

Manchester Community College

2022 Annual Security Report

2019-2021 Criminal Statistics

How the Annual Security Report is Prepared

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) requires all institutions of higher education to provide students and employees with information about their security policies, procedures, and statistics on reported incidents of certain crimes ("Clery Crimes").

Manchester Community College's (MCC) annual statistics include Clery Crimes that occurred on the MCC campus or on public property, as those terms are defined in the Clery Act (Clery Geography.) The Clery Act defines those terms as follows:

- Campus - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
- Non-campus building or property - (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- Public property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

MCC's campus is located at 1066 Front Street in Manchester, New Hampshire. MCC Does not own or control any non-campus buildings or property. MCC non-student organizations do not own or control non-campus buildings or property. Because MCC does not have on-campus housing, the college is not required to provide policy statements on missing students nor is the college required to submit a fire safety report and associated statistics.

The annual crime statistics report includes information requested and obtained from the Manchester Police Department, and non-police Campus Security Authorities. "Campus security authorities" are defined by federal law as college officials who have "significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities. Reporting for the purposes of the Clery Act does not require initiating an investigation or disclosing identifying information about the alleged victim.

All of the statistics are gathered, compiled, and reported to the College community via this report, which is published by the Office of Campus Safety. This report is made available

via email to all students and employees and posted on the college website. The Office of Campus Safety submits the annual crime statistics published in this report to the U.S. Department of Education. The statistical information gathered by the Department of Education is available to the public on its website.

REPORTING OF CRIMINAL OFFENSES

The Office of Campus Safety 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.

At your request, and with your permission, the Campus Safety Director or a designee 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>

MCC has no general written policy regarding confidential reporting which would allow the victim or witness to remain anonymous. Persons wishing to contact Office of Campus Safety anonymously may call (603) 703-8487, or can fill out an incident report form located at <https://www.mccnh.edu/services/campus-safety/report-an-incident>

When filling out this report, do not include personally identifiable information (name, email address, phone number). Crimes reported to the Office of Campus Safety will be investigated by campus safety officers and adjudicated through the Student Services in accordance with the MCC judicial policy

Emergencies and crimes in progress can be reported using the following methods:

- Dial 9-1-1 to contact Emergency Services directly
- Push the button on any Emergency Call Box to contact Emergency Services directly
- If possible, notify campus safety at 603-703-8487

To report a past crime or incident:

- Call the campus safety mobile phone 603-703-8487 or Manchester Police at 668-8711.
- To report non-emergencies, call 603-703-8487 from any phone.
- Go to any office on campus and ask them to contact the Office of Campus Safety.
- 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 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 emergency and location. The Office of Campus Safety must be notified after a 911 call has been completed.

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	603-206-8142
Counselor	603-206-8175
Student Life	603-206-8002
President's Office	603-206-8002

Behavioral Intervention Team (BIT)

Manchester Community College supports all of its students including those who may be experiencing difficulties in school or at home. If you're a student, or you know a student who needs tutoring assistance, a stress management plan or are experiencing emotional distress don't hesitate to contact the Behavioral Intervention Team through the Vice President of Student Affairs, Campus Safety, the Accommodation Counselor, or the President's Office. If you're a member of faculty and are aware of a student who is having difficulty adjusting to college life contact the BIT.

What to Report: In general, any behavior that disrupts the mission or learning environment of the college or causes concern for a student's well-being should be reported. This includes but is not limited to:

- Suspected violations of college policies.
- Repeated absences if wellbeing is a concern

- Incidents of academic dishonesty resulting in the lowering of a course grade, failure in a course, or dismissal from a course.
- Concerns about a student's well-being.
- Self-injurious behavior/ suicidal ideation or attempt.
- Erratic behavior (including online activities) that disrupts the mission and/or normal proceedings of College students, faculty, staff, or community.
- Threats of a weapon on campus.
- Hospital transport for alcohol and drug use/abuse.
- Behavior which appears to be dangerous or threatening to others.
- Other behavior that is inappropriate or disruptive.

BIT will act quickly to respond to reports; however, BIT team may not be able to provide an immediate response to a concern.

Any campus community member can, and should, call 911 or Campus Safety if they feel threatened or an immediate response is needed.

How to Report a Concern to the Behavioral Intervention Team

1. Use Behavioral Reporting Form
2. Contact Campus Student Affairs Office and/or BIT Team Contact
3. Contact your department chair or direct supervisor

What Happens to a Behavioral Report Form:

- 1) The report reviewed and is entered into a secure database
- 2) Notification is sent to the Office of Student Affairs and/or BIT designated report Receiver
- 3) Report is reviewed by Student Affairs/BIT
- 4) Reporter may be contacted for further information

Potential Outcomes of Reports: Depending upon the level of risk the behavior creates, the BIT may:

- Recommend no action, pending further observation;
- Assist faculty or staff in developing a plan of action;
- Refer student to existing on-campus support resources;
- Refer student to appropriate community resources;
- Make recommendations consistent with college policies and procedures.

Confidentiality: The work of the BIT and any outcomes are confidential. BIT members, management, and incident reporters must limit access to and dissemination of information on a need to know basis. Access to information should be granted only to those individuals for whom the information is necessary for a legitimate purpose.

Emergency Operations Plan

Manchester Community College's All Hazard Emergency Operations Plan (EOP) provides a management framework for responding to human caused or natural disaster events, including response operations and recovery management. This plan will help guide Manchester Community College's response to incidents that may threaten the health and safety of the College community or disrupt its programs and operations. The Emergency Operations Plan uses the National Incident Management System (NIMS) and Incident Command System (ICS) as a basis for response. The use of NIMS and ICS enables MCC and other response agencies to effectively coordinate with each other. Jurisdictions involved include the Manchester Police Department, Manchester Fire and Rescue, CCSNH, and other city and state agencies.

The plan addresses the following areas and functional responses to hazards and threats.

A. Functional Annexes

- Hold
- Secure
- Lockdown
- Evacuation
- Shelter
- Continuity of Operations (COOP)
- Communications and Warnings
- Family Reunification
- Establish an Emergency Evacuation Route
- Establish an Incident Command Post
- Recovery - Public Health, Medical, and Mental Health
- Threat Assessment

B. Hazard/Threat Specific Annexes

- Active Shooter
- Biological or Hazardous Material Spill
- Cyber Incident
- Environmental Management Systems
- Pandemic, Epidemic and Infectious Disease Control
- Fire
- Flood or Water Event
- Improvised Explosive Device (Bomb) Threat
- Police / Suspicious Activity
- Snow Event
- Telephone System Failure
- Tornado and High Wind Event
- Utility Failure

SECURITY AND ACCESS

MCC campus is located at 1066 Front Street in Manchester, New Hampshire. The campus consists of four buildings which include the Main Building, the Automotive Technology Building, the Advanced Technology Building, and the Facilities offices and garage. MCC does not have on-campus housing. Buildings on campus can be accessed during normal business hours which are typically Monday through Friday 7:00 am to 11:00 pm and Saturday 7:00 am-4:00 pm. The campus is generally closed on Sunday unless a special event is scheduled.

Intrusion Detection System

During times when the MCC 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 monitoring service which will alert the police department if activated. The Manchester Police Department will then respond. The alarm monitoring service will also notify college officials of all alarms. Additionally, Manchester Community College has several emergency doors which are alarmed. These alarms are monitored by the staff.

Fire Alarm System

The fire alarm system monitors fire, heat, and smoke conditions twenty-four hours a day. In the event that a fire alarm is activated, audible and visual (strobe) warning signals 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 data. The system is monitored and managed by the Office of Campus Safety.

Access Control System and Identification Cards

The College has an access control system in place for the exterior entrance 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 Office of Campus Safety.

- Staff and faculty identification cards can be obtained at the campus safety office in room 277.
- Student identification cards can be obtained in the learning commons located in room 268.

