilities pursuant to Title IX. In this role, the Title IX Coordinator monitors the University's response to complaints to provide a prompt, fair, and equitable resolution process; and provides appropriate education and training.

The Title IX Coordinator, or designee, provides information and education to community members and applicants for admission and employment about the Policy; implements supportive measures and remedies; is involved in decisions regarding emergency removals and administrative leave; evaluates requests for confidentiality; files formal complaints on behalf of the University; oversees the dismissal, consolidation, and referral of complaints as appropriate;

assists persons in filing complaints with law enforcement (when requested); and provides or facilitates training for faculty, staff, and students; and may investigate complaints.

Any person may contact the Title IX Coordinator to report Prohibited Conduct. The Title IX Coordinator can be contacted in person, by telephone, email, or in person during regular business hours (Monday-Friday 8:15 AM to 4:45 PM):

Catlin Wells  
Executive Director of Equity and Compliance/Title IX Coordinator  
205 Williston Hall  
[wellscl@wit.edu](mailto:wellscl@wit.edu)  
(617)989-4119

## VII. Employee Responsibilities

### A. Campus Security Authorities (CSA)

Campus Security Authorities (CSAs) are individuals who by virtue of their University responsibilities and under the Clery Act, are designated to receive and report criminal incidents to the Wentworth Institute of Technology Department of Public Safety so that they may be included and published in the University's Annual Security and Fire Safety Report. All Employees who are designated as Campus Security Authorities for the purposes of the Clery Act must immediately provide the Wentworth Institute of Technology Department of Public Safety with non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence, and stalking.

### B. Employees' Duty to Cooperate

Exclusive of the Complainant and Respondent, University employees are encouraged to cooperate fully and unconditionally in an investigation conducted pursuant to this Policy. This duty includes, among other things, speaking with the Title IX Coordinator, Investigator, Decision-maker(s) or appellate body, and voluntarily providing all documentation that relates to the claim being investigated.

## VIII. Definitions related to Grievance Procedures:

- A. **Actual knowledge:** Notice of Prohibited Conduct to the Title IX Coordinator or any official who has the authority to institute corrective measures.

Under Title IX, the University must "respond promptly" when the Title IX Coordinator and other employees have actual knowledge of a report of sexual harassment.

Upon receipt of a report, the Title IX Coordinator, or designee, will promptly contact the Complainant and provide the following: information on the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, the ability to receive supportive measures with or without filing a report, and information about the process for filing a formal complaint.

- B. **Advisor:** Any person who accompanies a Respondent or Complainant in any meeting or grievance proceeding. This is a separate role from that of a support person. Except for conducting cross-examination at a hearing for a Title IX-related violation at a Title IX-related grievance proceeding, the Advisor's role is limited to providing support and guidance to their advisee, and the Advisor may not speak or otherwise represent their advisee throughout the

process, including opening or closing statements, object to questions, or engage in any advocacy other than permitted herein.

If a party's Advisor does not attend the hearing OR is removed by the University for failure to follow the Rule of Decorum, the University will provide an Advisor to conduct cross-examination, as necessary and appropriate.

The University will not restrict the choice of an Advisor, and reasonable requests to change proposed meetings to accommodate an Advisor's schedule will be considered. The parties must inform the Title IX Coordinator the name of the Advisor prior to any meeting or hearing described in this Policy.

- C. **Business day:** Any day, Monday through Friday, that the University is open.
- D. **Complainant:** The individual who is alleged to be the victim of conduct that could constitute Prohibited Conduct.
- E. **Conduct file:** The printed, written, and/or electronic file which may include, but is not limited to, all information obtained as part of an investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions and/or remedies; any appeal, including the result of the appeal; and any informal resolution and the result therefrom.
- F. **Decision-maker(s):** Individuals who are annually trained *and* who are authorized to determine emergency removals, conduct hearings, and/or review appeals. Decision-maker(s) may only serve one role within a case and are free from conflict of interest of bias.
- G. **Designee:** Any employee who has responsibility for implementing or administering this Policy.
- H. **Education program or activity:** locations, events, or circumstances over which the institution exercises substantial control over both the Respondent and the context in which the harassment occurs, and also includes any building owned or controlled by the University. This does not include education programs or activities outside of the United States.
- I. **Employee:** All full and part time staff, including faculty. Vendors are not typically considered employees.
- J. **Evidence**
  - i. Inculpatory evidence: Information that supports a finding of "Responsible"
  - ii. Exculpatory evidence: Information that supports a finding of "Not Responsible"
- K. **Formal complaint:** A document filed by a Complainant or signed by the Title IX Coordinator alleging Prohibited Conduct against a Respondent and requesting that the recipient investigate the allegation of Prohibited Conduct.
- L. **Institutionally established grievance process:** A grievance process established by the institution to address conduct that, as alleged:
  - i. Does not meet the Title IX definition of sexual harassment and/or
  - ii. Did not occur in a context that meets the Department of Education's definition of a program or activity
- M. **Personnel file:** The employee file which contains documents relating to an employee's employment as maintained by the University's ordinary course of business.
- N. **Party:** Either the Complainant(s) or Respondent(s) in an investigation or action related to Prohibited Conduct.
- O. **Preponderance of the evidence:** A standard of proof in which the totality of the evidence offered in support of a fact is greater or more convincing than the evidence which is offered in opposition to it; given the totality of information the version of events that is more likely

than not. Preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility for a policy violation .

- P. **Relevancy:** Information that is presented to establish if a fact is more or less true. Investigators and decision makers may make relevancy determinations.
- Q. **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- R. **Student:** Any person who attends or has attended the University. Persons admitted but never matriculated may not be considered students.
- S. **Supportive measures:** Non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available without fee or charge to the Complainant and Respondent, before or after the filing of a formal complaint, or where no formal complaint has been filed. Supportive measures are designed to balance restoring or preserving access, without unreasonably unburdening the other party.
- T. **Support person:** Any person who has been authorized by the University as an accommodation per Section XVI and attends meetings associated with this Policy. This is a separate role than that of the Advisor. Support persons may not play an active role in the process, including, but not limited to, asking questions, presenting evidence, or making statements. A support person may not have any additional role, such as a witness, in the University process. Only reasonable requests to change proposed meetings to accommodate a support person's schedule will be considered. The parties must inform the Title IX Coordinator the name of the support person prior to any meeting or hearing.
- U. **Third party:** Any vendor, contractor, visitor, or guest.
- V. **Title IX Grievance Process:** The grievance process used for allegations that meet the Title IX definition of Sexual Harassment *and* are alleged to have occurred in a University Program or Activity, as defined under Title IX.
- W. **Witness:** Any individual who has relevant knowledge of an incident. Character witnesses are not allowed as part of this Policy.

## IX. Definitions for Prohibited Conduct

- A. **Prohibited Conduct:** Discriminatory conduct, including sexual misconduct, as prohibited by this policy. The University will treat attempts to commit any Prohibited Conduct as if those attempts had been completed.

Allegations of prohibited conduct that do not implicate Title IX will proceed under the appropriate institutionally established grievance process.

- B. **Title IX Sexual Harassment:** conduct on the basis of sex that satisfies one or more of the following:
  - i. An employee conditioning the provision of an aid, benefit, or service on the individual's participation in unwelcome conduct
  - ii. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to their education
  - iii. Sexual assault, dating violence, domestic violence, or stalking, as defined by this policy.

A single instance of abuse of authority may constitute *quid pro quo* harassment. If a Complainant acquiesces to unwelcome conduct to avoid potential negative

consequences, consent does not necessarily mean that the conduct was “welcomed” or that the harassment did not occur.

- C. **Gender Based Discriminatory Harassment:** Any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal, electronic or physical conduct of a sexual nature when such conduct that is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard.

Gender based discriminatory harassment may include unwanted sexual behaviors such as pressuring a person for dates, unwanted touching including hugging and kissing.

Gender based discriminatory harassment includes verbal, *written*, or physical behavior, directed at someone, or against a particular group, because of that person’s or group’s sex, gender identity, actual or perceived sexual orientation, or based on gender stereotypes. Such conduct does not need to be directed at or to a specific individual in order to constitute discriminatory harassment, but may consist of generalized unwelcome and inappropriate behaviors or communications based on sex, gender identity, actual or perceived sexual orientation, or gender stereotypes.

- D. **Sexual Exploitation:** Any nonconsensual act or acts committed through exploitation of another person’s sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or for the purpose of causing harm to another’s reputation.

Sexual exploitation includes, but is not limited to, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing, or transmitting identifiable images of private sexual activity and/or the intimate parts of another person; allowing third parties to observe private sexual acts; manipulation of contraception; possessing, distributing, viewing or forcing others to view illegal pornography; forcing others to view legal pornography; engaging in voyeurism; exposing one’s genitals or inducing one to expose their own genitals in nonconsensual circumstances; intentionally or knowingly exposing another individual to a sexually transmitted infection or virus without their knowledge, or facilitation of the sexual harm of another person.

- E. **Sexual Assault – Non-Consensual Sexual Penetration:** The penetration, no matter how slight, of the vagina, anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.
- F. **Sexual Assault – Non-Consensual Sexual Contact:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of their age or temporary or permanent mental incapacity.
- G. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent, which is 16 in Massachusetts.
- H. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Massachusetts, this includes sexual contact with persons who are related by blood or adoption.
- I. **Dating Violence:** Any act of violence or threatened violence against a person who is, or has been in, a social relationship of a romantic or intimate nature with that person. The existence of such a relationship shall be determined based on the reporting Party’s statement and with

consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse, or the threat of such abuse.

- J. **Domestic Violence:** Any felony or misdemeanor crime of violence committed by those who:
- are or were married to one another;
  - are or were residing together in the same household;
  - are or were related by blood or marriage;
  - have a child in common regardless of whether they have ever married or lived together;  
or
  - are or have been in a substantive dating or engagement relationship

According to Section 16 of title 18 of the United States Code, the term “crime of violence” means:

- an offense under Massachusetts State law that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- any other offense that is a felony in Massachusetts and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Domestic violence, as defined by Title IX is considered relationship violence and must be “on the basis of sex.” For purposes of this Policy, Domestic Violence does not include acts that meet the definition of domestic violence under Massachusetts laws that are based solely on cohabitation (e.g. roommates) or family relationship (e.g. parent/child).

- K. **Stalking:** Any course of conduct directed at a specific person that places that person in reasonable fear for their safety or the safety of others. A course of conduct constitutes two or more direct or indirect acts. Stalking, as defined in this policy, applies only to behaviors that are directly related to the Complainant’s sex.
- L. **Retaliation:** Wentworth will not tolerate retaliation against persons who report or charge discrimination, harassment or bias-motivated acts or behavior, or against those who testify, assist or participate in any investigation, proceeding or hearing involving a report of discrimination, harassment or bias-motivated acts or behavior.

Retaliation is speech or conduct that targets an individual or group because of their participation in a procedure related to this policy, where such conduct adversely impacts participation in a University program or activity and/or terms or conditions of employment.

