

Manchester Community College

2018 Annual Security Report

CLERY ACT CRIME STATISTICS FOR 2015-2017

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INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or the Clery Act is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46.

The Clery Act requires all colleges and universities that participate in federal financial aid programs to:

- Publish an annual security report by October 1st that documents three calendar years of campus crime and fire statistics and certain campus security policy statements;
- Collect, count, and disclose crime statistics and information about crime on and around their campuses;
- Maintain a public daily crime log that records all criminal incidents and alleged criminal incidents reported to Safety and Security;
- Maintain a publicly accessible fire log of all fires that occurred in on-campus residential facilities;
- Disclose missing student notification procedures for students who reside in on-campus residential facilities;
- Issue “timely warning” notices to the campus community for any Clery crime that “represents an ongoing or continuing threat to the safety of students or employees”;
- Issue an emergency notification “when a significant emergency or dangerous situation involves an immediate threat to the health or safety of students or employees on campus.”

The Annual Security Report is available October 1st of each year. This report includes statistics for the previous three years concerning reported crimes that occurred on-campus, in certain off-campus buildings or property owned or controlled by the Manchester Community College and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes College policies concerning campus security, such as sexual assault and other matters. You can obtain a copy of this report by contacting Manchester Community College’s Campus Safety Department or by accessing the following website: <http://www.mccnh.edu/services/campus-safety>

Section I:

How to Report Crimes

The Campus Safety Department encourages prompt and accurate reporting of all criminal matters. If you are a victim of a crime and do not want to pursue action within the college or criminal justice system, you may still want to consider making a confidential report. With your permission the Chief of Campus Safety or a designee of campus safety can file a report on the details of the incident without revealing your identity. The purpose of the confidential report is to comply with your wishes to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the college. These anonymous reports can be filed either in the Campus Safety Office or by completing the online form at:

<http://www.mccnh.edu/services/campus-safety/report-an-incident>

Crimes can be reported using the following methods:

- Dial 9-1-1 to contact Emergency Services directly
- Dialing 603-703-8487 from any phone to report a situation to Campus Safety
- Dialing 603-206-8222 from any phone to report non-emergencies
- Push the button on any Emergency Call Box to contact Emergency Services directly
- Go to any office on campus and ask them to contact the Campus Safety Department
- Access the Campus Safety website and fill out the incident report form

Emergency Call Boxes: Manchester Community College has 911 Emergency Call Boxes located throughout the college campus both internally and also on the exterior of the building. In the event of an emergency simply push the talk button to activate. You will be connected with a 911 dispatcher, advise them of your issue and location. The campus safety department must be notified after a 911 call has been completed.

Emergency Notifications and Timely Warnings

The Human Resources Officer and the Campus Safety Department are responsible for issuing Campus Safety Alerts when a crime is reported to or brought to the attention of that office, and the crime represents a threat to the safety of members of the campus community. Information for alerts also comes from other offices on campus and local law enforcement agencies. Alerts are distributed to academic buildings and student centers via postings. Alerts are also distributed through the campus e-mail network, the college website, and through local media outlets when appropriate.

The Campus Safety Alert is provided to give students, faculty, and staff timely notification of incidents that may present a threat to the campus community and to heighten safety awareness. The institution will immediately notify the campus community upon confirmation of an emergency or dangerous situation unless issuing will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Manchester Community College has a reverse notification system that will allow us to send voice, text, and email messages to the subscriber in case of emergency. This will allow us to immediately make individuals aware of any ongoing situations on campus, and advise them how to react to the situation. Students can sign up for MCC ALERTS at

<https://www.mccnh.edu/accounts/alerts?highlight=WyJnZXQiLCJyYXZlIi0=>

Crime statistics are collected by the Campus Safety Department throughout the year for all crimes that occur on campus. The data is collected from incident reports and Campus Security Authorities. Crimes that occur on public property are requested from the Manchester, New Hampshire Police Department and provided by the Crime Analysis Unit. Once the information is collated the results are published in the Annual Security Report by the Campus Safety Department.

Campus Security Authorities: Campus officials that have a significant responsibility for students and campus activities are considered to be campus security authorities. The campus security authority's primary responsibility is to report allegations made in good faith to the reporting structure established by the institution. Individuals and offices that are identified as campus security authorities (CSA) are notified yearly, in writing that they are CSA's and what is required of them. This letter also includes a list of all Clery Act crimes and geographical location, as well as an explanation of the types of arrests and referrals for disciplinary action that apply to the Clery Act. CSA's are not expected to investigate the crime to determine its validity, simply to document the information and provide it to campus safety for follow up.

