

# Massachusetts State U • < ~ ‡ ” • < – < ‡ • ï Equal Opportunity, Nondiscrimination, and Title IX Plan

BridgewaterStateUniversity  
FitchburgStateUniversity  
FraminghamStateUniversity  
MassachusettsCollegeof Art and Design  
MassachusettsCollegeof LiberalArts  
MassachusettsMaritime Academy  
SalemStateUniversity  
WestfieldStateUniversity  
WorcesterStateUniversity

Effective Date: August, 2024

Approved by the Massachusetts Board of Higher Education August 1, 2024



Appendix 2: Primary Responsibilities Title IX





## 1.5 PLAN AWARENESS

The h v ] À CE Notice of Nondiscrimination, with reference to this Plan, will be posted in areas customarily used for public announcements and on the h v ] À CE websites. Prospective employees and applicants for admission will be informed of this Notice in all advertisements posted both on and off campus.

At the start of each academic year, all policy statements regarding equal opportunity and nondiscrimination at the Universities will be distributed, either electronically or in hard copy or in both formats, as follows:

- x to every office at each University, including the Human Resources Office, the Office of the Equal Opportunity Officer, and the Office of the Title IX Coordinator;
- x to each







## 3 EQUAL OPPORTUNITY

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### 3.1 STATEMENT OF EQUAL OPPORTUNITY

The University endeavors to ensure that all employment and academic decisions, programs, and policies are formulated and conducted in a manner to ensure equal access for all people and to prevent unlawful discrimination. As part of this effort, the University will ensure that employment and academic decisions, programs, and policies will be





3.3.3 Complaint Investigation and Resolution Procedures  
Any member of the University community or

The University does not require supporting documentation from a student unless doing so is necessary and reasonable. For example, the University does not require documentation when it has already been provided or relates to lactation needs; the need is obvious or one of various routine and simple modifications; or when modifications, leave, or other steps are available to students for non-pregnancy related reasons without submitting supporting documentation.

#### 3.4.2 Employee Accommodations for Pregnancy or Pregnancy-Related Conditions

Upon the request from the employee or prospective employee, the University will engage in a timely, good faith, and interactive process to determine an effective, reasonable accommodation to enable the employee to perform the essential functions of the position.

Through the interactive process, the University will provide necessary, reasonable accommodations that will allow an employee to perform the essential functions of the job while pregnant or experiencing pregnancy related conditions unless doing so would impose an undue hardship on the University. The University recognizes that it cannot make an employee accept a particular accommodation if another reasonable accommodation would allow the employee to perform the essential functions of the job or require an employee to take a leave if

External Website: <https://www.bridgew.edu/office/titleix>

Intranet: <https://studentbridgew.sharepoint.com/sites/OfficeofEqualOpportunity/SitePages/PregnancyandParenting.aspx>

Employee Pregnancy Accommodation

[https://cm.maxient.com/reportingform.php?BridgewaterStateUniv&layout\\_id=48](https://cm.maxient.com/reportingform.php?BridgewaterStateUniv&layout_id=48)

Student Pregnancy Support:

[https://cm.maxient.com/reportingform.php?BridgewaterStateUniv&layout\\_id=49](https://cm.maxient.com/reportingform.php?BridgewaterStateUniv&layout_id=49)

The Title IX Coordinator is responsible for ensuring that any approved accommodations are implemented, including notifying any University officials responsible for implementing specific elements of the accommodation.

#### 3.4.4 Complaint Investigation and Resolution Procedures

Employees, job applicants, and students who believe that they have been subjected to discrimination as a result of pregnancy or a pregnancy-related condition or who allege that the University has failed to provide reasonable accommodations may initiate a claim as outlined in the Complaint Investigation and Resolution Procedures in Section 5 of this EO Plan.







#### 4.1.4 Retaliation

Retaliation is prohibited by this Policy and the University will respond to





offensive conduct alters an individual's conditions of employment by creating a hostile work environment or a hostile educational environment by creating a hostile educational environment.

### 4.3 SEX-BASED DISCRIMINATION

Sex-based discrimination is any discrimination that depends in part on consideration of a person's sex and can be due to sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, and pregnancy, childbirth, and related medical conditions.

Sex Characteristics Physiological characteristics, such as anatomy, hormones, chromosomes and other traits,

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The nature or severity of the conduct;

- x the virtual platform within which such conduct took place, and whether it is connected to the workplace or educational environment;
- x the device or account used to access social media or the platform, such as use of a University account or device;
- x whether the conduct occurred during work hours;
- x how the respondent obtained access to the } u % o ] vsocial media accounts;
- x whether the harassment was on publicly available social media or private;
- x the relationship between the complainant and respondent, such as harassment between a supervisor and employee or between a faculty member and student; or
- x whether the conduct adversely affected the terms and conditions of the } u % o ] vemployment or education or has an effect on the } u % o ] vwork or educational environment.

#### 4.5 FIRST AMENDMENT AND ACADEMIC FREEDOM

The University is committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom of inquiry, teaching, service, and research. Nothing in this Policy shall be construed to penalize a member of the University community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Accordingly, any form of speech or conduct that is protected by the principles of academic freedom or the First Amendment to the United States Constitution is not subject to this Policy.

#### 4.6 CONSENSUAL RELATIONSHIPS

Consensual romantic and/or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical and create a risk for real or perceived coercion and sexual harassment. The University does not intrude upon private choices regarding personal relationships when these relationships do not violate the h v ] À C policies, or cause harm or increase the risk of harm to the safety and wellbeing of members of the campus community.