- M. **Discrimination Based on Sex:** An intentional or unintentional act that adversely affects employment and/or educational opportunities and is related to a pregnancy, sex, gender, marital status, sexual orientation, gender identity, or gender expression.

Discrimination may be classified as either disparate impact (facially neutral practices that fall more harshly on one group than another and cannot be justified by business necessity) or disparate treatment (treatment of an individual that is less favorable than treatment of others based on discriminatory reasons). A single act of discrimination may be based on more than one protected class status.

## X. Statement on Consent

Consent is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in a mutually agreed upon sexual activity at a mutually agreed upon time.

Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative consent 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. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. An individual who is incapacitated cannot consent. Consent to sexual activity may be withdrawn at any time through clear communication.

Sexual conduct in the presence of force, coercion, and/or incapacitation is not consensual.

- A. **Force** is the use of physical strength or action (no matter how slight), violence, threats of violence or intimidation, as a means to engage in sexual activity. While physical resistance by Complainant is not germane to a finding of force, evidence of resistance by the Complainant will be viewed as a clear demonstration of a lack of consent.
- B. **Coercion:** Use of unreasonable pressure on another person to engage in sexual activity. A single sexual advance does not constitute coercion. Coercion begins when the initiator continues to pressure another, through the use of psychological/emotional pressure, alcohol, drugs, threat, intimidation, or force, to engage in sexual behavior, when a reasonable person would realize that the other does not want to engage in sexual activity.
- C. **Incapacitation** Physical and/or mental inability, whether temporary or permanent, of an individual to make rational, reasonable decisions, or judgments regarding one's well-being or welfare.

A person who is incapacitated lacks the capacity to understand or appreciate the fact, nature or extent of a sexual encounter. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Incapacitation may result from the voluntary or involuntary consumption of alcohol and/or other drugs. Incapacitation may also occur due to mental or cognitive impairment, injury, or sleep. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

The question of incapacitation is determined on a case-by-case basis using both objective and subjective standards. In evaluating whether a person was incapacitated for purposes of evaluating effective consent, the University will consider: (1) whether the person initiating the sexual activity knew that their partner was incapacitated; and if not (2) whether a reasonable person in the same situation would have known that their partner was incapacitated.

## XI. Reporting Options

The University strongly encourages all who have experienced Prohibited Conduct to report the incident so that the University can provide support and pursue an appropriate resolution. The University encourages anyone who experiences or becomes aware of Prohibited Conduct to immediately contact one of the options listed below including law enforcement, school administrators and confidential options. Reports may be made by Complainants, or by a third-

party, including, but not limited to, a friend, family member, advisor, or professor. The University prohibits and will not tolerate retaliation against anyone who makes a report.

A Complainant may pursue some or all these reporting options at the same time (e.g., one may simultaneously pursue a Formal Resolution Process with the University and a criminal complaint). When initiating any report, a Complainant does not need to know whether they wish to request any particular course of action, nor how to label what happened.

**A. Immediate Needs: Safety and Preserving Evidence**

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

Any person impacted by Prohibited Conduct, including sexual misconduct, is encouraged to take steps to preserve evidence of the incident. Prior to making a report, the impacted individual should:

- Refrain from bathing, showering, brushing teeth, drinking, eating, douching or changing clothes until the evidence can be collected
- Place any garment or clothing worn during the alleged incident in a separate paper bag.
- Preserve copies of any related written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), taking care not to delete the originals.

Complainants may choose to file a report with both law enforcement and the University when the incident constitutes both a crime and a violation of University policy. In cases in which the Complainant chooses to report to law enforcement, the Title IX Coordinator may contact any law enforcement agency that is conducting its own investigation to inform that agency that a University investigation is also in progress; to ascertain the status of the criminal investigation; and to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation. At the request of law enforcement, the investigator may delay the University investigation temporarily while an external law enforcement agency is gathering evidence.

**B. Reporting to Law Enforcement:**

Conduct that violates this Policy may also violate state and local laws (Appendix A). The University encourages all individuals to immediately contact law enforcement in situations which may present imminent or ongoing danger by contacting:

- 9-1-1- for emergencies
- Wentworth Department of Public Safety (617) 989-4444
- Boston Police Department (District B-2), (617) 343-4270
- Boston Police Sexual Assault Unit, (617) 343-0044

While the University encourages Complainants to contact law enforcement, it is not required. Additionally, the Complainant is still entitled to supportive measures

regardless if a report is filed. University officials will provide assistance in contacting law enforcement as needed.

**C. Reporting to the University:**

Complainants are encouraged to report the incident to the University by contacting the Title IX Coordinator. The Title IX Coordinator may be contacted by telephone, mail, email or in person during regular business hours (8:15am-4:45pm)

Catlin Wells  
Executive Director of Equity and Compliance/Title IX Coordinator  
205 Williston Hall  
wellscl@wit.edu  
(617)-989-4119

An individual may report an incident via an online reporting form. The online form will not be considered a complaint that would trigger a full investigation. To access the Title IX Reporting Form, click here:

[https://cm.maxient.com/reportingform.php?Wentworth&layout\\_id=2](https://cm.maxient.com/reportingform.php?Wentworth&layout_id=2)

Complainants have the right not to file a report. Even if a Complainant chooses not to file a report, the Complainant is highly encouraged to seek medical attention and counseling. Complainants who wish to file a report at a later date, may do so by utilizing any of the options above. Delay in reporting could create obstacles to the University's process for stopping harassment/discrimination, remedying its effects, and preventing recurrence as well as potentially weakening evidence that could be useful in determining whether Prohibited Conduct occurred.

**D. Mandated Reporters:**

Mandated Reporters are designated University officials who must immediately report incidents of Prohibited Conduct to the Title IX Coordinator. Mandated reporters must report all relevant details of the incident including the name of the Complainant and Respondent, if known, dates, times, locations, and the names of witnesses. Mandated reporters are required to report alleged incidents that are reported to have occurred in on or off campus settings.

Reports are not required if the allegations are presented at public awareness events, in approved research projects, and as part of coursework assignments.

The following employees, including student employees, have an obligation to report all alleged prohibited conduct that they learn of involving students:

- Employees in a supervisory role;
- All of those in the Department of Public Safety; and
- All personnel in Athletics, Housing and Residential Life, and Student Affairs (excluding those listed below as a Confidential Employee):
  - Dean of Students Office- (617)-989-4702
  - Athletics0 (617) 989-4655
  - Housing and Residential Life – including Resident Assistants- (RAs) (617) 989-4160
  - Center for Student Engagement (617) 989-4080
  - Schumann Fitness Center (617) 989--4098
  - Center for COOPS+CAREERS (617)989-4101

Faculty members serving in a teaching role are not mandated reporters under this policy, but *must* provide the name and contact information of the Title IX Coordinator to any student who reports an act of Prohibited Conduct to them.

**E. Confidential Resources:**

Several campus professionals are designated as Confidential. An individual who is not prepared to make a report, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource.

**i. Students:**

On-Campus:

- Center for Wellness: (617) 989--4390
- BeWell@WIT: (after-hours and weekends) (617) 989-4390 Ext. 2
- Health Services: (24 hours a day) 617-989-4070.

Off-Campus:

- Boston Area Rape Crisis Center: (24-hour free hotline) 1-800-841-8371
- Beth Israel Deaconess Medical Center: (617) 667-7000 (SANE)
- Boston Medical Center: (617) 638-8000 (SANE)
- Brigham and Women's Hospital: (617) 732-6462 (SANE)

**ii. Employees:**

EAP (Employee Assistance Provider), AllOneHealth, (24 hours a day) at (800) 451-1834 or at the website at [www.allonehealth.com](http://www.allonehealth.com).

**F. Anonymous Reporting:**

Those who wish to make an anonymous report may file an incident report online through [wit.ethicspoint.com](http://wit.ethicspoint.com). Anonymous reports also are accepted and should be directed to the Title IX Coordinator. The University will respond promptly and equitably to anonymous reports, but the response may be limited if the report does not include identifying information and/or a description of the facts and circumstances.

Anonymous reports that provide sufficient information to constitute certain criminal offenses will be reported to Wentworth Department of Public Safety for purposes of inclusion in the University's Annual Security and Fire Safety Report and to assess whether the University should send a Timely Warning Notice as required by the Clery Act.

**G. Off-Campus Reporting Options:**

The University has identified a list of on and off-campus resources for community members to access regarding reports of prohibited conduct. Please click here for a list of resources <https://wit.edu/title-ix/reporting-options>

*Additionally, all members of the University community may also contact the Office for Civil Rights (a division of the United States Department of Education) to file a complaint pertaining to Title IX.*

- Office for Civil Rights Headquarters:  
400 Maryland Avenue, SW, Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481 | Facsimile: (202) 453-6012  
TTY#: (800) 877-8339 | Email: [OCR@ed.gov](mailto:OCR@ed.gov) | Web: <http://www.ed.gov/ocr>

- U.S. Department of Education -Boston Office:  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111 | Facsimile: (617) 289-0150  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

*Employees may also file a complaint with the following offices:*

- U.S. Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building  
15 New Sudbury Street, Room 475  
Boston, MA 022-3-0506
- Massachusetts Commission Against Discrimination (MCAD)  
1 Ashburton Place, Suite 601  
Boston, MA 02108

## XII. University Response to Reports

### A. Privacy and Confidentiality

“Confidentiality” refers to the circumstances under which information will or will not be disclosed to others. “Privacy” refers to the discretion that will be exercised by the University in the course of any investigation or disciplinary processes under this policy or a separate grievance procedure.

All actions taken to investigate and resolve concerns raised under this policy shall be conducted in a way that respects the privacy of those involved, to the extent reasonably possible. The investigator will not discuss the matter with persons other than those involved in, affected by or having information about the matter, or those necessary to implement the investigative process or the disciplinary procedures under this policy.

Requests for confidentiality or use of anonymous reporting may limit the University’s ability to investigate a matter. In limited circumstances, the Title IX Coordinator may choose to sign a formal complaint, initiating a grievance procedure. In those cases, the Complainant will not be required to participate in any University grievance proceeding.

Medical and counseling records, as well as those with a recognized legal privilege are confidential documents that parties will not be required to disclose. If one party chooses to provide written consent regarding disclosure, all parties will have access to those records.

### B. Supportive Measures

Upon receipt of a complaint or a report of a violation of this Policy, the University will provide reasonable and appropriate supportive measures to all parties. Supportive measures include counseling, extension of deadlines or other course-related adjustments, modification of work or class schedules, campus escort services, mutual orders of no contact, changes in work or housing locations, leaves of absences, increased security and monitoring of certain area.

The University will maintain the privacy of any supportive measures provided under this Policy to the extent practicable and will promptly address any reports of retaliation or violations of mutual no contact orders. The University has the discretion to impose and/or modify any supportive measure based on all available information.

The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a Supportive Measure. The University will take immediate action to enforce a previously implemented measure and disciplinary penalties can be imposed for failing to abide by a University-imposed measure utilizing the disciplinary process deemed appropriate by the Title IX Coordinator.