The following have been identified as campus security authorities:

Campus Safety	603-206-8222
Title IX Coordinator	603-206-8177
VP Academic Affairs	603-206-8011
VP Student Services	603-206-8005
Accessibility Counselor	603-206-8142
Student Life	603-206-8175
President's Office	603-206-8002

Section 2: Physical Security of Campus Facilities

(Note: Prior 2018, the college did not have student housing facilities.)

Intrusion Detection System: During times when the school is closed, and employees are not present, the intrusion detection system will monitor the physical security of the campus. An audible signal will be heard in the event of a security breach. When the system is armed it is monitored by a private company who will alert the police department. The Manchester Police Department will then respond. The alarm company will also notify the college facilities department of all alarms. Additionally, Manchester Community College also has several emergency doors which are alarmed. These alarms are monitored by the Campus Safety Department.

Fire Alarm System: The fire alarm system monitors fire, heat, and smoke conditions twenty-four hours a day. In the event a fire alarm is activated the alarm audible and visual (strobe) warning signal will be activated. In the event the college loses power, an emergency backup lighting system will be activated. The Manchester Fire Department responds to all activated fire alarms.

Surveillance and Video Management System: The College has numerous surveillance cameras located throughout the campus both on the interior and exterior of the building. Video data is captured and stored on a digital server for thirty (30) days. The cameras are used for both real time monitoring and after action investigations via the recorded footage. The system is monitored and managed by the Campus Safety Department.

Access Control System: The College has an access control system in place for the exterior doors as well as the high value interior lab rooms. Staff and faculty are required to have and display their card access badges at all times when on college property. Access is given to high value labs through card access badges. The system is monitored and managed by the Campus Safety Department.

Safety and Security Maintenance: Campus Safety Officers and the Facilities Maintenance Department routinely inspect the campus for unsafe conditions. Maintenance repairs can be requested by visiting <https://www.mccnh.edu/faculty-and-staff-resources>.

Section 3: Campus Safety and Security

The Campus Safety Department operates during the normal operating hours of the college and employs (4) part time officers. Campus Safety Officers promote lawful behavior and protects the welfare of students, faculty and staff as a uniformed presence on campus. Campus Safety Officers perform foot and vehicle patrols of the college campus to monitor behavior, secure buildings and property, investigate disturbances, maintain order during events and enforce college regulations. They monitor the physical safety of campus buildings by locking and unlocking doors, patrolling or monitoring using surveillance systems, and reporting suspicious behavior.

In emergency situations, Campus Safety Officers respond to the scene, provide first aid, and alert additional police or emergency personnel as appropriate. They maintain radio communication with other safety personnel and officers on campus, helping to coordinate emergency plans. They also write and submit incident reports as appropriate. Although campus safety officers do not have arrest powers, the campus safety department maintains a working relationship with the Manchester Police Department and the New Hampshire State Police. Additionally, a Memorandum of Understanding has been implemented between Manchester Community College and the Manchester Police Department to effectively address alleged crimes of violence.

The college community can report crimes voluntarily and confidentially through the Campus Safety web page.

Section 4: Crime Awareness

Members of the college community must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. For example, although the campus is well lit, any student may feel more comfortable calling Campus Safety for an escort to their vehicle. Also, consider using the “buddy system” to walk to the parking lot. Vehicles should always be locked and valuables stored out of sight. Any suspicious individuals or activity should be reported to Campus Safety immediately.

Potential or actual criminal activity and other emergencies can be reported directly by any student, faculty or staff member to the Campus Safety Department. The College encourages reporting directly to the

local authorities in situations where the need is obvious, such as a theft you see taking place or a situation requiring immediate medical attention. Notification of college personnel should take place after the emergency services are on their way to the campus.

Manchester Community College expects students to be mature, honest and responsible members of the College community. Any behavior which infringes upon the rights, safety, property and privileges of another person or which impedes the educational process is unacceptable. In addition, any behavior or activity that violates local, state or federal law is unacceptable. For further information, refer to the Student Code of Conduct located in the Student Handbook.

Any violation of these rules or local, state and federal laws on campus should be reported to the Campus Safety Department. Violations of the law will be reported to the appropriate local, state or federal authorities.

Disciplinary issues are the responsibility of the Student Affairs Office. The Vice President of Student Affairs or his/her designee may take administrative disciplinary action when necessary to ensure the safety of students, faculty and staff and to ensure the continuation of the educational process.