Manchester Community College does not own or control off-campus housing, on-campus housing, dormitories, or campus residence buildings; however, MCC has an agreement with UNH Manchester that allows a small number of MCC students to reside in their residence building at 1000 Elm Street. Off-campus housing at 1000 Elm Street is owned and controlled by the University of New Hampshire. The property is patrolled by UNH security personnel.

Safety and Security Maintenance

Campus safety officers and the facilities/maintenance department routinely inspect the campus for unsafe conditions, such as lighting, damaged doors and windows, slip and fall hazards. Campus safety also inspects AED's, fire extinguishers, blue light call boxes, elevator call boxes, and panic buttons. Employees can request maintenance repairs by visiting <https://www.mccnh.edu/faculty-and-staff-resources>. If a student or visitor discovers an unsafe condition, they should report it to a member of faculty, staff, or campus safety.

Campus Safety and Security Officers

The Office of Campus Safety operates during the normal operating hours of the college and employs 4-6 part-time campus safety officers who have considerable experience in law enforcement and security, however, campus safety officers are NOT sworn law enforcement personnel and do not have the power or the authority to enforce State or local laws. They do have the authority to enforce community college rules and policies within their jurisdiction of the Manchester Community College campus at 1066 Front Street, Manchester, NH.

Campus safety officers promote lawful behavior and protect 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.

In emergency situations, campus safety officers respond to the scene of incidents, provide first aid, and alert police or EMS 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 Office of Campus Safety maintains a working relationship with the Manchester Police Department, NH State Police, and New Hampshire Homeland Security. Campus Safety Officers frequently work with federal and state officers who provide dignitary protection services for visiting dignitaries. Additionally, a Memorandum of Understanding has been implemented between Manchester Community College and the Manchester Police Department to effectively address alleged crimes.

TIMELY WARNING & EMERGENCY NOTIFICATION POLICY (CCSNH POLICY)

I. Policy Statement

Timely Warnings and Emergency Notifications will notify members of the College community of potential threats against which they can take preventive measures.

II. Policy Purpose In compliance with the Higher Education Opportunity Act (HEOA) of 2008, and the Jeanne Clery Act, 20 U.S.C. 1092(f), the purpose of this policy is to set forth the procedures by which the CCSNH will provide emergency notification or timely warning to the College community in the event that a significant emergency or dangerous situation is reported that poses an immediate, imminent, or impending threat to members of the College community; or a crime or incident is reported that poses a threat to members of the College community. *Note: Warnings and notifications will be issued without delay unless issuing the notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.*

III. Scope of Policy

Timely warnings will be issued in response to reported crimes committed either on campus or, in some cases, off campus that, in the judgment of the College, constitute a serious or continuing threat to members of the College community. Timely Warnings are disseminated for the following FBI Uniform Crime Report/National Incident Based Reporting System Classifications: arson, criminal homicide, sex offenses (forcible rape, forcible sodomy, sexual assault with an object, forcible fondling, incest, and statutory rape), robbery, aggravated assault, burglary, and hate crimes. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case, and the information known to the CCSNH. For example, if an aggravated assault occurs between two students who have a disagreement, there may be no ongoing threat to other members of the College community; therefore, a Timely Warning would not be disseminated. Emergency notifications will be issued in response to a significant emergency or a dangerous situation, either on campus or, in some cases, off campus that, in the judgment of the College, constitute an immediate, imminent, or impending threat to the health or safety of members of the College community. (MCC note not in policy)

IV. Timely Warning Protocol

The issuing of a timely warning notice must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. In an effort to provide timely notice to the College community, and in the event of a serious incident which may pose a threat to members of the College community, an email Timely Warning is sent to all students, faculty and staff. Updates to the College community about any particular case resulting in a Timely Warning may be distributed via email, may be posted on the College website, or may be shared with local news media. The College may not provide Timely Warnings about those crimes reported to

a pastoral or professional counselor. All crime reports requiring a decision to issue a Timely Warning shall be documented on a Timely Notice Determination Form detailing why the College did or did not issue a Timely Warning. The College must maintain a record of each Timely Notice Determination Form for seven (7) years from the date the form was completed.

V. Emergency Notification Protocol

Emergency notification is issued immediately upon confirmation that a dangerous situation or emergency exists or threatens.

- Alert System- Email, text messages and voice mail messages (where appropriate) are automatically generated.
- Website Updates- information will be posted to the College's website.

The Emergency Management Group, or select members of management are responsible for the deployment of the Alert system for use in disseminating emergency notification/information. The College President or designee will issue all Emergency Alerts. *(MCC note) The emergency management group is responsible for confirming emergencies and dangerous situations. This will be accomplished by evaluating first-hand knowledge, contacting local and state public safety officials, or evaluating reputable media reports.*

Generally, all current, students, faculty, and staff will receive notification of all Emergencies and Timely Warnings.

VI. Timing, Content, and Decision Criteria for a Campus Timely Warning or Emergency Notification

A. Timely Warning

- The warning should be issued as soon as the pertinent information is available because the intent of a campus timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.
- The warning should include all information that would promote safety. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim and to protect.

B. Emergency Notification:

- A statement as to what the emergency or dangerous situation is, in specific terms;
- A statement providing direction as to what actions the receiver of the message should take to ensure their own safety;
- A statement as to where or when additional information may be obtained.

MCC Note: In the event that the surrounding community and/or cities need to be notified regarding an emergency or crime, the President, or designee, will confer with local public safety officials to draft and disseminate a joint statement as appropriate.

Evacuation Protocol

The purpose of the evacuation protocol is to safely evacuate students, employees, and visitors out of a building or away from the campus.

Situations that may require an evacuation:

- Fire or indications of a fire, such as smoke.
- Roof collapse or other structural damage.
- Bomb Threat or other public safety threat.
- Impending natural disaster.

ACTIVATION AUTHORITY

- College President or Designee.
- As a result of a fire alarm.
- Campus Safety Director or on-duty campus safety officer

As with all emergency communications, compliance with directives is mandatory for anyone on Manchester Community College property. Read or listen to the message to ensure you understand the reason for the Evacuation. Upon receiving directive to “Evacuate” or Upon hearing or seeing a fire alarm:

II. RESPONSE

Classroom or Office

1. Quickly gather personal belongings (purse, keys, phones, backpacks). You may not be allowed back into the building.
2. Quick Peek. Prior to leaving the classroom or office quickly peek into the hallway to ensure an armed intruder isn't using a fire alarm as a diversion.
3. Exit. Follow EXIT signs. Immediately leave the building following the most direct route. Do not use elevators.
4. Assist. Faculty should assign someone to provide assistance in assuring students with disabilities are directed to the evacuation point.
5. Faculty should turn off all gas and electrical appliances. The lights should be left on, the corridor door closed and left unlocked.
6. 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.
7. Re-entry: Campus Safety will notify you when it is safe to return to the building.

Larger Gathering Spaces

1. Upon hearing/seeing a fire alarm, or when directed to by campus safety personnel or staff, locate the nearest exit marked with an EXIT sign and leave the building.
2. 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.
3. Re-entry: Campus Safety will notify you when it is safe to return to the building.

III. EVACUATION WITHOUT FIRE ALARM

If an evacuation of a building is required due to unsafe conditions, such as a water leak, the following protocol should be followed if it can be done without endangering staff.

IV. RESPONSIBILITIES

Human Resources

- Send an evacuation warning via the mass communications system "Evacuate to the ..."

Incident Commander/Leadership Team

- Clear the building of all employees, students, and visitors.
- Ensure police and fire have been notified.
- Notify the CCSNH Offices.
- Ensure two-way radios are in use.