#### **C. Amnesty/Immunity**

The University is aware that individuals may not report Prohibited Conduct out of concern that they, or witnesses, might be charged with violations of the University's policies. Accordingly, the University will not pursue discipline violations related to drug or alcohol use against an individual who, in good faith, reports, witnesses or possesses personal knowledge of Prohibited Conduct.

While amnesty is typically limited to violations involving the use of alcohol and drugs and any policies related to Covid-19, determinations regarding amnesty for other forms of prohibited conduct will be made on a case-by-case basis.

#### **D. Timely Warning**

If Public Safety becomes aware of a serious and continuing threat to the campus community, Campus Security will issue a timely notification to the University community. In all cases of Prohibited Conduct, the Title IX Coordinator will be notified. Campus Security, as required by law, may also be required to complete an incident report and publicly disclose the reported incident of Prohibited Conduct in the annual security report without personally identifying information. In addition, the University may also share non-identifying information, including data about outcomes and penalties, in aggregate form. At no time will the University release the name or other personally identifiable information of the Complainant to the general public without the express consent of the Complainant or as otherwise permitted or required by law.

#### **A. Interim Action**

##### **A. Emergency Removal**

The University may impose an interim emergency removal on a Respondent prior to or during a University grievance procedure. Such action may be taken when, after an individualized safety and risk analysis, a University official has determined that an immediate threat to the physical health or safety of any student or other individual exists. The Respondent will be provided with written notice including: information about the grievance process, including an opportunity to challenge the dismissal; identities of the parties involved in the incident, if known; the conduct allegedly constituting Prohibited

Conduct; the date and location of the alleged incident.

Respondents wishing to challenge an Emergency Removal must submit a written appeal of such decision within five business days. Grounds for appeal include the following:

- Procedural irregularity that affected the outcome;
- New evidence that was not readily available when the decision regarding an emergency removal was made that could affect the outcome; and
- A University official involved in the decision-making process regarding the emergency removal had a general or specific conflict of interest or bias that impacted the decision to issue an emergency removal.

A Decision-maker(s) will provide a decision to the Respondent within five (5) business days of receiving the appeal. If the appeal is denied, the emergency removal may remain in effect through the conclusion of the grievance process, including the appeal process.

#### **B. Administrative Leave**

If it deems it appropriate to do so, the University may place an employee Respondent, including student employees, on administrative leave prior to or during the pendency of a University grievance process set forth in this policy.

Typically, those placed on administrative leave will continue to receive pay and benefits. Additionally, administrative leave is not indefinite and will be provided updates regarding their status.

### **B. Title IX Grievance Procedure for Students, Faculty and Staff**

#### **A. Filing of a Formal Complaint**

To initiate either the informal resolution process or formal resolution process, a Complainant must file a Complaint. A Complaint means a written statement filed by a Complainant or signed by the Title IX Coordinator alleging Prohibited Conduct against a Respondent and requesting resolution of the alleged behavior. A complaint may be completed by the Complainant in person or submitted by email, mail or by phone to the Title IX Coordinator.

If the Complainant does not wish to proceed with a formal complaint, the University will respect the complainant's autonomy and wishes to the extent possible. The Complainant will be able to access supportive measures.

In limited circumstances, the Title IX Coordinator may sign a formal complaint and move forward with a formal grievance process. These cases include, but are not limited to, the following:

- i. Actual knowledge of a pattern of alleged Prohibited Conduct by a Respondent in a position of authority;
- ii. The Title IX Coordinator receives multiple reports of Prohibited Conduct and sex-discrimination against the same Respondent;
- iii. A pattern of alleged conduct and the involvement of violence, weapons, and similar factors in the complainant's allegations;
- iv. The seriousness of the alleged harassment; and

- v. The age of the student who was allegedly harassed.

In cases in which the Title IX Coordinator signs a formal complaint, the Title IX Coordinator will not serve as a party within the grievance process. Additionally, the Complainant cannot be required to participate in the grievance procedure and does not need to appear at a live hearing or submit cross-examination.

#### **B. Notification and Rights and Options**

If a formal complaint is not filed, the Complainant will be provided an explanation of their rights and options which includes the following:

- The importance of obtaining and preserving forensic and other evidence;
- The right to report or not report the alleged incident to the University, law enforcement or both, including information about the Complainant's right to privacy and which reporting methods are confidential;
- The right to request and receive assistance from campus authorities in notifying law enforcement;
- The right to request and receive assistance in obtaining and enforcing a campus-issued order of protection or no contact order.
- The right to speak to and receive assistance from on and off campus Confidential Resources and other organizations that provide support and services to Complainants
- The right to assistance from the University in accessing and navigating campus and local health and mental health services, counseling, and advocacy services.
- The right to Supportive Measures with or without the filing of a formal Complaint and that the University will consider the Complainant's wishes with respect to available supportive measures including without limitation changes to academic, living, dining, working, and transportation situations;
- The right to request a Formal or Informal Resolution Process if cause is found to proceed under this Policy and a summary of the appropriate complaint resolution procedures;
- Contact information for all of the people and organizations listed herein;
- The right to request an end to the process except as set forth in this Policy.

If a formal complaint is filed, the parties will receive written notice from the Title IX Coordinator of the allegations of Prohibited Conduct, including sufficient details known at the time with sufficient time to prepare before any initial meeting or interview. Additionally, the Complainant and Respondent will be provided an explanation of their rights and options which includes the following:

- The right for Complainants and Respondents to be treated equitably by the University which includes providing remedies to a Complainant where a determination of responsibility for Prohibited Conduct has been made against the Respondent, and by following a grievance process that complies with this policy;
- The right to a fair, impartial, proceeding that begins promptly and is completed within reasonably prompt timeframes;

- The right to a resolution process that is consistent with the University’s policies, transparent to the Complainant and Respondent, and in which the burden of proof and of gathering evidence rests with the University and not the Parties;
- The right to an Advisor of the Party’s choosing during the grievance process. If a Party does not have an Advisor present at a Title-IX related hearing, the University will provide without fee or charge, an Advisor of the University’s choice;
- The right to reasonable accommodations during any hearing, such as not being in the same room as the other Party;
- The right to an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations will not be based on a person’s status as a Complainant, Respondent, or witness;
- The right to a determination regarding responsibility made at the conclusion of the resolution process and that the University makes no prior presumption of responsibility regarding the Respondent prior to a finding;
- The right not to be retaliated against for filing a Complaint and/or for participating in an Informal or Formal Resolution Process.

**C. Dismissal of Complaint**

If the Complainant files a formal complaint, the Title IX Coordinator, or designee, will review the complaint. Complaints that do not rise to the level of a violation under Title IX or did not occur within the context of a University program or activity, or within the United States, will be dismissed. Dismissed complaints relating to prohibited conduct under this policy will proceed under the appropriate institutionally established grievance procedure.

The Title IX Coordinator may dismiss formal complaints in which the Complainant withdraws their formal complaint, the Respondent is no longer enrolled at the University, or there are specific circumstances preventing the University from gathering evidence sufficient to reach a determination as to the formal complaint.

Upon dismissal of the complaint, the University will promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the Parties.

Either party may appeal the University’s dismissal of a Complaint or any allegations by submitting a written appeal within five (5) business days of the dismissal. Appeals may follow the grounds outlined in the Appeals section of this policy. If the appeal is denied, the dismissal of the complaint will remain in effect.

**D. Consolidation**

The University may consolidate formal complaints involving allegations of Prohibited Conduct in the following instances: allegations of Prohibited Conduct involving more than one Respondent; allegations of Prohibited Conduct involving more than one complaint against one or more Respondents; and/or allegations of Prohibited Conduct arise out of the same facts or circumstances

For complaints involving other policies, a case-by-case determination will be made regarding the grievance procedures which will be used in resolving the complaints

#### **E. Informal Resolution**

##### **i. Overview**

- If a formal complaint is filed, the parties will receive written notice from the Title IX Coordinator of the allegations of Prohibited Conduct, including sufficient details known at the time with sufficient time to prepare before any initial meeting or interview;
- At the time of the filing of a Complaint or at any time prior to a determination of responsibility, either Party may request to proceed under a voluntary Informal Resolution Process (IRP) that does not involve a full investigation and/or hearing. The Title IX Coordinator will determine, based on the totality of the circumstances, whether an IRP is appropriate given the facts and participants. For example, an IRP is never appropriate for resolving reports alleging sexual harassment of a student by an employee;
- Upon request and written agreement by the Parties and the Title IX Coordinator that the IRP is appropriate, the Title IX Coordinator will provide to the parties a written notice disclosing the allegations, and the requirements of the IRP, including when the Parties are precluded from resuming a Formal Resolution Process and any consequences resulting from participating in the IRP. Parties may withdraw from the IRP at any time prior to agreeing to a resolution and resume the Formal Resolution Process with respect to the Complaint;
- Typically, the IRP will be completed within ninety (90) days from the filing of the formal complaint with the Title IX Coordinator.

##### **ii. Informal Resolution Process- Elements and Expectations:**

- Informal resolution shall not be available to a Respondent if there are subsequent reports of any alleged Prohibited Conduct. If in the course of the process, additional reports are discovered, the request for IRP will be re-evaluated;
- The IRP is available for all Prohibited Conduct, including sexual assault;
- Participation in this process does not constitute a finding of responsibility for a policy violation, but will be included as part of the student's conduct file and an employee's personnel file
- The information documented during this process is subject to subpoena if a criminal or civil process is initiated;
- All agreements reached during the IRP, which outline the requirements of the Complainant and Respondent, must be approved by the Title IX Coordinator and signed by the Respondent and Complainant. Failure to reach an agreement may result in the case being referred to a formal resolution process;

- Failure to fulfill the requirements of the signed agreement may result in subsequent policy violations or the case being referred to formal resolution;
- Successful completion of requirements contained in the signed agreement will preclude the parties from resuming any formal complaint arising from the same allegations;
- If either party withdraws from the IRP process and requests resolution through a formal process, the information obtained during this process will not be available without signed written consent of both parties;
- If the Respondent is found responsible for any University policy in the future, this agreement can be considered when issuing sanctions for Respondent.

### iii. Informal Resolutions – Outcomes

- Informal Resolution options are designed to address the harm that has been caused, and what is needed to repair the harm and restore trust. Overseen by the Title IX Coordinator, students may utilize one of the processes detailed below:
- Placing a Respondent on notice that, if such behavior has occurred or is occurring, such conduct should cease immediately;
- A written warning;
- Education and/or training for a Respondent and/or department;
- Permanent Supportive Measures for Complainant;
- Mediation, Restorative Justice, or other informal communication between the Complainant and Respondent;
- Messaging to the campus community;
- Events and/or trainings offered to the campus community or particular departments; and/or
- Referral and/or collaboration with another University department in order to address the allegations and eliminate any potential Prohibited Conduct.

## F. Formal Resolution Process

### i. Notice of Allegations and Assignment to an Investigator

Upon filing of a complaint requesting a Formal Resolution, Complainant and Respondent will receive written notice of the following: the allegations of Prohibited Conduct, including sufficient details known at the time with sufficient time to prepare before any initial interview; a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process; information about their advisor of choice; a statement prohibiting knowingly making false statements or submitting false information. The Parties will receive written simultaneous notification of additional allegations as appropriate.