Campus Safety will provide a brief informational presentation at all new student orientation sessions. The presentation will include information on student ID's, vehicle registration, proper parking areas, and safety awareness.

Section 5. Safety Programs

Crime Prevention Presentations: The Manchester Community College in conjunction with the Manchester Police Department will provide students with a safety awareness presentation at the beginning of each school year. In addition to presentations, preventative information is also conveyed through bulletin boards located throughout the campus. Printed crime prevention brochures, posters and flyers relating to various crimes students may encounter are available and widely distributed throughout campus.

Escort Service: The Campus Safety Department extends walking escorts to students, faculty and staff to and from any destination on campus. This free service is offered by calling the Campus Safety Officer on duty.

Campus Safety Website: Manchester Community College maintains a website at <http://www.mccnh.edu/services/campus-safety>. For quick and up to date information on the campus safety department and services it provides in addition to crime statistics, crime prevention information, emergency procedures, and online registration for parking permits. This site also contains access to the list of registered sexual offenders for the State of New Hampshire. Special alerts and timely notifications are also posted to this site.

Section 6. Noncampus Organization Locations

The college does not have any officially recognized student organizations with noncampus locations.

Section 7: Alcohol and Drug Policy

Community College System of New Hampshire(CCSNH): 730.02 ALCOHOL POLICY - STUDENTS (See Facilities Section 562.02 – Alcohol Policy: College Facilities)

1. The CCSNH supports the Drug Free Schools and Communities Act Amendment of 1989, P.L. 101-226, and complies with this and all Federal, State and local laws pertaining to controlled substances, including alcohol.

2. The CCSNH recognizes alcohol abuse as a deterrent to the mission of the Colleges. The abuse of alcohol imposes consequences on the individual, the members of the College community and the community as a whole. To address alcohol consumption at the CCSNH, all Colleges in the CCSNH shall provide educational programs on the abuse of alcohol and other drugs and provide referral for assistance for students who seek it. Colleges are encouraged to establish campus-wide committees to assist in development of these programs in response to particular campus needs and identification of referral resources in their respective service regions. 9

3. Alcohol is not permitted on CCSNH property, including any of the Colleges, academic centers, leased facilities except as specifically allowed by CCSNH policy and laws governing the acquisition, distribution, possession or consumption of alcohol. The sale or distribution of alcoholic beverages is regulated by the laws of the State of New Hampshire, and local or county ordinances. The acquisition, distribution, possession or consumption of alcohol by members of the CCSNH community must be in compliance with all local, state and federal laws.

4. Except as prohibited by law, and provided that all conditions of any Federal, State and/or local law, regulation or code are met, students over the age of 21 and not otherwise lawfully barred from the use of alcohol, may possess or consume beer or wine only within the privacy of their residential housing unit provided no persons under the legal drinking age are present and students conform to the Student Code of Conduct. Open containers of alcohol are prohibited in any common areas in and around residential housing. Students of legal drinking age on a College sponsored trip may consume alcohol subject to the rules regarding intoxication in the Student Code of Conduct.

5. Students should be aware that the ability to possess and consume alcohol on CCSNH property is a privilege and that alcohol must be used responsibly. Primary responsibility for knowing and abiding by the provisions of components of the CCSNH Alcohol Policy and all relevant laws rests with each individual. Failure to abide by the terms of this Alcohol Policy and/or all provisions of the Student Code of Conduct, including rules regarding intoxication, may result in disciplinary action under CCSNH and College Judicial Policy. Guests of legal drinking age who consume alcohol on CCSNH property are the responsibility of the College resident inviting them and the guest's behavior or violations will become those of the resident and subject to the Student Code of Conduct. Guests may be subject to removal from campus if intoxicated or if behaving in a manner that would constitute a disruption. At any time, as determined by the amount of noise, numbers of people and traffic patterns, the CCSNH Colleges reserve the right to suspend the ability to possess or consume alcohol within any given area.

6. No person may sell, furnish or give alcohol to any person under the legal drinking age or to anyone who is visibly intoxicated, even if that person is over the age of 21.

7. Alcoholic beverages will not be permitted at student organization sponsored events without approval from the President. Requests for approval must be made in writing at least 45 days prior to the event. Those who grant approval for alcohol consumption must keep a written record of all such approval.

8. Food and non-alcoholic drinks must be available at all functions involving the distribution of alcoholic beverages

9. No purchase of alcoholic beverages is allowed from any student funds under the jurisdiction of the CCSNH Board of Trustees. All events at which alcohol is served must comply with the CCSNH Alcohol Policy: College Facilities, including but not limited to the requirement that a third party licensed vendor be retained for serving alcohol.