Campus Safety

- If needed, initiate SECURE protocol to prevent people from entering buildings (See Secure Annex)
- Establish Evacuation Route out of the parking lot (See Evacuation Route Annex)

Other emergency response protocols include

1. **HOLD, "In your room, clear the halls"**: Used when hallways need to be kept clear of students and staff
2. **SECURE, "Secure the perimeter"**: Return to buildings or stay inside, secure doors and go about normal business.
3. **LOCKDOWN: "Locks, Lights, Out of Sight"**: Students and staff are instructed to secure individual rooms and keep quiet, out of sight, and in place.
4. **EVACUATION, "To another location"**, Used to move students and staff from one location to a different location in or out of the building.
5. **SHELTER, For hazard using a safety strategy**: each type and method is unique, and is the protocol for group and self-protection.

More information can be found on the I Love You Guys Foundation website. These protocols were reviewed and adopted by MCC in 2019 and are collectively known as the Standard Response Protocol (SRP).

Emergency Operations Plan Review and Updates

The (EOP) basic plan and its annexes are reviewed annually by the Safety Committee and others deemed appropriate by college administration. The President, or designee, will establish a schedule for annual review of planning documents. The MCC EOP will be updated based upon deficiencies identified during incident management activities and exercises and when changes in threat hazards, resources and capabilities, or college structure occur.

Training and Exercising the Plan

MCC understands the importance of training, drills, and exercises in maintaining and planning for an incident. To ensure that campus personnel and community first responders are aware of their duties and responsibilities under the college plan and the most current procedures, the following training, drill, and exercise actions will occur.

The Safety Committee will coordinate training and exercising efforts in accordance with the Homeland Security Exercise and Evaluation Program or local public safety evacuation guidelines. Exercise and drill outcomes will be documented by the Safety Committee.

Basic training and refresher training sessions will be conducted during the All-College Meeting. Mandatory College EOP for staff and faculty training may include:

- Hazard and incident awareness training for all staff.
- Orientation to the College EOP.
- First aid and CPR for essential staff.
- Team training to address specific incident response or recovery activities, such as Parent-Student Reunification, Special Needs, and Relocation.
- Two online FEMA courses: ICS 100 and IS-700. Both courses are available for free at FEMA's Emergency Management Institute Web site. Additional training will include drills, and tabletop and functional exercises. Drills will be conducted at least once per semester. Exercises should occur at least once per college year. Approved volunteers and community members will also be incorporated into larger training efforts.
- All MCC staff members are encouraged to develop personal and family emergency plans. Each family should anticipate that a staff member may be required to remain at college following a catastrophic event. Knowing that the

family is prepared and can handle the situation will enable college staff to do their jobs more effectively.

Awareness Training for students includes a presentation during student orientation and flyers posted on bulletin boards and in classrooms.

TITLE IX POLICY AND SEXUAL HARASSMENT FORMAL GRIEVANCE PROCEDURES (STUDENTS)

I. Policy Statement

CCSNH and its Colleges are committed to creating and maintaining a positive and productive learning environment. In furtherance of this objective, CCSNH prohibits discrimination in the administration of its education programs and activities based on sex including conduct that constitutes sexual harassment. CCSNH also prohibits retaliation against anyone who is involved in the making or reporting of a complaint or investigation or hearing of a formal complaint of sexual harassment.

II. Purpose of Policy and Formal Grievance Procedures

The purpose of this policy and the formal grievance procedures is to establish and communicate to all students and employees:

- The type of conduct, i.e., sexual harassment and retaliation that is prohibited by this policy;
- The responsibility of Title IX coordinators to treat reports of sexual harassment seriously and to respond quickly, impartially, and appropriately to such reports;
- The responsibility of employees to notify the Title IX coordinator of any reports of sexual harassment; and
- The formal grievance procedures that will apply to formal complaints of sexual harassment.

III. Scope of Policy and Jurisdiction

This policy applies to and protects any person participating in or attempting to participate in the education program or activity of any CCSNH college. This policy applies to all college programs and activities including all locations within the United States, events, or circumstances over which the college exercises substantial control over both, the respondent and the context in which the sexual harassment occurs, whether such programs or activities occur on-campus or off-campus. CCSNH Human Resources Policy 323.01 also prohibits sexual harassment and retaliation and will govern investigations of reports where an employee is the complainant and/or respondent.

IV. Definitions

- a. Title IX Coordinator: The employee designated by the college to coordinate its efforts to comply with Title IX responsibilities.
- b. Campus Security Authorities under the Clery Act include all residence directors, residence assistants, coaches, student club organization advisors and any other person who has significant responsibility for student and campus activities.

- c. Advisor: A person who is available to a complainant or respondent to advise a complainant or respondent throughout the grievance process. An advisor may also provide information or referrals to on-campus and off-campus resources. An advisor may be an employee of CCSNH or another person chosen by the complainant or respondent.
- d. Confidential Resource: An individual affiliated with a recognized crisis center, who is available to confidentially support or provide information to those who have experienced domestic violence, sexual assault, or sexual harassment. As explained more fully in section VII below, free and confidential support services 12 are available across the state to anyone that has been impacted by domestic and sexual violence or stalking. Services are open and affirming to all, and a person does not need to be in crisis to call.
- e. Investigator: The person(s) designated by the college to conduct investigations of formal complaints of sexual harassment as defined by this policy. The investigation shall be limited to the allegations set forth in the formal complaint. The investigator is responsible for preparing an investigation report which fairly summarizes all relevant information and the sources of such information gathered during the investigation.
- f. Disciplinary Officer: The person designated by the college to determine what if any sanctions will be imposed on a respondent who has been found responsible for sexual harassment in violation of this policy.
- g. Hearing Officer: The person (or persons where a college utilizes a panel of hearing officers) designated by the college to conduct live hearings on formal complaints following completion of an investigation report to determine whether it is more likely than not that the respondent is responsible for alleged conduct which constitutes a violation of this policy.
- h. Appeal Officer: The person designated by the college to review and decide appeals of the determination made by the hearing officer (or panel) and/or disciplinary officer.
- i. Healthcare Providers includes any campus-based healthcare provider or telemental health provider, or any physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity.
- j. Supportive measures are actions taken by the college to restore or preserve equal access to education programs without unreasonably burdening any individual or the college, including measures designed to protect the safety of all parties. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures.
- k. Formal complaint means a written complaint filed by a complainant, or otherwise reported by a complainant to and signed by the Title IX Coordinator, alleging sexual harassment against a respondent, in which the complainant requests that the college investigate the report of sexual harassment.

l. Retaliation is any adverse action related to participation in an education program taken against a person because a person has filed a report or participated in any in the formal complaint, investigation or hearing process related to sexual harassment. Charging an individual with a code of conduct violation for making a 13 materially false statement in bad faith during a grievance proceeding does not constitute retaliation prohibited by this policy. A determination regarding responsibility, alone, however, is not sufficient to conclude that any party made a materially false statement in bad faith.

m. Sexual harassment includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect: 1) any instance of quid pro quo harassment by an employee of CCSNH; 2) any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; and 3) any instance of sexual violence, which includes sexual assault (as defined in the Clery Act), domestic violence, dating violence, or stalking as defined in the Violence Against Women Act (VAWA).

i. Sexual Assault as defined in the Clery Act includes 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes forcible regardless of gender. There are four types of forcible sex offenses:

1. Rape is the sexual penetration, no matter how slight, of a 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 temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape regardless of gender.

2. Fondling is 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.

3. Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4. Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

ii. Domestic violence, dating violence and stalking are defined by VAWA as:

1. Domestic Violence is 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, 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.

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

3. Stalking is 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.

n. **Consent** as used in this policy 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 so long as those words or actions may be reasonably understood to give permission regarding sexual activity. Individuals cannot give consent if they are incapacitated due to alcohol or legal or illegal drugs, or under the age of 16.