The Title IX Coordinator will assign one or more Investigators to the case and/or will conduct the investigation personally. The Parties may request the removal

and replacement of an Investigator based on bias or conflict of interest within five (5) business days of receiving the notice of the investigator.

Throughout the grievance process, the Title IX Coordinator or designee will provide to a Party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of meetings, investigative interviews, and hearings, with sufficient time for the Party to prepare to participate.

**ii. Timeframe**

Typically, an investigation will be completed within ninety (90) days from the filing of the formal complaint. In some circumstances, it may be necessary to extend that timeframe due to the complexity of the case, availability of witnesses, the need for language assistance or accommodation due to a disability, the occurrence of a simultaneous criminal investigation and request from law enforcement that the University delay its investigation, or other factors which unavoidably delay the investigation, collectively “good cause.” If good cause exists for the Title IX Coordinator to extend the investigation timeframe beyond 90 days, both parties will be promptly notified of the revised (expected) timeframe.

**iii. Investigation – General**

The University, through a trained investigator(s), will conduct a prompt, equitable, and impartial investigation into the facts of the case and will interview the Complainant, Respondent, witnesses and/or others who may have relevant information, and collect any other evidence deemed relevant to the case.

The parties will receive written notice of the date, time, location, participants, and purpose of all hearings, investigation interviews, or other meetings in which their participation is invited or expected with sufficient time to prepare. The parties will have an equal opportunity to be heard, to present witnesses, including fact and expert witnesses, to submit information and other inculpatory and exculpatory evidence, to submit questions they believe should be directed by the investigator to the other party or witness.

The parties will have the same opportunity to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an Advisor of their choice and/or a support person. The Support Person’s role in the processes is limited to what has been specified in the provided accommodation. At these grievance/investigation meetings, neither the Advisor nor the support person(s) are allowed to actively participate.

Absent the signed written consent of the applicable party, records maintained by a physician, psychiatrist, psychologist, or other recognized professional will remain confidential. If a party chooses to share these records as part of the investigation, the Respondent and Complainant shall both have access to these records from the Title IX Coordinator. The University prohibits the use of

medical expert documentation and testimony with an actual or apparent conflict of interest.

Questions regarding a Complainant's prior sexual behavior or history will not be included in the investigative record or in the grievance hearing unless it is offered to prove someone other than the Respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the Complainant's sexual behavior with the Respondent and is offered to prove consent.

The University will not restrict either Party from discussing allegations under investigation or from presenting relevant evidence.

At any stage of this process, the parties and the Title IX Coordinator, or designee, may consider resolution of the case without further investigation or a hearing. Those who agree to resolution without a hearing, have no right to appeal.

#### **iv. Investigation – Participation**

With the exception of the Complainant and Respondent, the University encourages all member of the community to cooperate fully with the investigation and disciplinary procedures.

Should a Respondent who has been notified of an investigation decline to participate, the investigation may proceed, a hearing may be held, a finding may be reached, and a sanction may be imposed based on the information available. Similarly, Complainants cannot be compelled to participate in an investigation, including when a formal complaint is filed by the Title IX Coordinator. Additionally, student witnesses cannot be compelled to participate in an investigation, and the investigator will proceed with otherwise available information if a party chooses not to participate. The University will not, however, draw any inference about the determination of responsibility based on a party or witness absence from this process.

#### **v. Investigation – Inspection of Evidence and Investigative Report**

The University will provide the parties timely and equal access to inspect and review all records or evidence obtained that is directly related to the allegations, including evidence in which the University is not intending to rely upon in reaching a determination of responsibility and inculpatory and exculpatory evidence whether obtained from a party or other source, so that each party can respond. The evidence subject to inspection and review will not contain any privileged or inadmissible information as defined in this policy.

Prior to the completion of an investigative report, the University will send to each party a preliminary investigative report containing the evidence subject to inspection and review, redacted of personally identifiable information as necessary, in an electronic format or a hard copy. The parties will have ten (10) business days to submit a written response which the investigator will consider

prior to the completion of the investigative report. This information will also be available at the hearing.

Following the opportunity to review the preliminary investigative report, the Investigator will create a final investigative report that incorporates any written response or new information from the Parties or collected by the Investigator. The final investigative report will also fairly summarize the relevant evidence. The Investigator has the discretion to determine the relevance of any proffered evidence.

The Title IX Coordinator will send to each Party the final investigative report in an electronic format or a hard copy, for their review. This report will be shared no less than ten (10) business days prior to a hearing.

The Title IX Coordinator will secure written permission from the Parties to share the preliminary and final investigative reports with the Party's Advisor. Reports will not be shared by the University with a Support Person.

**vi. Assignment to Non-Title IX-Related or Title IX-Related Hearing Procedure**

At the conclusion of the investigation, if the University has not previously determined that the case meets the threshold for the Title IX grievance procedure, the Title IX Coordinator will make a final determination as to whether to proceed under the Title Grievance Procedure or the Institutionally Established Grievance Procedure.

**vii. Title IX Hearing Procedures**

For cases that have been determined by the Title IX Coordinator to meet the threshold for Title IX Sexual Harassment as well as the Title IX jurisdictional requirements, the determination regarding responsibility will be made at a live hearing utilizing the procedures outlined in this section. Hearings are typically held within ten (10) to fifteen (15) business days of the investigative report being sent to the parties and their advisors.

For cases involving student Respondents, the University will appoint a panel of three (3) trained Decision-makers. A consensus among a majority of the Decision-makers is required for any finding.

For cases involving employee Respondents, the University will appoint a single trained Decision-maker.

At the conclusion of an Investigation, the parties will be provided the names of the Decision-maker(s) and will be allowed five (5) business days to request the removal and replacement of a Decision-maker(s) based on bias or conflict of interest. Any request must be accompanied by supporting information regarding the decision to assign a new Decision-maker(s).

Hearings may be held virtually or in person. If a hearing is held in person, requests to place the Parties in separate rooms will be honored. For hearings that are held in separate rooms or virtually, the parties will be required to be seen and heard by the Decision-maker(s) and the other party when speaking and answering questions.

The Parties may have a Support Person and an Advisor of their choice at the hearing. The Support Person's role in the processes is limited to what has been specified in the provided accommodation. The Advisor is responsible for conducting the cross-examination which includes asking the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. If a Party does not have an Advisor, the University will appoint one on behalf of the Party free of charge. In this capacity, the Advisor will be appointed for the sole purpose of conducting cross examination of the other Party and witnesses. If the Advisor or Support Person violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either Party, a witness, or the Decision-maker(s), that Advisor or Support Person may be prohibited from further participation.

At the hearing, the Decision-maker(s) is responsible for maintaining an orderly, fair, impartial and respectful hearing. The Decision-maker(s) has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. Only relevant cross-examination and other questions may be asked of a Party or witness. Questions regarding a complainant's prior sexual behavior or history will not be allowed unless it is offered to prove someone other than the Respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's sexual behavior with the Respondent and it is offered to prove consent. Questions regarding any information protected by legally recognized privilege, including treatment records will not be allowed without signed written consent of the party.

Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-maker(s) must explain to the Party proposing the questions any decision to exclude a question as not relevant.

The parties are encouraged to provide all relevant information regarding the incident during the investigation. In the absence of good cause as determined by the Decision-maker(s) information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the Investigator during the investigation may still be considered, but it may impact the weight in which the Decision-maker(s) assign this information.

All hearings are closed to the public. A recording will be made by the University, but all other recordings are prohibited.

If a Complainant, Respondent, or witness declines to participate in the hearing or submit to cross-examination by an Advisor, the Decision-maker(s) cannot rely on any prior statement of that party or witness in reaching a determination of responsibility. If a party or witness does not answer the questions of a Decision-maker(s), the Decision-maker(s) may rely on prior statements made by that party or witness. However, the Decision-maker(s) will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the Hearing or refusal to submit to questions.

#### viii. Findings

##### 1. Standard of Evidence

The Decision-maker(s) shall use a preponderance of the evidence standard to determine whether the alleged violation of this policy occurred.

##### 2. Written Determination of Responsibility

The Complainant and Respondent will simultaneously receive a written determination regarding responsibility applying the preponderance of the evidence standard typically within five (5) business days of the determination of responsibility. The written determination letter, drafted by the Decision-maker(s) will include:

- The allegations constituting Prohibited Conduct;
- A description of the procedural steps taken during the grievance process;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement, and rationale for the result of each allegation including findings, sanctions, and remedies; and
- Options for appeal.

The determination of responsibility becomes final either on notification of the results of the appeal, or the date on which an appeal would no longer be considered timely.

An Employee Respondent covered by a collective bargaining agreement may challenge a sanction imposed under this Policy through the grievance and arbitration procedure contained in that collective bargaining agreement.

### C. Sanctions and Remedies

Remedies, including sanctions, are designed to restore or preserve equal access to the recipient's education program or activity. Such remedies may include Supportive Measures, however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of remedies.

#### A. Determination of Sanctions

When a Respondent has been found “responsible” for violating this Policy, the Decision-maker(s) shall consider the final investigation report and all exhibits as well as the statements and testimony provided at the live hearing in determining the appropriate sanction. The Decision-maker(s) reserves the right to increase or decrease the recommended sanction guidelines listed below in the case of significant mitigating or aggravating factors. The Decision-maker(s) may consider the Respondents student conduct history in determining the appropriate sanction.

#### **B. Student Sanctions**

The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Policy. Please note this is not an exhaustive list of sanctions:

- i. **Warning:** A written notice that the Respondent has violated the Policy and a warning that another violation will likely result in a more severe sanction, which could include University Probation, Temporary or Permanent Residence Hall Suspension, University Suspension, or University Expulsion.
- ii. **University Probation:** A set period of time during which the Respondent is given the opportunity to modify behavior to complete specific assignments, meet with designated persons, and demonstrate a positive contribution to the University community in an effort to regain privileges within the University community. Please be aware that a finding for any violation(s) of any University policy during the probationary period will be viewed as a violation of probation, and will result in further disciplinary action being imposed, including, but not limited to, University Suspension or University Expulsion. Additionally, as students and organizations which are on University Probation are not considered to be in good disciplinary standing, this may impact their ability to represent the University or to participate in intercollegiate athletics, student leadership positions, study abroad opportunities, student employment, internships, externships, co-op opportunities, extracurricular and/or residence life activities.
- iii. **University Suspension:** A separation from the University for a designated period. Students who are suspended from the University are restricted from all University premises and activities, including, but not limited to, course registration, class attendance, participation in co-curricular activities and University housing. Students returning from University Suspension must contact the Title IX Coordinator at least two weeks prior to the semester of their return and follow any additional sanctions assigned to them. A person’s presence on Wentworth property during University Suspension will be viewed as trespassing and may be subject to arrest.
- iv. **University Expulsion:** A permanent separation from the University. Students are prevented and prohibited from completing any academic progress towards a Wentworth degree including registering for coursework, attending classes, or being present in or on Wentworth property. Students are administratively withdrawn from their courses and therefore will not receive grades for their academic work for the semester the sanction is implemented. Students must also return their laptop to DTS immediately to avoid being charged the full value of the unit. A person’s presence on Wentworth

property upon being expelled will be viewed as trespassing and may be subject to arrest.