Section 8: Drugs and Narcotics

CCSNH POLICY: 730.03 DRUGS AND NARCOTICS The use, possession or distribution of unprescribed drugs and narcotics, including marijuana, by students is not allowed on campus and will result in suspension or dismissal from the college. Any college student trafficking in drugs shall be subject to civil action. The policy of the college will be to cooperate fully with law enforcement officials in the proper exercise of their duty. This policy is based on Federal and State of New Hampshire laws pertaining to the use of drugs.

Section 9: Substance Abuse Education

The physical and mental dangers associated with the use and abuse of drugs and alcohol are numerous. Heavy drinking over a period of time can cause physiological damage, physical problems, and serious nervous or mental disorders. Addiction to drugs or alcohol not only impacts upon the abuser, it places profound stress upon family members, relationships, and friendships. The college is concerned about abusers utilizing tools and equipment, which can be harmful to the individuals as well as to others nearby. Once again, the use of alcohol and/or drugs is strictly forbidden on campus.

The College realizes that circumstances place individuals into situations that may lead to dependence upon drugs and/or alcohol. Recognizing its responsibility to be concerned with the total well-being of its students, the college provides referral service to those in need of counseling or medical support. Individuals are urged to seek assistance from a counselor and to secure the proper treatment they may need. Below is a resource for a substance abuse and treatment center.

Alcohol Treatment Center (24 Hour Help Line)

1-800-711-6402

Section 10: Sexual Assault Policy

Manchester Community College is acutely aware of the concerns of students, faculty and staff regarding the sudden and dramatic increase in the number of victims seeking help who have been sexually harassed, assaulted or raped on college campuses. It is the policy of the Community College System of New Hampshire (CCSNH) that all individuals associated with CCSNH should be able to work and study in an environment that is free of discrimination and sexual assault/harassment.

Community College System of New Hampshire (CCSNH) Student Code of Conduct Sexual Misconduct Policy

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I. Policy Statement

CCSNH and its Colleges are committed to maintaining an environment that reduces the threat of sexual misconduct, and prohibits all forms of sexual misconduct, including but not limited to, sexual assault, sexual harassment, sexual exploitation, relationship violence, stalking, and all forms of discrimination relating to one's sex, sexual orientation, or gender identity or expression (hereinafter referred to in this Policy as "prohibited conduct" or "sexual misconduct"). These behaviors undermine CCSNH's commitment to creating and maintaining a positive and productive learning environment for students, a professional setting for its employees, and a community atmosphere grounded in mutual respect, dignity, and integrity. Accordingly, acts of sexual misconduct, as defined in section IV of this Policy, will not be tolerated at CCSNH or any of its Colleges.

II. Scope of Policy

This policy applies equally to all CCSNH community members, regardless of the sex, sexual orientation, gender identity or expression. CCSNH community members include students, employees, independent contractors, visitors to CCSNH property, or any person registered, accepted or enrolled in any course or program offered by any CCSNH College including those who are not officially enrolled for a particular term but who have a continuing relationship with the Colleges. CCSNH property includes all campuses of the seven community Colleges in the system: Great Bay Community College, Lakes Region Community College, Manchester Community College, Nashua Community College, NHTI – Concord's Community College, River Valley Community College, and White Mountains Community College.

CCSNH and its Colleges will address reports received from any individual, whether or not affiliated with CCSNH or one of its Colleges, that a College community member has violated this policy. CCSNH and its Colleges will provide resource options and respond promptly and equitably to all reports of prohibited conduct involving a CCSNH community member. In addressing reports, CCSNH and its Colleges are committed to maintaining fairness for all parties and balancing the needs and interests of individuals with the safety of the community.

This policy applies to on-campus conduct and may also apply to off-campus conduct where such conduct adversely affects the College community and/or the pursuit of its objectives. This policy may also apply to

behavior conducted online, including via e-mail, blogs, web page entries, social media sites, and other similar online postings.

III. Definitions

A. **Sexual Misconduct** encompasses a range of violating behaviors, including sexual assault, sexual harassment, relationship violence, stalking, and any other conduct of a sexual nature that is nonconsensual, or has the effect of threatening, intimidating, or coercing a person at whom such conduct is directed. All of these behaviors are prohibited conduct.

B. “Complainant” is the term used to refer to the person bringing forward a complaint of sexual misconduct against another individual.