V. How to Report Sexual Harassment – General Provisions

a. Any person may report sexual harassment without regard to whether the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment.

b. Reports to the Title IX coordinator may be made in person or by contacting

Kristen Butterfield-Ferrell, Student Support Counselor, at (603) 206-8177

c. Reports may also be made to any other college employee. Upon receiving a report of sexual harassment, all CCSNH employees are required to notify the Title IX Coordinator. Additionally, all individuals who are designated Campus Security Authorities under the Clery Act are required to notify the Title IX Coordinator upon receiving a report of sexual harassment.

d. When a report of sexual harassment is received, the Title IX Coordinator will provide written information about college processes and supportive measures. Supportive measures may be implemented whether or not a formal complaint is filed.

e. All reports of sexual harassment shall be maintained by the college as confidential except as may be permitted by FERPA regulations, 99 CFR part 99, or as required by law, or to carry out the purposes of Title IX, 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

VI. How to Report Sexual Violence – Specific Provisions

a. A report of sexual harassment, which also constitutes sexual violence, may be submitted to the Title IX coordinator or police (either with state police or local law enforcement).

i. Reports to the Title IX Coordinator may be made in person or by calling the Manchester Community College Title IX Coordinator at **603-206-8005** or in writing by email to **mconn@ccsnh.edu** or mail to **Megan Conn Manchester Community College 1066 Front St. Manchester NH 03102.**

ii. Reports to police that occur on or near the college campus may be made by calling the **Manchester, New Hampshire Police Department at 603-668-8711.**

b. When a report of sexual violence is received by the Title IX coordinator, the reporting party will be given written information about college processes, supportive measures and support services and will also be informed of the right to file a formal complaint with the Title IX coordinator and a criminal complaint with the police.

c. All college employees and Campus Security Authorities (except for healthcare providers acting in their professional capacity as a healthcare provider) who receive reports of sexual violence are expected to notify the college's Title IX coordinator of the report.

VII. Amnesty

To encourage reporting of sexual violence and remove barriers to making a report, an individual who makes a good faith report of sexual violence 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 violence report or investigation, unless the college 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 clubs and organizations making a report of sexual violence.

VIII. How to Get Confidential Help or Support

a. Confidential help and support is available from **The YWCA, Call 603.668.2299- 24/7 services, Text: 603.836.9620 – M-F 9-4:30pm** a New Hampshire Domestic and Sexual Violence Crisis Center. Through the crisis center free and confidential support services are available to anyone who has been impacted by domestic or sexual violence center or stalking. Services are open and affirming to all, and an individual does not need to be in crisis to call. Immediate confidential help is also available by calling:

i. New Hampshire 24-hour Domestic Violence Helpline: 1-866-644-3574

ii. New Hampshire 24-hour Sexual Assault Hotline: 1-800-277-5570

iii. National 24-hour Sexual Assault Hotline: 1-800-656-4673

Conversations with crisis center and crisis line volunteers and advisors (confidential resources) are protected under NH confidentiality statute 173C. This means that information shared during these conversations cannot be disclosed without written consent. The only exception to confidentiality is in the case of abuse of a child or abuse of an incapacitated adult.

b. The confidential resource will assist with information and referrals to medical and counseling resources and provide additional assistance as appropriate such as the name and location of the nearest medical facility where an individual may request that a medical forensic exam be administered by a trained sexual violence forensic health care provider, including information on transportation options and information on reimbursement of travel costs, if any.

c. The confidential resource is not an employee of the Community College System of New Hampshire but provided through the New Hampshire Coalition Against Domestic and Sexual Violence, the primary provider of crisis intervention services for survivors of domestic violence and sexual assault.

d. The confidential resource is someone who can receive reports confidentially and unless asked by the person seeking assistance, the confidential resource will not report anything to the police or the Title IX coordinator.

e. The confidential resource can provide emotional support and information or referrals to on-campus and off-campus resources. They can also accompany a reporting party to meetings with Title IX coordinator, investigation interviews, discipline processes, or hearings.

f. The college will never request access to records made or maintained by a confidential resource or records of a healthcare provider, which are made and maintained in connection with the provision of treatment to the party, unless the college obtains the patient's voluntary, written consent to do so for the grievance process under this policy.

IX. How to Get Help If You Have Been Accused of Sexual Violence

- a. A respondent accused of sexual violence may seek support by contacting campus tele-mental health provider or campus mental healthcare provider.
- b. The college will never request access to records made or maintained by a healthcare provider acting or assisting in that capacity and which are made and maintained in connection with the provision of treatment to the party, unless the college obtains that party's voluntary, written consent to do so for the grievance process under this policy.

X. Formal Grievance Procedures: Formal Complaint, Notice, Investigation, Hearing, and Appeal Process

a. Formal complaint

A report may be filed in person, by mail, or electronic mail, by using the contact information listed by the college for the Title IX Coordinator. When a report filed in writing by a complainant, it shall not be treated as a formal complaint unless the complainant also requests that the college investigate the report of sexual harassment. Similarly, when a Title IX coordinator receives an oral report of sexual harassment from a complainant, the report will not be treated as a formal complaint unless the complainant also requests that the college investigate the report of sexual harassment. Such a complaint and the request to investigate the report of sexual harassment must be reviewed and approved by the complainant prior to the Title IX Coordinator signing the written complaint. In such cases, the Title IX Coordinator is not a complainant or otherwise a party in the proceedings.

- i. The Title IX Coordinator shall take no further action on a formal complaint under this policy if the allegations contained within the formal complaint 1) would not constitute sexual harassment as defined in this policy, 2) did not occur in the college's education program or activity, or 3) did not occur against a person within the United States

- ii. The Title IX Coordinator may take no further action on the complaint under this policy if at any time during the investigation or hearing: 1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, 2) the respondent is no longer enrolled or employed by the college, or 3) specific circumstances prevent the college from gathering evidence sufficient to reach a determination as to the form complaint or allegations therein.

- iii. The Title IX Coordinator's decision to take no further action shall be communicated in writing to the complainant. A complainant may appeal such determination as set forth in section h below.

b. Notice Upon receiving or signing a formal complaint of sexual harassment, the Title IX coordinator shall issue a written notice to both parties. The notice shall include:

- i. an overview of the allegations with sufficient details including the identities of the parties, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known,
- ii. the name, if known, of the investigator assigned to investigate the formal complaint and that the investigator will contact the complainant and respondent to schedule interviews,
- iii. a statement that the fact that a formal complaint has been filed creates no presumption that the respondent has committed the alleged conduct and the respondent will not be held responsible for the conduct until a determination regarding responsibility is made at the conclusion of the grievance process,
- iv. a statement that the parties have the right to an advisor of choice, who may be, but is not required to be, attorney, and who may advise each party during the investigation and throughout the grievance process,
- v. a statement that the parties and their respective advisors may review evidence gathered during the investigation prior to the hearing, and
- vi. the range of sanctions that may be imposed upon a respondent who is found responsible following a hearing. The written notice must also inform the parties of provisions in the student code of conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process and the prohibition against retaliation.

c. Emergency Removal

In certain circumstances, a college President, or a designee, may issue an order for emergency removal of a student from campus prior to a hearing. Emergency removal may be imposed only 1) to ensure the safety and well-being of an individual related to the allegations of sexual harassment; or 2) to ensure the normal operations of the college. Notification of the imposition of emergency removal must be communicated to the respondent and the Title IX Coordinator as soon as is practical. The respondent shall have an opportunity to challenge the decision immediately by filing a request for a video hearing before a hearing officer. The respondent shall comply with the emergency removal order until the order is vacated or otherwise lifted.

d. Investigation All reports of sexual harassment prohibited by this policy will be investigated as expeditiously as possible (usually within 60 days), with reasonable thoroughness and particular care to preserve the confidentiality of all persons involved.