- v. Additional Sanctions: The following may be given in conjunction with any of the above:
  - 1. Loss of Privileges: Denial of specified privileges for a designated period of time.
  - 2. Restitution: Compensation for loss of or damage to University property or services rendered. This may take the form of appropriate service and/or monetary or material replacement.
  - 3. Educational Initiatives: Projects; participation in health or safety programs, including restorative justice workshops (the student may be required to pay a fee); service to the University or to the larger community; seminars; and other assignments as warranted.

### C. Employee Sanctions

If the Decision-maker(s) find an employee responsible, the determination of sanctions and remedies will be made by the Decision-maker(s) in consultation with the Vice President of Human Resources or Provost.

Disciplinary action may consist of a warning, reassignment, suspension, mandatory counseling, termination of employment and/or banning from campus or events. The disciplinary action taken will depend upon the seriousness of the violation and the totality of the circumstances. There is no particular sequence or level of disciplinary action. The concept of progressive discipline does not apply. The final disciplinary action taken as the result of an investigation is not shared with the person bringing forward the concern or complaint, except to the extent it involves prohibiting further contact.

An Employee Respondent covered by a collective bargaining agreement may challenge a sanction imposed under this Policy through the grievance and arbitration procedure contained in that collective bargaining agreement. The University will use a preponderance of the evidence standard in the arbitration.

## XVI. Appeals

The Complainant and Respondent have equal rights to an impartial appeal. The parties have five (5) business days from the date in which the parties are provided written determination of the findings. All appeals will be referred to a trained Decision-maker(s) who shall have no other role in this process.

Only decisions reached through a hearing can be appealed. The parties will be notified in writing when an appeal is submitted. The parties are provided a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome of the hearing.

Except as required to explain the basis of new information, an appeal shall be limited to a review of the investigation report and review finding. The review shall be for one or more of

the following purposes:

- i. Procedural irregularity that affected the outcome;
- ii. New evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome;
- iii. The Title IX Coordinator, investigator, or Decision-maker(s) had a general or specific conflict of interest or bias against the Complainant or Respondent that affected the outcome

The parties will receive a simultaneous written decision regarding the appeal describing the results of the appeal and the rationale for each result within five (5) business days after the conclusion of the review.

If the appeal is granted, the matter shall be either referred to the original hearing body for re-opening of the hearing to allow reconsideration of the original determination or the appellate administrator will determine any change in sanction. If an appeal is denied, the matter shall be considered final and binding upon all involved; except that an Employee Respondent covered by a collective bargaining agreement may challenge a sanction imposed as a result of a denial of appeal under this Policy through the grievance and arbitration procedure contained in that collective bargaining agreement.

## XVII. Institutionally Established Grievance Procedures for Allegations Against Employees and Third Parties

The University will strive to investigate concerns in a prompt and reasonable manner, within ninety (90) days, taking into account scheduled breaks, vacation periods and other obligations. The standard of evidence used to determine whether the alleged violation of the policy occurred is preponderance of the evidence.

A person who believes they have been subject to Prohibited Conduct may report the complaint to the Title IX Coordinator. Complaints of Prohibited Conduct shall be investigated by the Title IX Coordinator or designee.

During the investigation, the investigator may speak to the Complainant, the Respondent, and any relevant witnesses. The investigator will gather any relevant evidence or documentation, which will be combined in an investigative report. The report shall include:

- a. A description of the alleged conduct
- b. Notice of the policy that was allegedly violated
- c. A summary of evidence gathered in the course of the investigation
- d. A summary of the findings *and*
- e. Any sanctions or recommendations.

Sanctions and recommendations may be determined in conjunction with the Vice President of Human Resources or designee.

Parties who are dissatisfied with the outcome of the investigation may appeal may take the issue to the President or designee for review. If the President or President's designee find that the Respondent is not responsible for a policy violation, the matter will be closed. If the President or

President's designee finds that the Respondent engaged in conduct that constitutes a policy violation, further action will be taken including, but not limited to, disciplinary action up to and including termination.

An Employee Respondent covered by a collective bargaining agreement may challenge a sanction imposed under this Policy through the grievance and arbitration procedure contained in that collective bargaining agreement.

## XVIII. Institutionally Established Grievance Procedures for Allegations Against Students

All allegations of prohibited conduct will be investigated in a manner that is prompt, thorough, and equitable. Matters involving student Respondents which do not implicate Title IX will be adjudicated using the procedures outlined in this section.

At the conclusion of an Investigation, the parties will be provided the names of the Decision-maker(s) and will be allowed five (5) business days to request the removal and replacement of a Decision-maker(s) based on bias or conflict of interest. Any request must be accompanied by supporting information regarding the decision to assign a new Decision-maker.

Hearings are typically held within ten (10) to fifteen (15) business days of the final investigative report being sent to the Parties and their Advisor of choice. The University will appoint a panel of three (3) trained Decision-makers. A consensus among a majority of the Decision-makers is required for any finding.

Hearings may be held virtually or in person. If a hearing is held in person, requests to place the parties in separate rooms will be honored. For hearings that are held in separate rooms or virtually, the Parties will be required to be seen and heard by the Decision-maker(s) and the other party when speaking and answering questions.

The Parties may have a support person and/or an Advisor of their choice to accompany them to the hearing. The Support Person's role in the processes is limited to what has been specified in the provided accommodation. The Advisor may not actively participate but may confer with the Party as is reasonably necessary. If the Support Person and/or the Advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either Party, a witness, or the Decision-maker(s), that Support Person and/or Advisor may be prohibited from further participation.

At least five (5) business days prior to the hearing, the Parties must submit names of witnesses they would like to appear at the hearing and any relevant questions to be asked of the witnesses and the other party. Pre-submitted questions will be vetted in advance for relevancy and admissibility. Parties may ask additional relevant questions at the hearing, to the extent that such questions provide clarity about credibility or seek information that was not included in the final investigative report.

At the hearing, the Decision-maker(s) is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The Decision-maker(s) has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person.

The parties are encouraged to provide all relevant information regarding the incident during the investigation. In the absence of good cause as determined by the Decision-maker(s) information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the Investigator during the investigation may still be considered, but it may impact the weight in which the Decision-maker(s) assign this information.

All hearings are closed to the public. A recording will not be made by the University. All other recordings are prohibited.

A Complainant, Respondent, or witness may decline to participate in the hearing. The Decision-maker(s) will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the Hearing or refusal to submit to questions.

The Complainant and Respondent have equal rights to an impartial appeal, as outlined in section XVI (Appeals) of this policy.

## XIX. Education, Prevention, and Awareness Programs and Training of University Officials

### a. Education, Prevention, and Awareness Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to reduce and eliminate Prohibited Conduct or other forms of prohibited conduct which:

- i. are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome;
- ii. consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels;
- iii. include primary prevention and awareness programs directed at incoming students and ongoing prevention and awareness campaigns directed at current students; and
- iv. include programs focused risk reduction and bystander intervention.

### b. Training of University Officials

Title IX Coordinators, investigators, Decision-maker(s) and any person who facilitates an informal resolution process will receive annual training on the following: the definition of sexual harassment, including an understanding of educational program or activity; how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes; how to serve impartially, including avoiding prejudgment about the facts at issue, conflicts of interest, and bias; the technology to be used at a live hearing; issues of relevance, including questioning, and investigative reports.

### c. Disability Accommodations and Interpretive Services

Students with a disability who desire an accommodation regarding this Policy must request an accommodation by following the procedure for requesting an accommodation through The

Center for Wellness. It is the individual's responsibility, and not that of a university official, to request an accommodation. The Center for Wellness will make a determination regarding the request and notify the appropriate parties. An Individual will not be considered to have a disability unless and until the student registers with the Center for Wellness. Please contact the Center for Wellness at (617)989-4390.

Employees with a disability who desire an accommodation regarding this Policy must request an accommodation through the Office of Institutional Equity at (617)989-4119.

Those in need of interpretive services are encouraged to contact the Center for Wellness at 617-989-4390 or Human Resources at (617)989-4190.

Record Management

The University will keep the following for a period of 7 years:

All information obtained as part of each Prohibited Conduct investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions and/or remedies; any appeal, including the result of the appeal; and any informal resolution and the result therefrom.

All information regarding any action taken, including supportive measures, and a rationale as to why a formal complaint was not filed. If a Complainant was not provided supportive measures, a rationale must be provided as to why supportive measures were not provided.

All training materials used to train Title IX Coordinators, investigators, decision makers, appellate administrators, and those who facilitate the informal resolution process will be available at <https://wit.edu/title-ix>.

Under federal privacy laws, documents prepared or compiled in accordance with a complaint under this policy constitute education records that may not be disclosed outside of the proceedings set forth in the policy, except as may be required or authorized by law.

Employee personnel files will not be disclosed except as may be required or authorized by law.

## XX. Revision and Interpretation

The Policy is maintained by the Division of Diversity, Equity and Inclusion. The University reserves the right to review and update the Policy in accordance with changing legal requirements and specific needs of the University.

Any questions of interpretation regarding the Policy shall be referred to the Title IX Coordinator, or designee for determination. The Title IX Coordinator or designee's determination is final.

All reports received by the University after the date of approval will be administered in accordance with the procedures described under this Policy.

## XXI. Speech Considerations

Nothing in this Policy shall be construed to penalize a member of the community for expressing an opinion, theory, or idea in the process of responsible teaching and learning.

### Appendix A: Related Massachusetts Legal Definitions

Sexual/gender-based misconduct and interpersonal violence cases are governed in accordance with this Policy and not by Massachusetts state law. However, students who believe they have been the victim of a crime may choose to pursue a criminal investigation through local law enforcement in addition to the administration of the case by the University. In those instances, Massachusetts law applies. Below are the definitions of Massachusetts crimes related to sexual/ gender-based misconduct and interpersonal violence.

**Domestic Violence:** Massachusetts General Law chapter 209A, section 1 defines domestic abuse as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”

<http://www.malegislature.gov/Laws/GeneralLaws/PartIII/TitleIII/Chapter209A>

**Dating Violence:** Massachusetts does not have a law pertaining to violence that occurs between people in a dating relationship. Instead, Massachusetts General Law chapter 265, section 13A would apply: “an assault or an assault and battery: (i) upon another and [the perpetrator] by such assault and battery causes serious bodily injury; (ii) upon another who is pregnant at the time of such assault and battery, [the perpetrator] knowing or having reason to know that the person is pregnant; or (iii) upon another who [the perpetrator] knows has an outstanding temporary or permanent vacate, restraining or no-contact order or judgment issued pursuant to [applicable law], in effect against him at the time of such assault or assault and battery.” <http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13a>

**Sexual Assault:** Massachusetts defines rape as (1) the penetration of any orifice by any body part or object (2) by force and (3) without consent. Rape also includes instances where the victim is incapacitated (“wholly insensible so as to be incapable of consenting”) and the perpetrator is aware of the incapacitation.