C. “Respondent” is the term used to refer to the person who has a sexual misconduct complaint brought against them.

- Sexual misconduct can be perpetrated by:
- Current or former intimate partners
- Family members
- Persons in a position of power or trust
- Friends/acquaintances
- Non-strangers
- Strangers
- Anyone of any sex

D. **Consent** is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely, willingly, and actively by all parties. Consent is knowing and voluntary. Consent is active, not passive. Accordingly, silence or absence of resistance cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions may be reasonably understood to give permission regarding sexual activity.

Conduct will be considered “without consent” if no clear consent, verbal or nonverbal, is given. It is important not to make assumptions; if confusion or ambiguity on the issue of consent arises anytime during a sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Individuals cannot give consent if they are incapacitated due to alcohol or legal or illegal drugs, or under the age of 16.

Individuals are not giving consent if they are:

- saying “no” or “stop”
- crying
- moving away
- pushing the other(s) away
- completely still/unengaged
- incapacitated by drugs or alcohol
- asleep
- passed out
- physically or psychologically pressured or forced
- intimidated
- coerced
- manipulated

- mentally or physically impaired
- beaten
- threatened
- confined

Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Past consent does not imply future consent. Coercion, force, or threat of force invalidates consent. Being intoxicated does not diminish one's responsibility to obtain consent, although it impairs the ability to provide it. Consent to sexual activity may be withdrawn at any time. If consent is withdrawn, all sexual activity must cease.

E. Incapacitation means that a person lacks the capacity to give consent to sexual activity because the person is using alcohol or drugs, asleep, unconscious, mentally and/or physically helpless, or otherwise unaware that sexual activity is occurring. **Intentional Incapacitation** means providing alcohol or other drugs to a person with the intent to render the person incapacitated.

F. Coercion involves unreasonable and unwanted pressure to engage in sexual activity. Engaging in sexual activity should be the result of a freely given choice. Persons should engage in sexual activity because they want to do so, and not because someone has pressured them into it. Threatening, cajoling, and pressuring someone until they finally agree does not mean an individual has given consent.

G. Sexual Assault is any type of sexual contact or behavior that occurs without the explicit consent of the other person. Falling under the definition of sexual assault are sexual activities such as forced sexual penetration (rape), forcible sodomy, child molestation, incest, fondling, and attempted rape. Sexual assault can occur even when the victim knows their perpetrator, when the victim and perpetrator are married or in an intimate relationship, or when the victim and perpetrator are the same gender. Sexual assault includes, but is not limited to the following acts:

- a. Sexual Offense** is any sexual act that is committed without the consent of the victim. A sexual offense shall include but not be limited to situations where the victim is unable to provide consent because he or she is less than 16, physically helpless, mentally incapacitated, mentally impaired or unconscious due to alcohol or drug consumption, whether or not the consumption was with the victim's consent.
- b. Rape** is nonconsensual sexual penetration perpetrated by coercion, intimidation, threat or physical force, either threatened or actual. Rape also occurs when the victim is incapable of giving legal consent because the victim is less than 16 years of age, mentally incapacitated or incompetent, physically helpless, including when unconscious due to drug or alcohol consumption or asleep.
- c. Acquaintance Rape**, also known as "date rape," is defined as sexual penetration undertaken by a person known to the victim without consent. Acquaintance/Date Rape includes sexual penetration that occurs through force, as a result of threats, physical restraint or physical violence with or without consent.

H. Relationship Violence, also known as dating violence, domestic violence or intimate partner violence, is any act committed by a person in an intimate relationship against the other member of the intimate relationship to exert power and control over the other partner. Relationship violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone. Relationship violence can happen to anyone

regardless of race, sexual orientation, socio-economic status, education, age, religion, etc. Relationship violence can occur between current or former intimate partners who have dated, lived together, have a child together, currently reside together on or off campus, or who are otherwise connected through a past or existing relationship.

I. **Stalking** is when one person engages in a course of conduct which is directed at a specific person and that course of conduct causes that person to be in fear of harm to themselves, their safety, their property, a member of their immediate family, or an acquaintance. **Cyberstalking**, also known as tech-facilitated stalking, is a form of stalking which can include, but is not limited to, phone, text, or social media platforms. Stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals who are not known to one another.

J. **Sexual Exploitation** occurs when an individual takes nonconsensual, unjust or abusive sexual advantage of another; for their own advantage or benefit; or to benefit or advantage anyone other than the one being exploited; and that behavior does not otherwise constitute non-consensual sexual contact, non-consensual sexual intercourse or sexual harassment.