- i. All students and employees who are contacted by an investigator are expected to be truthful, forthcoming and cooperative in connection with the investigation.
- ii. The investigator's report shall fairly summarize all relevant information and the sources of such information gathered during the investigation and shall be submitted to the Title IX coordinator.

iii. Upon receipt of the report, the Title IX coordinator shall notify both parties in writing. Each party and their chosen advisor may review the report and submit in writing within 10 days any additional information that is relevant for inclusion in the final report. The final report will be made available prior to a hearing.

iv. The investigation shall be limited to the allegations in the formal complaint.

e. Hearing Process Within 30 days of receiving the investigation report, the Title IX coordinator shall schedule a live hearing before the hearing officer (or panel) to take place no sooner than 10 days after the final investigation report is made available to the parties.

i. At the request of either party, the live hearing will be scheduled to occur via video conference. A record of the hearing will be made either by audio or audiovisual recording, or transcript.

ii. **Advisor** If a party does not have an advisor present at the hearing, an advisor must be assigned by the Title IX coordinator to assist the party during the hearing.

iii. Questioning

1. At the live hearing, each party's advisor must be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those questions challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party's advisor and never by a party personally.

2. If a party or witness does not submit to cross-examination at the hearing, the hearing officer (or panel) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The determination regarding responsibility, however, cannot be drawn based solely on a party's or witness' absence from the hearing or refusal to answer cross examination or other questions.

3. Only relevant questions shall be permitted. Before a complainant, respondent, or witness answers a question, it must first be determined whether the question is relevant and explain any decision to exclude the question as not relevant.

4. Questions and evidence of either party's character or character trait is not admissible to prove that on a particular occasion that party acted in accordance with the character or trait.

5. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the response committed the conduct alleged by the complainant, or the questions and evidence concern specific incidents complainant's prior sexual behavior with respondent and are offered to prove consent.

6. Questions or evidence that constitute or seek disclosure of, information protected under a legally recognized privilege, are not allowed unless the person holding such privilege has waived the privilege.

iv. Standard of Proof The hearing officer's (or panel's) determination of the respondent's responsibility shall be made on the basis of whether it is more likely than not that the respondent committed the alleged conduct and thereby violated this policy.

v. Determination The hearing officer (or panel) shall issue a written determination regarding responsibility, the written determination must include:

1. Identification of the allegations potentially constituting sexual harassment as defined in this policy;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility, including any notification to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding application of this policy to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
6. Prior to issuance of the decision to the parties, the determination shall be promptly forwarded to the college vice president of student affairs, or other designated disciplinary officer for a determination of sanctions.

f. Sanctions

i. Upon determining that the respondent committed the alleged conduct and thereby violated this policy, the college vice president of student affairs, or other designated disciplinary officer, may impose one or more of the following sanctions:

1. **WARNING** - a notice in writing to the student that the student is violating or has violated institutional regulations;
2. **PROBATION** - a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found during the period of probation to be violating any institutional regulations;
3. **LOSS OF PRIVILEGES** – denial of specified privileges for a designated period of time (e.g., social probation, vehicular privileges, deactivation of a group, limited access to facilities, Persona Non Grata);

4. LOSS OF CONTACT – restriction prohibiting an individual from harassing, threatening, accosting, or even approaching or contacting a specified individual;
5. FINES – previously established and published fines may be imposed;
6. RESTITUTION - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement;
7. RESIDENCE HALL/CAMPUS HOUSING SUSPENSION – separation from the residence halls/campus housing for a definite period of time, after which the student, group, or organization is eligible to return. Conditions for readmission will be specified;
8. RESIDENCE HALL/CAMPUS HOUSING EXPULSION – permanent separation from the residence halls/campus housing;
9. CLASS/ COLLEGE SUSPENSION – separation from class(es) or the college for a definite period of time, after which the student, group, or organization is eligible to return. Conditions for readmission will be specified;
10. COLLEGE DISMISSAL/EXPULSION – permanent separation from all CCSNH colleges which may include loss of campus visitation privileges.
11. EDUCATIONAL OR SERVICE SANCTIONS – imposed in addition to or in lieu of the above sanctions; examples of such sanctions include but are not limited to work assignments, service to the college, written letter of apology, mandatory meetings with a college official. Such sanctions require the approval of any person(s) whose participation is required for the completion of the sanction(s).

ii. In imposing sanctions, the following goals must be considered and balanced: 1) engaging students in taking responsibility for their conduct, 2) repairing harm caused by the conduct, and 3) rebuilding trust with the individuals directly impacted and the college community.

iii. A written statement of, and rationale for, any disciplinary sanctions the college imposes on the respondent.

iv. A written statement of, and rationale for, any remedies designed to restore or preserve equal access to the college's education program or activity provided by the college to the complainant. The Title IX Coordinator is responsible for effective implementation of any remedies.

g. Notice of Decision

The Title IX coordinator must provide the written determination to the parties simultaneously and not less than 7 business days after the determination of responsibility. The notice of decision must also include an explanation of the college's procedures and

permissible bases for the complainant and the respondent to appeal and notice that the determination becomes final either on the date that the college provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

h. Appeal Process

i. Either party may appeal the determination by filing a written appeal to the Title IX coordinator within 5 business days of being informed of the determination. Grounds for appeal shall be limited to:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility was made that could have affected the outcome of the matter;
3. The Title IX officer, investigator or hearing officer had a conflict of interest or bias that affected the outcome of the matter.
4. Inappropriate gravity of the sanction in relation to the conduct.

ii. The other party shall be notified in writing when an appeal is filed.

iii. Both parties shall be provided a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

iv. The appeals officer shall issue a written decision describing the result of the appeal and rationale for the result.

v. The appeals officer's decision shall be provided simultaneously to both parties.

vi. If the appeals officer determines that the appeal falls within the limited grounds and the outcome may have been affected, the matter will be remanded within 10 days for a new hearing or other appropriate proceeding depending upon the nature of the grounds for the appeal. If the grounds for the appeal is inappropriate gravity of the sanctions in relation to the conduct, the proceeding shall be limited to a hearing before the disciplinary officer on the appropriateness of the sanction.

XI. Sexual Harassment Education: Awareness. Prevention and Response

a. Training for Title IX Coordinators, Investigators, and Decision-makers Involved in the Grievance Process – Each employee who participates in the implementation of the college's grievance process under this policy including Vice Presidents of Student Affairs, Title IX Coordinators, investigators, hearings officers, campus safety officers, human resources officers, advisors for parties, appeals officers, and disciplinary officers, shall have training in handling sexual harassment reports and complaints and the grievance and disciplinary process. The training shall be provided annually and shall include, but not be limited to:

- i. Information on working with and interviewing persons subjected to sexual misconduct.
- ii. Information on conduct that constitutes sexual harassment including sexual violence.
- iii. Information on consent and the role drugs and alcohol may play in an individual's ability to consent.
- iv. The effects of trauma, including any neurobiological impact on a person.
- v. Cultural competence training regarding how sexual misconduct may impact individuals differently depending on factors that contribute to an individual's cultural background, including but not limited to national origin, sex, ethnicity, religion, gender identity, gender expression, and sexual orientation.
- vi. Ways to communicate sensitively and compassionately with a reporting party of sexual misconduct including but not limited to an awareness of responding to a reporting party with consideration of that party's cultural background and providing services to or assisting in locating services for the reporting party. Ways to communicate sensitively with a responding party including an awareness of the emotional impact of being wrongly accused.
- vii. Training and information regarding how dating violence, domestic violence, sexual assault, and stalking may impact students with developmental or intellectual disabilities.
- viii. Materials for all training programs must be made publicly available on the college's website.

b. Awareness, Prevention and Response Programming for All Students and Employees -- The College with guidance from its Title IX Coordinator, local law enforcement, and the rape crisis center or domestic violence center, shall provide mandatory sexual misconduct primary prevention and awareness programming for all students and employees of the college, which shall include:

- i. An explanation of consent as it applies to sexual activity and sexual relationships.
- ii. The role drugs and alcohol play in an individual's ability to consent.
- iii. Information on options relating to the reporting of an incident of sexual harassment generally and sexual violence specifically under this policy and the effects of each option, and the methods to report an incident of sexual violence including confidential and anonymous disclosure.
- iv. Information on the college's procedures for resolving sexual harassment including sexual violence complaints, and the range of sanctions the college may impose on students and employees found responsible for a violation.
- v. The name, contact information, and role of the confidential resource.