<http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>;

<http://masscases.com/cases/sjc/450/450mass583.html>

**Consent:** The voluntary agreement, demonstrated by words or actions, by a person with sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress.

Commonwealth v. Lopez, 433 Mass. 722 (2001), Commonwealth v. Lefkowitz, 20 Mass. App. Ct. 513 (1985); see also:

<http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

**Stalking:** Massachusetts General Law chapter 265, section 43 defines “Stalking” as “(1) willfully and maliciously engag[ing] in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) mak[ing] a threat with the intent to place the person in imminent fear of death or bodily injury.”

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section43>

# Student Code of Conduct Procedures

The following are the procedures followed to adjudicate all violations of The Student Code except those allegations of gender-based discrimination, sexual harassment, gender-based harassment, sexual violence, dating violence, domestic violence, or stalking committed by a student or Student Organization are adjudicated under the Sexual Misconduct and Sex-Based Harassment Policy. Hearing officers may involve or seek input from other University officials in any or all parts of the Student Code of Conduct Procedures as they deem appropriate, such as University officials from the Center for Student Engagement, Center for Diversity and Social Justice Programs, or the Department of Athletics with respect to Student Organization respondents.

## A. Allegations

- 1) Any person may file a report regarding any student or Student Organization alleging misconduct. To initiate The Student Code process, reports shall be prepared in writing and directed to the Assistant Dean of Students. A report should be submitted as soon as possible after the alleged misconduct takes place.
- 2) The Assistant Dean of Students shall determine if a complaint alleges or addresses a potential violation of The Student Code and will notify the respondent of such allegations. The decision to continue a complaint through the process is the decision of the Assistant Dean of Students.
- 3) Generally, the Assistant Dean of Students will assign a Hearing officer(s) to the case who will investigate, schedule a meeting with the respondent(s) and other individuals as deemed necessary and appropriate.
- 4) Information, in addition to that provided in the complaint/incident report, may be sought through a preliminary investigation. The investigation may include, but not limited to:
  - interviewing the complaint(s), responding party(ies), and witness(es),
  - gathering documentary or other information from the party(ies) and witness(es),
  - gathering relevant documents and/or other information which may be available to the University.
- 5) The Assistant Dean of Students, or designee, will determine what testimony, witnesses, or other information is relevant and may exclude information or witnesses that are deemed immaterial and/or irrelevant.
- 6) The Assistant Dean of Students, or designee, may consult with the Center for Student Engagement, Center for Diversity and Social Justice, the Department of Athletics and other relevant university officials regarding allegations regarding Student Organizations or that imply Student Organization involvement.

## B. Administrative Hearing

- 1) The Hearing Officer will provide the parties with an opportunity to review information related to the incident.
- 2) The Hearing Officer will meet with the parties and provide them with an opportunity to respond to the information and present any information or witnesses they wish. The rules of evidence, applicable to civil and criminal cases do not apply and no recordings of the proceeding can be made by the student or the Hearing Officer.

- 3) The Hearing Officer may ask the parties questions during the meeting(s), seek additional information, make requests of the parties, or interview any person the Hearing Officer deems necessary.
- 4) The Hearing Officer may refer a case to the Community Standards Board if information becomes available that more serious conduct is involved.
- 5) Based upon the preponderance of the evidence, the Hearing Officer will decide as to whether a violation of The Student Code has occurred. The Hearing Officer has the full prior disciplinary record of the responding party available to them to decide the level of sanction if found in violation of The Student Code.
- 6) The Hearing Officer will notify the parties of their findings and sanction(s), if any, in writing.
- 7) If a party do not meet with the Hearing Officer or comply with their requests, the Hearing Officer will make a finding and sanction decision based upon the information available. In this case, the party will lose any right of appeal.
- 8) In cases where information is received, before or during the Hearing that indicates an additional violations of The Student Code may have occurred, the Hearing Officer will determine if it will be addressed during the meeting or in a separate hearing.

### C. Informal Resolution/Educational Conference

- 1) The Dean of Students Office, or designee, reserves the right to schedule an informal resolution/educational conference to discuss the behavior of students and its impact on the mission of the University.
- 2) Conferences may result in an action plan agreed on by all parties to address the behavior. If the action plan is not honored, the university reserves the right to initiate a formal review under The Student Code. Examples of incidents that may be adjudicated by an Educational Conference include but are not limited to minor disruptions and/or educational or behavioral concerns.
- 3) Educational conferences are typically scheduled within ten (10) business days upon receipt of a report of a potential violation of The Student Code.

### D. Community Standards Board Hearing (CSB)

- 1) The CSB is a standing board that includes students, faculty, and staff. The CSB is advised by the Assistant Dean of Students. The composition of each CSB panel will be determined by the Assistant Dean of Students.
- 2) In some matters, the Assistant Director for Student Affairs and Conduct will investigate and present the information to the CSB panel.
- 3) The rules of evidence applicable to civil and criminal cases do not apply.
- 4) The CSB hearing shall be conducted in private, only including involved student/parties, relevant witnesses, and support person.
- 5) The complainant and respondent shall have the right to:
  - The names and titles of the panel members, including the alternate(s), assigned to hear the matter will be given to the parties at least five (5) business days before the hearing. If a party has reason to believe that a CSB panel member is not able to be objective, the party must provide reasons to support the claim in writing to the Assistant Dean of Students not

later than two (2) business days before the hearing. The fact that the party is in class with or being taught by a panel member is not sufficient alone to replace the assigned panel member. The Assistant Dean of Students will decide whether to replace the CSB panel member.

- The information concerning the matter available to them at least 2 (two) days prior to the hearing.
  - Speak to and present witnesses who can speak from personal knowledge about the incident. Character witnesses are not permitted.
  - Request questions be asked of participants of the hearing during a hearing.
  - Refuse to answer a question, but the CSB members will decide the matter based upon the information it receives.
  - The responding student will receive a notice of the findings and sanction(s), if any.
  - The complaining student, if a victim of an incident of violence, will receive notification of the outcome of the hearing.
- 6) If a party chooses not to attend their CSB hearing or is asked to leave a hearing due to disruption, a decision will be made using available information and the right to appeal is lost.
  - 7) In incidents involving more than one party, the hearing may be conducted as a joint hearing.
  - 8) In cases involving student organizations, clubs and teams, the organization, club, or team must designate an officer or captain to act as the spokesperson during the hearing.
  - 9) If a party is found in violation, the CSB members will have the full disciplinary record made available to them to decide if a sanction should be more severe based upon history. This information is not used to determine responsibility.

## Hearing Order of Events for a Community Standards Board Hearing

The following are guidelines for the order of events for a Community Standards Board hearing. As each matter is unique, they may be modified at any time as circumstances require.

- Introduction of the parties.
- Reading of the alleged violations.
- Signing of the Honesty Statement by all parties and witnesses.
- Oral statement by complaining party.
- Oral statement by responding party.
- Questions by the Community Standards Board panel to the parties and all witnesses.
- Questions submitted by the parties to the Community Standards Board panel.
- Final Statement by complaining party.
- Final Statement by the responding party.
- Final questions or requests from Community Standards Board panel members.

## E. Determination of Facts Relative to an Alleged Violation

The standard used in determining whether the respondent violated The Student Code is a preponderance of the evidence (whether it is more likely than not that a violation occurred).

## F. Sanctions

- 1) If the respondent is found responsible for violating The Student Code, appropriate sanctions will be imposed. Sanctions are determined by considering the nature of the misconduct, precedent regarding such misconduct, the respondent's complete student conduct record, respondent's demeanor in relation to the matter, the community impact statements and/or mitigating or aggravating factors.
- 2) Sanctions for violations of the Title IX Policy can be found within that policy.
- 3) The University has a special concern for incidents in which persons are mistreated because of race, gender, disability, age, marital status, religion, color, national origin, sexual orientation, gender identity, gender expression, veteran status, genetic information, or other personal characteristic. Such incidents damage not only individuals, but also the free and open academic environment of the university. More severe sanctions are appropriate for such misconduct.
- 4) Some University policies specify sanctions for violations.
- 5) A campus department, separate from the Dean of Students Office, may place a restriction on a student or Student Organization found responsible for violating The Student Code. Examples include, but are not limited to: Athletics, Center for Student Engagement, Housing and Residential Life, and Center for Diversity and Social Justice Programs.
- 6) Sanctions such as University Expulsion, University Suspension, Permanent Residence Hall Suspension or Temporary Residence Hall Suspension may result in the forfeiture of certain monies.
- 7) Non-compliance with assigned sanctions will result in a hold being placed on a student's account. This may impact the student's ability to register for classes. The student may also face additional charges through The Student Code.
- 8) The following sanctions may be imposed, individually or in various combinations, on any student found to have violated The Student Code. Please note that this is not an exhaustive list of sanctions:
  - University Expulsion: University Expulsion is a permanent separation from Wentworth Institute of Technology. Students are prevented and prohibited from completing any academic progress towards a Wentworth degree including registering for coursework, attending classes or being present in or on Wentworth property. Student are administratively withdrawn from their courses and therefore will not receive grades for their academic work for the semester this sanction is implemented. Students must also turn in their Wentworth issued laptop to DTS immediately to avoid being charged the full value of the unit. A person's presence on Wentworth property upon being expelled will be viewed as trespassing and may be subject to arrest.
  - University Suspension: University Suspension is a separation from the university for a designated period. Students who are suspended from the University are restricted from all University premises and activities, including but not limited to, course registration, class attendance, participation in co-curricular activities and University housing. Students returning from University Suspension must contact the Assistant Dean of Students at least two weeks prior to the semester of their return and follow any additional sanctions assigned

to them. A person's presence on Wentworth property upon during University Suspension will be viewed as trespassing and may be subject to arrest.

- University Probation: University Probation is a set period of time during which the respondent is given the opportunity to modify behavior, to complete specific assignments, meet with designated persons, and demonstrate a positive contribution to the University community in an effort to regain privileges within the university community. Please be aware that a responsible finding for any violation(s) of any University policy during the probationary period will be viewed as a violation of probation, and will result in further disciplinary action being imposed, including, but not limited to, University Suspension or University Expulsion. Additionally, as students and organizations which are on University Probation are not considered to be in good disciplinary standing with the university, this may impact their ability to participate in intercollegiate athletics, represent the University, student leadership positions, study abroad opportunities, extracurricular and/or residence life activities.
- Warning: A written notice that the respondent has violated University policy or The Student Code and a warning that another violation will likely result in more severe sanctions which could include University Probation, Temporary or Permanent Residence Hall Suspension, University Suspension, or University Expulsion.
- Permanent Residence Hall Suspension: Permanent separation of the student from the residence halls.
- Temporary Residence Hall Suspension: Temporary separation of the student from the residence halls for a specific period, after which the student may reapply for housing. Reapplication for housing does not guarantee immediate placement. Conditions for returning to the residence halls may be specified.
- Housing Probation: A period during which the respondent will be subject to removal from the residence halls if there is an additional documentation.
- Housing Relocation: Required assignment to another residence area.
- Loss of Privileges: Denial of specified privileges for a designated period. This could include loss of responsible user status in the residence halls.
- Restriction: Denial of access to any campus facility, activity, class, or program. This includes No Contact Orders.
- Fines: Financial sanction.
- Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.
- Assessment: A student may be referred to an appropriate office or local agency for consultation or assessment. These may include Alcohol and Other Drug (AOD) Assessments.
- Educational Program/Project: Projects; participation in health or safety programs, including restorative justice workshops (the student may be required to pay a fee); service to the University or to the larger community; seminars; and other assignments as warranted.
- Alcohol Violation Sanctions
- The sanctions listed below are only guides and may be more severe, including but not limited to University Suspension or Expulsion, depending on the specifics of the incident,

history of alcohol violation(s), as well as other violations which may have occurred simultaneously.