K. **Sexual Harassment** is sex-based verbal or physical conduct that is severe pervasive and objectively offensive such that it unreasonably interferes with or deprives someone of educational access, benefits or opportunities.

Sexual harassment falls into two categories of behaviors or conditions:

a. **Hostile Environment Sexual Harassment** includes any situation in which there is harassing conduct that is severe, pervasive, and objectively offensive such that it alters the conditions of education or employment, from both a subjective (the alleged survivor's) and an objective (reasonable person's) viewpoint.

b. **Quid Pro Quo Sexual Harassment** exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and submission to or rejection of such conduct results in adverse educational or employment action.

L. **Retaliation** is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct. Retaliation against anyone who is involved in the making of a complaint and reporting or investigation of discrimination or sexual misconduct is prohibited.

M. **Intimidation** is an implied threat that menaces or causes reasonable fear in another person.

IV. **Privacy and Confidentiality**

CCSNH and its Colleges are committed to protecting the privacy of all involved in the response to a report of sexual misconduct in accordance with applicable law, and will take steps to limit disclosure of related information only to those individuals who have a need to know in order to assess the report and to take steps to eliminate conduct that violates this policy, prevent its recurrence, and remedy its effects. All proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, and state and federal law. No information shall be released from the proceedings except as required by law or permitted by law and CCSNH policy.

To ensure all members of the community understand how CCSNH protects the privacy of individuals, please be aware that privacy and confidentiality as used in this policy have distinct meanings:

Privacy means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the issuance of interim measures. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality means that information shared with designated professionals cannot be revealed to any other individual without the express permission of the individual. These designated professionals include mental health providers, ordained clergy, and trained rape crisis center advocates, all of whom have legally protected confidentiality.

Limits on Confidentiality

Unless a CCSNH employee is deemed a “confidential professional,” as described above, all other employees at CCSNH and its Colleges are considered responsible employees/mandatory reporters, and are required to disclose to the Title IX Coordinator any information concerning sexual misconduct of which they become aware of, including identifying information about the parties involved. A report to a responsible employee is a report to CCSNH, which may result in CCSNH initiating an investigation of the reported incident and taking appropriate steps to address the situation, even if the individual making the report requests that no action be taken. An individual’s request regarding the confidentiality of reports of sexual misconduct will be considered in determining an appropriate response. Such requests, however, will be evaluated in the dual contexts of CCSNH’s interest in promoting a working and learning environment free from sexual misconduct and protecting the due process rights of the accused to be informed of the allegations and their source, including the name of the person filing the complaint.

Some level of disclosure may be necessary to ensure a complete and fair investigation, although CCSNH will respect requests to treat information as confidential to the extent possible. The Title IX Coordinator at each CCSNH affiliated school will be responsible for evaluating requests for confidentiality.

V. Victim Resources

Each CCSNH College will maintain a list of resources available to victims of sexual assault, relationship violence, stalking, or another form of sexual misconduct, including contact information for designated professionals whose communications are entitled to legally protected confidentiality.

Remedies and Accommodations for Survivors

To ensure the safety and well-being of a complainant pending investigation of sexual misconduct and the survivor in the aftermath of founded sexual misconduct, CCSNH and its Colleges will consider appropriate accommodations, such as moving to another residence halls (if living on campus), changing work schedules (if working on campus), altering academic schedules, withdrawing from/retaking a class without penalty, and accessing academic support (e.g., tutoring). If the survivor chooses to file an institutional complaint prompting an investigation, interim accommodations can be put in place while an investigation is pending, including issuing no contact orders and changing the complainant’s or respondent’s living arrangements or course schedule.

Interim measures and accommodations may be available regardless of whether an individual chooses to report an incident to campus security or local law enforcement or pursue a complaint with the College. The CCSNH Title IX Coordinator or College Title IX Coordinator will determine whether interim measures and accommodations are reasonable and should be implemented, and, if so, will work to ensure that these measures and accommodations are implemented as soon as

possible. To seek an interim measure or accommodation, students should contact their College Title IX Coordinator.

If an outside agency or court of law has put in place an order of protection, the order should be provided to the College Title IX Coordinator so that CCSNH may take appropriate measures consistent with the order.