##### 4.6.1 Faculty/Administrator/Staff Member Relationships with Students

No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or whose academic work is being supervised or evaluated, directly or indirectly, by the faculty member. No administrator or staff member shall have a romantic and/or sexual relationship, consensual or otherwise, with a





shall contact the Department of Children and Families and/or outside law enforcement. In certain cases employees may be obligated to make a report directly to DCF.

An employee may also directly contact law enforcement, DCF, or other relevant state agency in cases of suspected abuse or neglect. Massachusetts law also has mandatory reporting requirements for certain occupations where abuse or neglect of adults over 60, per M.G.L.c. 19A, §15, or persons with disabilities, per M.G.L.c. 19C, is suspected. For more information, please contact the Campus Police or Public Safety.

Bridgewater State University Police Department  
Operations Center | 200 Great Hill Drive | Bridgewater, MA 02325  
Phone: (508) 531-1212  
Emergency: 911  
TTY: (508) 536-1111  
Fax: (508) 536-1180  
Email: [bsupolice@bridgew.edu](mailto:bsupolice@bridgew.edu)  
Website: <https://www.bridgew.edu/aboutus/police-department>

#### 4.7.5 Duty to Report Violations of the Clery Act

Furthermore, Campus Security Authorities for the purposes of the Clery Act must act in accordance with their specific reporting obligations.

#### 4.7.6 Duty to Inform Persons Reporting Pregnancy or Pregnancy-Related Conditions

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

#### 4.7.7 Required Title IX and Campus Security Act (IX )30.392 re W\* n BT /TT0 1 Tf 1

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

# 5 COMPLAINT INVESTIGATION AND RESOLUTION PROCEDURES

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The University has adopted Complaint Investigation and Resolution Procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its program or activity, or by the Title IX Coordinator or Equal Opportunity Office. 387.1775-151.2110 (1) 367(e) 1576355 60 00 6127927304922 (en) (2eTW\*(CB) (/TTQ 4

#### 5.1.6 Investigator

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

#### 5.1.7 Party

A complainant or respondent.

#### 5.1.8 Relevant

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

#### 5.1.9 Remedies

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

#### 5.1.10 Report

A report is the first step in order for an individual



























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

5.5.17.1 Sanctions

Following a determination that probe W\*dX55(t)-5(id )JTJ ET Q q 0 0 612 792 re W\* n BT /TT0 1 Tf 0n BT /TT0 1







The confidential resource provider receives training in the awareness and prevention of sex-based harassment and in trauma-informed response and coordinates with any on-campus or off-campus sexual assault crisis service center or domestic violence program and, if directed by the reporting party, campus or local law enforcement agencies assists the student or employee in contacting or reporting to campus or local law enforcement agencies. If requested by the reporting party, the confidential resource provider, using only the reporting party's identifying information, shall coordinate with the appropriate institutional personnel to arrange possible interim school-based supportive measures to allow the reporting party to change





8. Prior experience conducting investigations in higher education.
9. Experience participating in administrative hearings and proceedings.
10. Experience with and understanding of mental health/counseling issues in higher education.

This description of primary responsibilities is illustrative and not necessarily exhaustive.







## APPENDIX 3: PRIMARY RESPONSIBILITIES EQUAL OPPORTUNITY/ TITLE IX INVESTIGATOR

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The EO/Title IX Investigator is responsible for investigating alleged incidents of discrimination, harassment, retaliation, as defined in the h v ] Å Œ • ] å Œ • f4T0 1 Tf 11 0 0 11 270.88 657.45 Tm [(in)5(ve)26<018T Q03>.

# APPENDIX 4: RESOURCES

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Confidential Counseling and Support  
Generally, one may discuss the incident with a licensed mental health

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- x 24/7 hotline counseling information, and referral;
- x will go with victims to hospitals and/or police stations 24/7;
- x will go with a victim to court;
- x provide one-to-one counseling and support group counseling and
- x provide primary prevention education, professional training and outreach.

<https://www.mass.gov/sexual-assault-and-rape-services>

#### Greater Boston Area Boston Area

- x Rape Crisis Center, Cambridge (BARCC) (800) 841-8371 (24/7 hotline) | (617) 492-6434 TTY  
<https://barcc.org/>

#### Northeastern Massachusetts

- x YWCA North Shore Rape Crisis Center, Lynn/Lawrence/Haverhill (877) 509-YWCA (9922), Spanish: (800) 223-5001
- x Center for Hope and Healing, Lowell: (800) 542-5212 Hotline, (978) 452-8723 TTY

#### Central Massachusetts

- x Pathways for Change Inc., Worcester: (800) 870-5905 Hotline, (888) 877-7130
- x Pathways for Change Inc., Fitchburg: (800) 870-5905
- x Wayside Trauma Intervention Services, Milford: (800) 511-5070 Hotline, (508) 478-4205 TTY
- x Voices Against Violence, Framingham (800) 593-1125 Supportline, (508) 626-8686 TTY

#### Southeastern Massachusetts

- x A Safe Place,

## PRIVATE NON-CONFIDENTIAL CAMPUS RESOURCES

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

- x Title IX Coordinator (and any Deputies)
- x EEO Officer
- x Campus Police/Public Safety
- x Human Resources
- x Housing/Residence Life
- x Student Life/Student Affairs
- x Student Conduct/Community Standards
- x Disability Services/Student Accessibility Services