**First level alcohol violations** include but are not limited to: possession of a small quantity of beer or wine when underage, possession of beer or wine in a designated dry area, possessing an amount of alcohol exceeding allowed amount in registered Responsible User area, underage possession of empties, possession of alcohol paraphernalia, underage drinking, intoxication for students over 21.

- Disciplinary Warning
- \$100 fine
- Alcohol Education Class
- Parental/Guardian Notification

**Second level alcohol violations** include but are not limited to: second violation of first level alcohol violation, possession of hard alcohol, possession of a quantity over the amount allowed in registered Responsible User suites (beer up to 72 fluid ounces or pre-bottle/measured beverage or 1.5 liter wine), public consumption, common source (kegs, beer balls, punch).

- Housing Probation
- \$200 fine
- Individual Alcohol Education
- Community Review Essay
- Parental/Guardian Notification

**Third level alcohol violations** include but are not limited to: multiple first level or second level violations, providing alcohol to minors, and/or providing a location for underage consumption.

- University Probation
- \$300 fine
- Parental/Guardian Notification
- 12 Hours of Community Service/Restitution

## Illegal Substances, Prescription Drug Violation Sanctions

The following are possible sanctions imposed for violations. Sanctions are dependent upon the severity and circumstances of each incident as well as the type of substance.

**First level violations** may include but are not limited to: possession of a personal use sized quantity of marijuana, odor, possession of drug paraphernalia, marijuana seeds/stems.

- Disciplinary Warning or Housing Probation
- \$250 fine
- Drug Education Class
- Parental/Guardian Notification

**Second level violations** may include but are not limited to: second violation of first level violation, use of illegal substances and drugs.

- University Probation

- Housing Suspension (if applicable)
- \$300 fine
- Individual Drug Education
- Parental/Guardian Notification
- 12 hours community service/restitution

**Third level violations** may include but are not limited to: multiple first level or second level violations, possession of illegal or counterfeit substances and drugs, distribution, or intent to distribute.

- Suspension and/or Expulsion from the University
- Parental/Guardian Notification

## G. Appeal

- 1) A student who has participated in the discipline process and has been found in violation of The Student Code may file a written appeal within three business days of written receipt. If the written appeal is not filed on time it will be dismissed. A party is allowed only one appeal.
- 2) All appeals shall be submitted through the appeal form. The appeal form must state the reasons for the appeal and provide information as to the basis of the appeal. Basis for appeal include:
  - new and material information not available at the time of the hearing which might have affected the outcome of the hearing.
  - the hearing did not substantially follow the Guidelines or a change from the Guidelines substantially affected the outcome of the hearing.
- 3) The Appeal Officer may speak to the underlying decision maker/body, the appealing party, and the responding party, review all information taken during the underlying hearing and seek additional information. The Appeal Officer may change the findings on violations or change the sanction(s) imposed (reduce or increase).
- 4) The decision made in the appeal process is final.
- 5) All parties to an appeal will promptly receive simultaneous written notice of the outcome of the appeal.

## H. Support Services

- 1) The complaining and responding parties can have a support person present at a hearing.
- 2) A list of faculty/staff support persons who have offered to serve in this role is available from the Dean of Students Office. A party may also ask another member of the Wentworth faculty, staff, or student to serve as a support person. No faculty or staff is required to accept a request from a party to serve as a support person.
- 3) The support person may assist the party before the hearing in preparing a statement, reviewing the process, and seeking answers to any questions that the party may have. Support persons are present for support only and are not permitted to ask or answer questions, present evidence, or make any statements during the hearing.
- 4) The University does not warrant the competency or ability of any volunteer support person.
- 5) The Hearing Officer must be notified in writing prior to the hearing date who will be serving as the support person. For cases being heard by the Community Standards Board, the Assistant

Dean of Students must be notified in writing two (2) days prior to the hearing date the individual who will be serving as a support person.

## I. Disability Accommodations and Interpretive Services

Students with a disability who desire an accommodation regarding The Student Code must request an accommodation by following the procedure for requesting an accommodation through The Center for Wellness. It is the individual's responsibility, and not that of a university official, to request an accommodation. The Center for Wellness will make a determination regarding the request and notify the appropriate parties. An Individual will not be considered to have a disability unless and until the student registers with the Center for Wellness. Please contact the Center for Wellness at 617.989.4390. Similarly, those in need of interpretive services are encouraged to contact the Center for Wellness at 617.989.4390.

## Clery Act - Geographic Categories and Definitions

The Clery Act requires institutions to disclose statistics for reported crimes based on the following four criteria:

- 1) Where the crimes occurred
- 2) To whom the crimes were reported
- 3) Types of crimes reported
- 4) Year in which the crimes were reported

The first of the four reporting criteria “where the crimes occurred” is known as Clery Act Geography and commonly referred to as such. The definitions for Clery Act Geography are Clery Act-specific and are the same for every institution regardless of its physical size or configuration. There are three general Clery Act Geography categories:

- 1) On-Campus
- 2) Public Property within or immediately adjacent to the campus
- 3) In or on non-campus buildings or property that the institution owns or controls

### Clery Act Geography Definitions

On-campus — any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including:

- a) residence halls
- b) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but is controlled by another person
- c) is frequently used by students
- d) supports institutional purposes (such as food or other retail vendor).

On-Campus Subset: Student Housing Facilities (on - campus) - Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics:

- The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and
- The number of crimes that occurred in on-campus student housing facilities as a subset of the total.

Public Property — is defined as all public property (including thoroughfares, streets, sidewalks and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus.

Non-campus Buildings or Property — is defined as any building or property owned or controlled by a student organization officially recognized by the institution and any building or property (other than a branch campus) owned or controlled by an institution of higher education that:

- a) Is used in direct support of, or in relation to, the institution's educational purposes,
- b) Is frequently used by students, and
- c) Is not within the same reasonably contiguous geographic area of the institution.

## Clery Act - Designated Crime Categories & Definitions

Wentworth Institute of Technology is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations (Clery Act Geography) as defined above. There are four (4) general categories of crimes, they are commonly referred to as Clery Act Crimes:

- 1) Criminal Offenses
- 2) Hate Crimes
- 3) VAWA Offenses
- 4) Arrests and Referrals for Disciplinary Action

Under the Clery Act, definitions for the above listed four categories of crimes are based on the definitions provided by the following federal systems:

- Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program
- Summary Reporting System (SRS) User Manual from the FBI's UCR Program
- FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR
- FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual
- Violence Against Women Act of 1994 (VAWA)

For additional information, please refer to the UCR, citation's 34 CFR 668.46(c)(7) and 34 CFR 668.46(c)(6)(A)(i).

### Criminal Offense Definitions (#1)

**Murder/Non-Negligent Manslaughter:** The killing of one human being by another.

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

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

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

Fondling: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their 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 or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – The theft or attempted theft of a vehicle.

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, or personal property of another.

## Hate Crime Definitions (#2)

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Bias – a preformed negative opinion or attitude toward a group of persons based on their: race, religion, gender, gender identity, disability, sexual orientation, or ethnicity/national origin.

Bias Crime – a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

Although there are many possible categories of bias, under the Clery Act, only eight categories are reported. To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

- 1) Race – A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, or African Americans, whites.
- 2) Religion – A preformed negative opinion or attitude toward a group of personas who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- 3) Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- 4) Gender – A preformed negative opinion or attitude toward a person or group of persons based on their actual perceived gender, e.g., male or female.
- 5) Gender Identity – A preformed negative opinion or attitude toward a person or group of persons based on their actual perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender nonconforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be lesbian, gay, bisexual, or transgender person but may be perceived as such.
- 6) Ethnicity – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- 7) National origin – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- 8) Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, age.

Hate Crimes must show evidence of bias and include any of the above listed criminal offenses. Additionally, on August 14, 2008, the Clery Act was amended to include the following as reportable categories for Hate Crimes only:

- Larceny
- Simple assault
- Intimidation
- Destruction/damage/vandalism (except arson)

Note: Even if the offender was mistaken in their perception that the victim was a member of the group the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

For additional information regarding Hate Crimes, please refer to the UCR, citation 34 CFR 668.46(c)(4).

### VAWA Offenses Definitions (#3)

The third category of crime statistics is the Violence Against Women Act (VAWA), which includes the following three categories:

- 1) Domestic Violence
- 2) Dating Violence
- 3) Stalking Sexual Assault included by the FBI as a Criminal Offense and falls under VAWA offenses but is included in the criminal offenses' category listed above for Clery Act reporting purposes. For additional information regarding VAWA Offenses, please refer to the UCR, citation 34 CFR 668.46(c)(1)(iv).

Domestic Violence: a felony or misdemeanor crime of violence committed:

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

Dating Violence: violence committed by a person:

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the reporting party's statement with consideration of:
  - the length of the relationship
  - the type of relationship
  - the frequency of interaction between the persons involved in the relationship

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress

For the purposes of this definition:

Course of conduct - means two or more acts, including, but not limited to:

- Acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person;
- or interferes with a person's property
- Reasonable person - means a reasonable person under similar circumstances and with similar identities to the victim
- Substantial emotional distress - means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Arrest And Disciplinary Referrals for Violation Of Weapons, Drug Abuse and Liquor Laws Definitions (#4)

The fourth category of crime statistics is the number of arrests and number of persons referred for disciplinary action for the following three law violations:

- a) Weapons: Carrying, Possessing, Etc.
- b) Drug Abuse Violations
- c) Liquor Law Violations

The above listed violations may result in an arrest, disciplinary referral, or both. For additional information, please refer to the UCR, citation 34 CFR 668.46(c)(1)(ii).

Weapon 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: and all attempts to commit any of the aforementioned.

Drug Abuse 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 nonnarcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places;

bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition)

Unfounded Crime Reports – According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

## Campus Security Authority (CSA)

The law defines a CSA as any official of a post-secondary institution who has significant responsibility for students and campus activities. Some examples of CSA's are:

- Anyone who monitors entry or access to a campus facility such as an employee who checks in visitors to the dorms
- Director of Athletics and coaches including Assistant Directors and Assistant Coaches
- Faculty Adviser to a student group
- Anyone who oversees student extracurricular activities
- Coordinator for Greek Affairs
- Resident Assistants and Resident Directors
- Student Center and Student Life Staff

## What is the Role of a CSA?

The role of a CSA is to collect information on certain criminal offenses, if such offenses are reported to them and report that information to the proper authorities (Public Safety). Reporting of such crimes must be timely to allow for issuance of a Timely Warning if deemed necessary.