VI. Reporting Sexual Misconduct

After an incident of sexual misconduct, the first priority for any individual should be personal safety and well-being. CCSNH encourages all individuals who have experienced sexual misconduct to seek appropriate assistance by contacting CCSNH or College Title IX Coordinator, campus security, calling 911, contacting local law enforcement, and/or visiting a medical facility immediately after an incident of sexual misconduct. The following information is provided to help CCSNH community members make informed choices about where to turn if they or someone else experiences sexual misconduct. CCSNH encourages survivors to talk about what happened so they can receive the care and support they may need, and so the College can take prompt action to respond to the issue. Reporting an incident of sexual misconduct to a CCSNH College does not obligate the individual to pursue campus judicial proceedings or criminal prosecution.

An individual who has experienced sexual misconduct at CCSNH is not required, but is encouraged, to report the incident to campus authorities. To file a complaint of sexual misconduct, the individual should contact the College or system Title IX Coordinator, or other designated administrator. CCSNH encourages timely reporting of sexual misconduct, however there is no time limit for reporting, and the College will respond to a report regardless of when or where the incident occurred. A third party or witness to sexual misconduct can also report. Students who know or suspect sexual misconduct has occurred against another student are not required to report these incidents unless they have positions/jobs on campus that make them mandatory reporters.

Criminal Complaint

Sexual misconduct that may be criminal in nature can be reported to local law enforcement. If an individual reports sexual misconduct at their College, the College will inform the individual about the option to pursue criminal action for incidents of sexual misconduct that may also be crimes under New Hampshire law. If requested, the College will assist the individual in making a criminal report and cooperate with law enforcement agencies to the extent permitted by law.

Anonymous Reporting

Any individual may make an anonymous report concerning an act of sexual misconduct, without disclosing their name, identifying the perpetrator, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, CCSNH's ability to respond to an anonymous report may be limited. To anonymously report an incident of sexual misconduct, please send a written statement to the College or system Title IX Coordinator. The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate.

Drug and Alcohol Amnesty Policy

CCSNH encourages reporting of sexual misconduct and seeks to remove any barriers to making a report. CCSNH recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential consequences for their own conduct. To encourage reporting, an individual who makes a good faith report of sexual misconduct that was directed at them or

another person will not be subject to disciplinary action for a conduct or policy violation that is related to and revealed in the sexual misconduct report or investigation, unless CCSNH determines that the violation was serious and/or placed the health or safety of others at risk. Amnesty does not preclude or prevent action by police or other legal authorities. This amnesty provision shall also apply to student groups making a report of sexual misconduct.

VII. College Procedures for Responding to Sexual Misconduct

When an incident is reported to any CCSNH employee, the person to whom the report is made shall communicate the report to campus security and/or the Title IX Coordinator or designee who will then inform the individual of their option to notify local law enforcement authorities. The individual shall also be informed of the importance of preserving evidence required for proof of possible criminal activity, and of the availability of the College personnel to assist the student in notifying the authorities of the incident, upon the student's request. The student shall also be informed of the existing on- and off-campus counseling, mental health, and other student services. 6

If the student is willing to report the incident to the campus security, she or he is informed that physical evidence can be collected at the same time as medical care is provided. The survivor should be informed about where and how to access evidence collection kit and a medical/forensic examination by a Sexual Assault Nurse Examiner (SANE) and the option to do so anonymously where the student is 18 years old or older.

Although the student is not required to notify any law enforcement authority regarding the incident, the person to whom the report is made shall contact the CCSNH and/or College Title IX Coordinator, who are responsible for coordinating the College's response to the incident.

The student may request changes in her or his academic or campus living situation, after the student has made a report of an assault, and the College shall grant any reasonable request for such change.

VIII. Disciplinary Procedures and Resolution Process for Complaints of Sexual Misconduct

Filing a Written Complaint

Any individual ("Complainant") who believes that they have been subjected to sexual misconduct may file a written complaint describing the particular details of the alleged behavior. If the complaint is not submitted in writing, the Title IX Coordinator may document the Complainant's statements. Where the Respondent is a CCSNH employee or student, the Respondent will be notified of the complaint in writing prior to initiation of an investigation.

If a student has questions about the adjudication or grievance process, they may contact the CCSNH and/or College Title IX Coordinator.

Institutional Investigation

When a student reports being a victim of sexual misconduct by another student, the College will conduct an investigation and determine if CCSNH policies were violated. The sexual misconduct complaint is forwarded to the CCSNH Title IX Coordinator and the College Title IX Coordinator, who will identify an appropriate person to complete an investigation ("Investigator"). Depending on the circumstances, the College may impose interim protections and remedies (e.g. interim suspension, no contact order) during the College's investigation of the sexual misconduct complaint.