- vi. Strategies for bystander intervention and risk reduction.
- vii. Opportunities for ongoing sexual misconduct prevention and awareness campaigns and programming.

Title IX/RSA 188-H Sexual Misconduct Policy & Grievance Procedure (Employees) (Section 300 HR)

I. Policy Statement

CCSNH and its Colleges are committed to creating and maintaining a positive and productive work and learning environment. In furtherance of this objective, CCSNH prohibits discrimination in the administration of its education programs and activities based on sex including conduct that constitutes sexual harassment or other forms of sexual misconduct, as described below. CCSNH also prohibits retaliation against anyone who is involved in making or reporting of a complaint, or in the investigation or hearing of a formal complaint of sexual misconduct/sexual harassment.

II. Scope of Policy and Jurisdiction

CCSNH and its Colleges prohibit sexual misconduct/sexual harassment against any person participating in or attempting to participate in education programs and activities of CCSNH/Colleges (which includes employment). The scope and definitions of sexual misconduct and sexual harassment under federal and state laws differ, as described below. Sexual misconduct by students is addressed under CCS Policies 730.04 and 730.06.

A. Title IX Sexual Harassment

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of a CCSNH/College education program and activity (on campus or any other location within the United States):

1. “Quid pro quo” sexual harassment by a CCSNH/College employee: Conditioning a CCSNH/College aid, benefit or service (such as a promotion or favorable evaluation, or a better grade in a course) on an individual’s participation in unwelcome sexual conduct;
2. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to CCSNH/College education programs and activities; or
3. Sexual assault, dating violence, domestic violence, and stalking, as defined in the Clery Act and Violence Against Women Act, as follows:

i. Sexual Assault: An offense classified as a Forcible or Non-Forcible Sex Offense under the uniform crime reporting system of the FBI. Those offenses are –

(1) Non-Forcible Sex Offenses: incest and statutory rape. In New Hampshire, only children aged 16 and older can give consent to sexual contact with adults unless the two parties are legally married. A teenager under 13 cannot consent to any sexual contact. Children who are between 13 and 16 may consent to a sexual act when their partner is less than four years older than they are.

(2) Forcible Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is in a state of incapacitation. Such sexual acts include:

- Forcible rape: sexual intercourse with a person, forcibly and/or without that person's consent, or in instances where the victim is in a state of incapacitation.
- Forcible oral or anal sexual intercourse with another person, forcibly or without consent, or because of incapacitation.
- Sexual assault with an object: use of an object or instrument to unlawfully penetrate, however, slightly, the genital or anal opening of the body of another person, forcibly, or without consent or because of incapacitation.
- Forcible fondling: the touching of the private body parts (genitals, buttocks or breasts) of another person for the purpose of sexual gratification, forcibly, or without consent, or because of incapacitation.

(3) Consent, for purposes of this policy, means: 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 so long as those words or actions may be reasonably understood to give permission regarding sexual activity. Individuals cannot give consent if they are incapacitated due to alcohol or legal or illegal drugs, or under the age of 16.

ii. Dating Violence: physical or sexual abuse, or threats of physical or sexual abuse, or emotional abuse committed by a person:

(1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(2) Where the existence of such a relationship is determined based on consideration of:

(i) the length of relationship;

(ii) the type of relationship; and

(iii) the frequency of interaction between persons in the relationship. iii. Domestic Violence: physical or sexual abuse, or threats of physical or sexual abuse, or emotional abuse among current or former spouses or cohabitants, or people who share a child in common. iv. Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(1) Fear for their safety or the safety of others; or

(2) Suffer severe emotional distress.

Sexual harassment which does not meet one of the specific definitions above, or which occurs outside a CCSNH/College education program and activity may be covered under Subsection B or C below.

B. Sexual Harassment Under Title VII and the New Hampshire Law Against Discrimination

Sexual harassment is defined differently under Title VII and New Hampshire's discrimination law and regulations. These laws define sexual harassment as: unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for decisions regarding employment affecting such individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive environment.

The term "consent" under A.3 above shall also apply, to the extent relevant, to allegations in this section.

C. Sexual Misconduct Under NH RSA 188-H

Sexual misconduct under RSA 188-H is a broadly defined term that includes: (1) all forms of sexual harassment under Title IX, Title VII or State law under subsections A. and B.

above; and (2) any other incident of sexual violence, gender-based violence, or violence based on sexual orientation or gender identity or expression.

The term “consent” under A.3 above shall also apply, to the extent relevant, to allegations of sexual harassment under this section.

D. Retaliation

CCSNH also prohibits retaliation against anyone who is involved in the making or reporting of a complaint, or in the investigation or hearing of a formal complaint of sexual harassment. Incidents of retaliation will be addressed under Policy 323.01 (Workplace Conduct) for alleged retaliation by employees.

III. Reporting Sexual Misconduct

A. All employees and other persons are encouraged to report incidents of sexual misconduct/sexual harassment involving employees, and reports may be made without regard to whether the person reporting is the person alleged to be the victim of alleged sexual misconduct/sexual harassment.

B. All CCSNH/College employees with supervisory or management responsibilities, and individuals designated as Campus Security Authorities under the Clery Act who receive information about possible sexual misconduct/harassment of employees are required to make a report.

C. Reports of sexual misconduct/sexual harassment should be directed to the appropriate Title IX Coordinator and can may be made in person or by calling Megan Conn, Vice President of Student and Community Development at 603-206-8120 4 email to mconn@ccsnh.edu, or mail to 1066 Front Street, Manchester, NH 03102. The Title IX Coordinator shall notify the CCSNH Director of Human Resources of the report

D. A report of sexual misconduct/sexual harassment may also be made to Campus Security, or local or State police [see section IV.B below for further information].

IV. Outside Support and Additional Reporting Avenues for Victims of Sexual or Gender-based Violence

A. Confidential Resources

1. Victims of sexual misconduct/sexual harassment may pursue assistance and/or support confidentially by contacting a New Hampshire Domestic and Sexual Violence Crisis Center In Manchester, contact REACH Crisis Services at YWCA NH, 72 Concord St. Manchester, NH 03101, 603-668-2299 (crisis line) or 603- 625-5785 (office line). Confidential support services are available to anyone who has been impacted by sexual misconduct, sexual harassment, domestic violence, dating violence or

stalking. Services are open and affirming to all, and an individual need not be in crisis to call.

2. Immediate, confidential help is also available by calling:

- New Hampshire 24-hour Domestic Violence Helpline: 1-866-644-3574
 - New Hampshire 24-hour Sexual Assault Hotline: 1-800-277-5570
 - National 24-hour Sexual Assault Hotline: 1-800-656-4673
- Conversations with crisis center and crisis line volunteers and advisors (who are also confidential resources) are protected under New Hampshire's confidentiality statute (NH RSA 173-C).

3. Confidential resources can assist with information and referrals to medical and counseling resources and provide additional assistance as appropriate, such as referral to medical facilities where an individual may request that a medical forensic exam be administered by a trained sexual violence forensic health care provider, including information on transportation options and information on reimbursement of travel costs, if any.

4. The above-listed confidential resources can provide emotional support and information or referrals to on-campus and off-campus resources. They can also accompany a reporting party to meetings with the Title IX Coordinator, investigation interviews, discipline meetings or hearings. Confidential resources are not employees of CCSNH.