It is important that CSAs also refer victims to seek other assistance if they so choose, including offering to help them contact Public Safety, the Counseling Center, Student Health Services or other outside agencies.

## Criminal Offenses Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ALL ON CAMPUS PROPERTY	ON CAMPUS RESIDENTIAL ONLY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
RAPE	2020	1	1	0	0
	2019	3	3	0	0
	2018	1	1	0	0
FONDLING	2020	2	0	0	0
	2019	1	0	0	0
	2018	1	1	0	1
INCEST	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
ROBBERY	2020	0	0	0	0
	2019	1	0	0	2
	2018	0	0	0	1
AGGRAVATED ASSAULT	2020	0	0	0	3
	2019	1	1	0	1
	2018	1	0	0	0
BURGLARY	2020	1	1	0	0
	2019	6	0	0	0
	2018	2	1	0	0
MOTOR VEHICLE THEFT	2020	0	0	0	1
	2019	5	0	0	2
	2018	0	0	0	0
ARSON	2020	1	1	0	0
	2019	0	0	0	0
	2018	0	0	0	0

**Note:** Reported crimes may involve individuals not associated with Wentworth Institute of Technology.

## Arrests & Disciplinary Referrals Offenses Reporting Table

		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ALL ON CAMPUS PROPERTY	ON CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
<b>ARRESTS:</b> WEAPONS: CARRYING, POSSESSING, ETC. LAW VIOLATIONS	<b>2020</b>	0	0	0	3
	<b>2019</b>	0	0	0	0
	<b>2018</b>	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> WEAPONS: CARRYING, POSSESSING, ETC. LAW VIOLATIONS	<b>2020</b>	0	0	0	1
	<b>2019</b>	0	0	0	0
	<b>2018</b>	2	2	0	0
<b>ARRESTS:</b> DRUG ABUSE VIOLATIONS	<b>2020</b>	1	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2018</b>	1	0	0	0
<b>DISCIPLINARY REFERRALS:</b> DRUG ABUSE VIOLATIONS	<b>2020</b>	1	1	0	0
	<b>2019</b>	70	70	0	0
	<b>2018</b>	57	56	0	5
<b>ARRESTS:</b> LIQUOR LAW VIOLATIONS	<b>2020</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2018</b>	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> LIQUOR LAW VIOLATIONS	<b>2020</b>	60	59	0	1
	<b>2019</b>	189	189	2	0
	<b>2018</b>	130	129	0	0

**Note:** Reported crimes may involve individuals not associated with Wentworth Institute of Technology.

**Note:** Massachusetts decriminalized the recreational use of marijuana on December 15, 2016. Use and possession of marijuana on-campus is a Code of Conduct violation, however, it is not a criminal offense in the Commonwealth of Massachusetts. Only Arrests and Disciplinary Referrals for violations of criminal law are reported under the Jeanne Clery Act.

VAWA Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ALL ON CAMPUS PROPERTY	ON CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	2	0	1	0
	2019	3	3	0	0
	2018	1	1	0	0
DATING VIOLENCE	2020	0	0	0	0
	2019	1	1	0	0
	2018	0	0	0	0
STALKING	2020	1	1	0	0
	2019	0	0	0	0
	2018	0	0	0	0

Unfounded Crime Reporting Table	
YEAR	
2020	Zero (0) unfounded crimes for calendar year 2020.
2019	Zero (0) unfounded crimes for calendar year 2019.
2018	Zero (0) unfounded crimes for calendar year 2018.

Hate Crime Statistics	
YEAR	
2020	Zero (0) hate crimes, as defined by applicable law, were reported to Wentworth Institute of Technology in 2020.
2019	<ol style="list-style-type: none"> <li>1. An incident of <b>Destruction/Damage/Vandalism of Property</b> occurred at an on-campus residential facility, <b>characterized by race.</b></li> <li>2. An incident of <b>Destruction/Damage/Vandalism of Property</b> occurred at an on-campus residential facility, <b>characterized by sexual orientation.</b></li> </ol>
2018	Zero (0) hate crimes, as defined by applicable law, were reported to Wentworth Institute of Technology in 2018.

**Note:** Reported crimes may involve individuals not associated with Wentworth Institute of Technology.

## Fire Safety

The Wentworth Police Department, working in partnership with the Boston Fire Department and the Wentworth Physical Plant Department has annual inspections conducted by a certified fire alarm company that results in the certification of all campus facilities as compliant with state and local fire codes. Policies are in place, in student and employee handbooks, to prevent sources of fire. Wentworth is fortunate to have a fully staffed Boston Fire station on Huntington Avenue immediately adjoining the campus.

All fire safety system alarms are monitored in the Wentworth Police Communications Center, and if triggered make simultaneous notification to both Wentworth Police and the Boston Fire Department.

## Fire Drills

The Wentworth Police Department works in conjunction with the Department of Housing and Residential Life to plan, supervise and evaluate fire drills in Wentworth's fourteen Residence Buildings. Each year two fire drills are held. The drills are held within one month of the beginning of the school's Fall and Spring semesters. The drills are a real time simulation of a mandatory evacuation of a building in the event of a fire. All the drills are monitored by Wentworth employees assigned to the Wentworth Police Department and the Department of Housing and Residential Life. In addition, there are technicians from the fire alarm and elevator companies under contract to the Institute who are present to monitor their equipment and immediately identify and repair any deficiencies noted in their systems.

Evacuation route maps are posted in each resident's room showing the nearest route of egress and the location of the outside assembly area. A student who fails to leave the building during a fire alarm is in violation of Wentworth fire drill policies. This behavior is documented and notification of their failure to act is turned over to the Dean of Housing and Residential Life for further action.

At the conclusion of each drill an evaluation form is completed, violations and problems noted, and, where necessary, corrections are made.

Residence Hall	Throughout Building		Each Floor	Common Areas / Each Room					Each Bedroom				
	Emergency Lighting	Exit Signage	Fire Extinguishers	Sprinklers	Heat Detectors*	Smoke Detectors* (Local)	Local CO Detectors**	CO Detectors	Sprinklers	Heat Detectors*	Smoke Detectors* (Local)	CO Detectors	Local CO Detectors**
Edwards Hall	X	X	X	X	X	X	X		X	X	X		X
Rodgers Hall	X	X	X	X	X	X	X		X	X	X		X
Baker Hall	X	X	X	X	X	X		X	X	X	X	X	
525 Huntington	X	X	X	X	X	X		X	X	X	X	X	
555 Huntington	X	X	X	X	X	X		X	X	X	X	X	
610 Huntington	X	X	X	X	X	X		X	X	X	X	X	
Tudbury Hall	X	X	X	X	X	X		X	X	X	X	X	
Evans Way	X	X	X	X	X	X		X	X	X	X	X	
60 Louis Prang	X	X	X	X	X	X	X		X	X	X		X
62 Louis Prang	X	X	X	X	X	X	X		X	X	X		X
66 Louis Prang	X	X	X	X	X	X	X		X	X	X		X
68 Louis Prang	X	X	X	X	X	X	X		X	X	X		X
7 Vancouver	X	X	X	X	X	X	X		X	X	X		X
9 Vancouver	X	X	X	X	X	X	X		X	X	X		X
15 Vancouver	X	X	X	X	X	X	X		X	X	X		X

\*Trigger Audible Alarms and Strobe Lighting When Activated

\*\*As Required by NFPA70 and 72

## Fire Statistics Reporting Table - 2020

<b>Statistics and Related Information Regarding Fires in On-Campus Residential Facilities 2020</b>						
<b>Residential Facility</b>	<b>Total Fires in Each Building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Baker Hall	0	0	N/A	0	0	N/A
610 Huntington	0	0	N/A	0	0	N/A
555 Huntington	1	1	Unintentional – Cooking	0	0	\$100-999
525 Huntington	0	0	N/A	0	0	N/A
Edwards Hall	0	0	N/A	0	0	N/A
Rodgers Hall	1	1	Intentional – Malicious Burning of Paper Door Posting	0	0	\$1 - \$99
Tudbury Hall	0	0	N/A	0	0	N/A
Evans Way	1	1	Undetermined	0	0	\$25,000 - \$49,999
60 Louis Prang	0	0	N/A	0	0	N/A
62 Louis Prang	0	0	N/A	0	0	N/A
66 Louis Prang	0	0	N/A	0	0	N/A
68 Louis Prang	0	0	N/A	0	0	N/A
7 Vancouver	0	0	N/A	0	0	N/A
9 Vancouver	0	0	N/A	0	0	N/A
15 Vancouver	0	0	N/A	0	0	N/A

## Fire Statistics Reporting Table - 2019

<b>Statistics and Related Information Regarding Fires in On-Campus Residential Facilities 2019</b>						
<b>Residential Facility</b>	<b>Total Fires in Each Building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Baker Hall	0	0	N/A	0	0	N/A
610 Huntington	0	0	N/A	0	0	N/A
555 Huntington	2	1	Unintentional - Electrical	0	0	\$100 - \$999
		2	Unintentional - Mechanical	0	0	\$1,000 - \$9,000
525 Huntington	0	0	N/A	0	0	N/A
Edwards Hall	0	0	N/A	0	0	N/A
Rodgers Hall	0	0	N/A	0	0	N/A
Tudbury Hall	0	0	N/A	0	0	N/A
Evans Way	0	0	N/A	0	0	N/A
60 Louis Prang	0	0	N/A	0	0	N/A
62 Louis Prang	0	0	N/A	0	0	N/A
66 Louis Prang	0	0	N/A	0	0	N/A
68 Louis Prang	0	0	N/A	0	0	N/A
7 Vancouver	0	0	N/A	0	0	N/A
9 Vancouver	0	0	N/A	0	0	N/A
15 Vancouver	0	0	N/A	0	0	N/A

## Fire Statistics Reporting Table - 2018

<b>Statistics and Related Information Regarding Fires in On-Campus Residential Facilities 2018</b>						
<b>Residential Facility</b>	<b>Total Fires in Each Building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Baker Hall	0	0	N/A	0	0	N/A
610 Huntington	0	0	N/A	0	0	N/A
555 Huntington	0	0	N/A	0	0	N/A
525 Huntington	0	0	N/A	0	0	N/A
Edwards Hall	0	0	N/A	0	0	N/A
Rodgers Hall	0	0	N/A	0	0	N/A
Tudbury Hall	0	0	N/A	0	0	N/A
Evans Way	0	0	N/A	0	0	N/A
60 Louis Prang	0	0	N/A	0	0	N/A
62 Louis Prang	0	0	N/A	0	0	N/A
66 Louis Prang	0	0	N/A	0	0	N/A
68 Louis Prang	0	0	N/A	0	0	N/A
7 Vancouver	0	0	N/A	0	0	N/A
9 Vancouver	0	0	N/A	0	0	N/A
15 Vancouver	0	0	N/A	0	0	N/A