At the conclusion of its investigation, the Investigator will forward findings to the CCSNH Title IX Coordinator and College Title IX Coordinator and the Judicial Body. After receiving the results of the

investigation, the Judicial Body will determine whether or not the findings implicate a violation of the Student Code of Conduct or Sexual Misconduct Policy, and communicate that decision in writing. If the Judicial Body determines that the facts as found by the investigator demonstrate that the student committed a violation of the Student Code of Conduct or the Sexual Misconduct Policy, the Judicial Body will schedule a sanctions hearing as set forth in the Student Judicial Process Investigation and Resolution. **It is important to note that mediation is never appropriate in sexual misconduct cases.**

Acceptance of Responsibility

At any point in the Investigation or Resolution process, the Respondent may accept responsibility for the conduct alleged in the complaint. In such cases, the process will immediately move to the Judicial Body for a decision regarding sanctioning.

Section 11: Emergency Response and Evacuation Procedures

An emergency is an unforeseen event or condition requiring prompt action. Emergencies at Manchester Community College can be generally classified as medical emergencies, fire/fire alarm emergencies, and public safety emergencies & environmental emergencies. Emergency conditions either affect an individual, a small group or the entire college. In the case they affect the entire College they typically involve the evacuation of the campuses.

1. Collect all personal belongings including book bags, jackets, brief cases, etc. Why? Because you can't count on returning to the building and in the case of a bomb threat such items would be considered suspicious and handled as a possible "device".
2. Immediately leave the building following any verbal instructions and follow the evacuation route posted adjacent to the primary classroom exit door or in the hallway.
3. Faculty should assign someone to provide assistance in assuring students with disabilities are directed to the evacuation point.
4. Faculty should turn off all gas and electrical appliances. The lights should be left on, the corridor door closed and left unlocked.
5. Upon exiting the building move well away from the building. This will prevent a "log jam" of people at the entranceway and allow the fire department swift access.
6. Re-entry: The College public safety personnel shall notify you when it is safe to return to the building.

We recommend that faculty review the evacuation procedure with their class at the beginning of each semester. Students should also take time to review the evacuation route posted next to the primary classroom exit door or in the corridor.

We recommend that students with disabilities identify themselves to a faculty member if they feel they may require assistance during an evacuation. Together they can formulate an evacuation plan. Under no circumstances are the elevators to be used when a fire alarm is sounding.

Section 12: Annual Crime Statistics

How we compile our statistics:

Recent amendments to the Campus Security Act require colleges and universities to annually compile and publish crime statistics for their campuses and certain off campus locations. It also requires that "campus security authorities" report crime statistics for inclusion in the college's Annual Security Report. If you are listed below in the distribution list, then you are a "campus security authority" as that term has been

defined by the United States Department of Education. "Campus security authorities" are defined by position as "an official of the institution that has significant responsibility for student and campus activity, and any individual or organization specified in the statement of campus security policy as one to which students and employees should report criminal offenses". This includes advisors to student organizations, athletic team coaches, members of campus safety, and offices within Student and Academic Affairs, with the exception of health and counseling services.

Because of the law's complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows. As per our normal process, you should continue to immediately report any crime or violation of the Manchester Community College Code of Conduct to the MCC Campus Safety Department. If you become aware of any crime listed below, or if any person reveals to you that he/she learned of or were the victim of, perpetrator of, or witness to any crime listed below, and this crime has not been reported to anyone else, report the crime using the Campus Safety Incident Report Form and contact the Campus Safety Department immediately.

The following list of crimes (and their definitions) are those which are required to be reported to the United States Department of Education (crime definitions from the Uniform Crime Reporting Handbook).

Hate Crimes Involving Bodily Injury: a hate crime is any crime manifesting evidence that the victim was selected because of the victim's actual or perceived race, religion, sexual orientation, gender, ethnicity/national origin, or disability.

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

Robbery: the taking or attempting to take anything from value of 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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

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

Arson: The 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 kind.

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

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's); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Sex Offenses -Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Rape: The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. **Sex Offenses-Non-forcible:** Unlawful, non-forcible sexual intercourse.

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. Age of consent in NH -(under the age of 16, unless that person is the other person's legal spouse -NH RSA 632-A:3). Relationships which constitute incest (ancestor, descendant, brother or sister, of the whole or half blood, or an uncle, aunt, nephew or niece; The relationships referred to herein include blood relationships without regard to legitimacy, stepchildren, and relationships of parent and child by adoption NH RSA 639-A:2).

Type of Incident	On Campus			Residential Facilities**			Non Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	2
Drug Law Violations referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0