B. Emergency Medical Services

1. Emergency medical services may also be access directly at: Catholic Medical Center, 100 McGregor St. Manchester, NH 03103 or The Elliot Hospital, 1 Elliot Way, Manchester, NH 03103

2. Transportation to available medical services may be accessed via: The Manchester Transit Authority (MTA) City Bus Service. Free bus passes are available to registered students and employees at the front desk.

3. Assistance with the costs of emergency medical assistance is not available through MCC.

C. Other Supports

1. Additional information concerning counseling, health, safety, academic, and other support services can be obtained by contacting the appropriate Title IX Coordinator, or by contacting the following organizations:

- Employee Assistance Program available 24/7 Free confidential counseling, consultations and referrals for you and your household members. KGA (800) 648-8557 info@kgreer.com www.kgreer.com
- NH Coalition Against Domestic and Sexual Violence website: New Hampshire Coalition Against Domestic and Sexual Violence - New Hampshire Coalition Against Domestic and Sexual Violence (nhcadsv.org)
- Amoskeag Health (formerly Manchester Community Health Center) – (603) 626-9500, 184 Tarrytown Road, Manchester, NH

2. Individuals accused of sexual misconduct/sexual harassment may seek assistance from a confidential advisor, which may include an advocate or attorney, by contacting the appropriate Title IX Coordinator or the following organizations:

- Employee Assistance Program available 24/7 Free confidential counseling, consultations and referrals for you and your household members. Access to legal consultation available. KGA (800) 648-8557 info@kgreer.com www.kgreer.com
- Legal Resources: Legal Resources - New Hampshire Coalition Against Domestic and Sexual Violence (nhcadsv.org)

D. Reports to Law Enforcement

Victims of sexual misconduct may choose, or decline, to report incidents of sexual misconduct to the MCC Campus Safety Office or local or State police at the numbers/locations below. Individuals may request assistance from the CCSNH/College Title IX Coordinator with contacting law enforcement.

- MCC Campus Safety (603) 703-8487
- Manchester Police Department 405 Valley Street Manchester, NH 03103 (603) 668-8711
- State Police, Troop B 16 East Point Drive Bedford, NH 03110 (603) 666-3334
- United States Attorney's Office [federal law enforcement] 53 Pleasant Street, 4th Floor Concord, NH 03301 (603) 225-1552

E. Protection Orders

1. Victims of sexual misconduct/sexual harassment may obtain a protection (no contact) order, as well as other supportive measures, from the Title IX Coordinator following a report of sexual misconduct/sexual harassment (see Section VI below).
2. Victims of sexual misconduct involving domestic violence or stalking may pursue a court-ordered protection order by contacting or appearing at the local court: Manchester District Court (9th Circuit) 35 Amherst Street Manchester, NH 03101 (855) 212-1234 Monday – Friday 8am – 4pm

3. Individuals who obtain a protection order issued by a court are asked to contact, and provide a copy of the order to, the CCSNH/ College Title IX Coordinator. Upon receipt, CCSNH/College can assist in enforcement of the order as it pertains to the alleged victim's or respondent's participation in CCSNH/College programs or activities, to the extent applicable.

V. Response to Reports of Sexual Misconduct

A. After A Report Is Made

After a report of sexual misconduct/ sexual harassment, is made, the Title IX Coordinator will meet with the complainant (alleged victim), if they are identified in the report, to discuss and implement any needed supportive measures. Such measures will remain confidential to the extent possible in the particular circumstances.

Supportive measures are individualized services offered to a complainant following a report of sexual misconduct/sexual harassment. Supportive measures may also be provided as appropriate to respondents after a formal complaint is filed. Supportive measures are designed to facilitate a party's ability to work and/or access education 7 programs and activities, without overly burdening the other party (prior to a finding of responsibility). Examples of supportive measures include, but are not limited to no contact orders, referrals for services, changes in schedules, etc.

The Title IX Coordinator will explain the process(es) that apply to the allegations raised, including the process for filing a formal Title IX complaint if the conduct may constitute sexual harassment under Title IX.

B. Investigation and Resolution

All reports and complaints of prohibited conduct under this policy will be investigated as expeditiously as possible, with appropriate thoroughness and care to preserve confidentiality to the extent possible. Formal complaints of allegations involving Title IX sexual misconduct will be addressed in accordance with Section VI below. Reports of sexual misconduct by employees that do not constitute sexual harassment under Title IX will be addressed under CCS Policy 323.01 (Workplace Conduct).

VI. The Title IX Grievance Procedure

The following grievance process shall be followed when there is a formal report of alleged conduct by employees that meets the definition of sexual harassment under the Title IX regulations (as defined in Section II.A above).

A. How to Make a Formal Complaint

No investigation will occur unless a formal complaint is filed with the Title IX Coordinator by the complainant, or the Title IX Coordinator decides to file a formal complaint. The formal complaint must be in writing and include the following:

1. Basic information about the possible violation(s) of sexual harassment (such as date, time, location, type of incident, name(s) of individuals involved).
2. A request that CCSNH/College investigate the allegation(s).

The Title IX Coordinator may determine that specific circumstances warrant pursuing a formal complaint (such as when the alleged respondent has previously been found responsible for serious sexual misconduct or there may be a safety threat to the CCSNH/College community), even when the complainant does not file a formal complaint. In such cases, the complainant will receive advance notice as well as notices of activities at various points in the procedure, but is not a party to the case. Likewise, the Title IX Coordinator is not a party, for purposes of this procedure, if they file a formal complaint on behalf of CCSNH/College.

The Title IX Coordinator may consolidate formal complaints where circumstances warrant.

B. Dismissal of Formal Complaints

Under the Title IX regulations, the Title IX Coordinator must dismiss a formal complaint:

1. If the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations (and as defined in Section II.A of this policy); or
2. If the conduct alleged did not occur within the scope of the College's education programs and activities or did not occur in the United States.

However, if the conduct alleged is otherwise covered by another CCSNH/College policy, the conduct may be addressed under the applicable policy, depending on the circumstances.

The Title IX Coordinator may also dismiss a formal complaint if a complainant withdraws the formal complaint or withdraws particular allegations within the complaint; if the respondent is no longer employed by CCSNH/College; or if there are specific circumstances that prevent CCSNH/College from gathering evidence sufficient to reach a determination regarding the formal complaint.

If a formal complaint is dismissed for any reason, the Title IX Coordinator will promptly and simultaneously send written notice to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with Section VI.C.9 of this procedure.

C. Steps in the Process

A formal complaint initiates the Title IX Grievance Procedure.

The Title IX Coordinator has general responsibility for implementing this procedure. This section outlines the significant steps in the process in summary form.

1. General Obligations of CCSNH/College and Timeline

CCSNH/College will:

- Treat complainants and respondents equitably;
- Not presume a respondent is responsible until and unless such a determination is made following a hearing as provided in this policy;
- Objectively evaluate all relevant evidence;
- Ensure that any individuals involved in the procedure have appropriate training, and do not have conflicts of interest or bias;
- Follow reasonably prompt timelines for conclusion of the procedure and provide reasons for delay;
- Provide all required notices of meetings and hearings;
- Provide opportunities for parties to review and respond to relevant evidence, both favorable and unfavorable;
- Provide parties with the opportunity to be accompanied to any meetings or hearings by an advisor of their choice;
- Provide parties with the opportunity to present witnesses, as well as other relevant evidence;
- Not restrict the parties from speaking about the case for their own emotional support and to prepare their case;
- Assume the burden of gathering evidence and of proof (rather than such burdens resting with the parties); and
- Comply with all applicable confidentiality and privacy laws and regulations during the procedure.

In general, CCSNH/College will attempt to complete the procedure within 90 calendar days. However, there may be circumstances when the process will take longer due to the absence of individuals important to the process, difficulties in obtaining evidence and other reasonable considerations.

Parties may make requests for short extensions of deadlines imposed on them in this grievance procedure for good cause (illness, unavoidable absence of advisor, etc.). Any such request must be made to the Title IX Coordinator in writing and must explain the reason an extension is requested. The Title IX Coordinator shall treat requests from parties for extensions equitably and shall notify the parties of any extensions that are granted or denied.

2. Notice to Parties and Initial Steps

i. The Title IX Coordinator will provide written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under this policy. The notice will include:

- Notice regarding the procedure and the availability of an informal resolution process;
- Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (no less than five calendar days).
- As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the grievance process;
- Notice that the parties may have an advisor of their choice, who may be an attorney;
- Notice that the parties may inspect and review evidence;
- Notice of provisions in the conduct processes applicable to students, faculty or staff that prohibits making false reports or providing materially false information in bad faith during the grievance process;
- Notice that the parties may discuss their case. However, parties should avoid statements that are defamatory; or that disclose other conduct which could be viewed objectively as constituting intimidation or retaliation; or that may impair the integrity of the investigation or procedure;
- Notice that CCSNH/College, not either party, has the burden of proof;
- Notice of the name of the investigator, with sufficient time (no less than five calendar days) to raise then-known reasonable concerns of conflict of interest or bias, and the basis for those concerns, to the Title IX Coordinator; and
- Notice that the parties can raise reasonable concerns regarding the Title IX Coordinator to the Sr. Human Resources Officer.

ii. If additional allegations become known at a later time, the original notice to the parties will be supplemented. Misconduct which subsequently becomes known but is not covered by this policy may be addressed pursuant to other applicable CCSNH/College policies, as appropriate.

iii. The Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

iv. Prior to a hearing, claims of conflicts of interest, bias or other concerns regarding CCSNH/College officials involved in the procedure will be resolved by the Title IX Coordinator. At the hearing, such claims may be raised with the decision maker.

3. Informal Resolution Process

After a formal complaint has been filed, and if the Title IX Coordinator believes the circumstances are appropriate, the Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and hearing process. An informal resolution process can be started at any time during the grievance procedure. However, an informal resolution process cannot be used to resolve a formal complaint when a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; agreed upon sanctions against a respondent or requirements to engage in specific services; or supportive measures. Parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time.

Any terms in an informal resolution that include involvement by CCSNH/College must be approved by the Title IX Coordinator. If an informal resolution agreement is reached, it must be signed by the parties and CCSNH/College. Once signed, the agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the procedure.

4. Administrative Leave

CCSNH/College, in consultation with the Title IX Coordinator, may place an employee respondent on administrative leave at any point after a formal complaint is filed in accordance with existing procedures. Any such decision to place an employee on administrative leave shall be made in compliance with any applicable disability laws, including the Americans with Disabilities Act and the New Hampshire Law Against Discrimination.

5. Investigation Process

The Title IX Coordinator will appoint an investigator to investigate the formal complaint. The investigator will:

- i. Meet with the parties after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
- ii. Allow parties to have their advisor at all meetings (advisors may not speak for the party).

- iii. Allow parties to identify witnesses and submit favorable and unfavorable evidence.
- iv. Interview witnesses and conduct such other activities that will assist in ascertaining facts. The investigator shall prepare written summaries of all interviews.
- v. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
- vi. Prior to completing the investigation report, provide the parties and their advisors with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint. This includes all directly-related evidence, whether the Investigator intends to rely upon it or not in the investigation report, as well as evidence favorable and unfavorable to the parties. The parties will be provided 10 calendar days to submit a written response. The investigator shall consider the parties' written responses prior to completing the investigation report.
- vii. Create an investigation report that fairly summarizes relevant evidence and submit it to the Title IX Coordinator. The investigator may, at their discretion, comment on the credibility of a party, witness, or documentary evidence.

In turn, the Title IX Coordinator shall:

- i. Provide a hard or electronic copy of the investigation report to the parties and advisors (if any) at least 10 calendar days prior to the scheduled hearing, for their review and written responses. The parties and advisors must acknowledge that they will not further disseminate the investigation report to any person, but may use it to prepare for the hearing. Responses to the investigation report must be provided to the Title IX Coordinator within five days of receipt of the report. The Title IX Coordinator shall provide each party with all responses. In their responses, parties must identify any claims of procedural error in the procedure followed including any claim of conflict of interest or bias by the investigator. The Title IX Coordinator, in consultation with other CCSNH/College officials, will evaluate any claim of procedural error and remedy any error as appropriate, including but not limited to requiring the investigator to interview other witnesses or consider additional evidence.
- ii. Appoint a decision maker, notify the parties of the identity of the decision maker, and provide not less than five calendar days for a written response from the parties raising any concerns regarding a conflict of interest or bias on the part of the decision maker.
- iii. Forward the investigation report and the parties' responses to the decision maker in advance of the hearing.

6. Live Hearing

CCSNH/College shall conduct a live hearing through which a decision maker will consider the evidence, make determinations of responsibility, and impose remedies including, if warranted, disciplinary sanctions.

The Title IX Coordinator shall be responsible for scheduling the live hearing (no less than ten calendar days after receiving the written responses to the investigative report) and notifying persons who need to be present at the hearing. Witnesses will be requested to provide testimony at the hearing. Some important features of hearings include the following:

- i. Under Title IX, CCSNH/College has no authority to compel parties, witnesses or advisors to be present for a hearing.
- ii. At the request of a party, the parties will be in separate rooms with technology to allow the parties and decision maker to see and hear parties/witnesses answering questions.
- iii. The decision maker, not the investigator, makes the final determination of responsibility and impose remedies, including disciplinary sanctions where warranted. The decision maker will not be the Title IX Coordinator or the investigator.
- iv. The decision maker may impose reasonable time limits on opening/closing statements, cross-examination, and comments by the parties and their advisors during the hearing, and shall generally preside over the hearing and enforce the rules of decorum.
- v. The decision maker may ask questions of the parties, their advisors and any witnesses.
- vi. The decision maker shall rule on the relevance of evidence offered or of any question asked of a party or witness prior to the question being answered, especially during cross-examination.
- vii. The decision maker may request input from CCSNH/College officials concerning possible sanctions, either during the live hearing or during the period between the close of the hearing and the issuance of the decision maker's written determination.
- viii. CCSNH counsel may attend the hearing and may provide advice to the decision maker or guidance to the participants during the hearing as needed.
- ix. Parties must have an advisor at the hearing. If a party does not have an advisor at this stage of the process, CCSNH/College will appoint one for the party at no cost to the party.
- x. The Title IX regulations require that advisors (and not the parties) may question parties and witnesses, following rules of decorum.

xi. A video or audio recording or transcript shall be made of the hearing, and made available to the parties for inspection and review.

7. Standard of Proof and Determination of Responsibility

CCSNH/College uses a preponderance of the evidence standard (“more likely than not”) in making determinations of responsibility.

The decision maker shall issue a written determination, which shall include the following:

- i. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy.
- ii. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- iii. Findings of fact supporting the determination.
- iv. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, and any disciplinary sanctions CCSNH/College imposes on the respondent.
- v. A statement as to whether remedies designed to restore or preserve equal access to CCSNH/College education programs and activities will be provided to the complainant; however, the decision maker shall not identify such remedies. The Title IX Coordinator shall work with the complainant to design remedies consistent with the decision maker’s findings.
- vi. The procedure and permissible bases for the complainant and respondent to appeal the determination (or dismissal).

The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that CCSNH/College provides the parties with the written determination of the results of the appeal, if an appeal is filed (see subsection 9 below), or if an appeal is not filed, the date on which the appeal period expires. A complaint filed with an external agency is not an appeal for purposes of determining when a finding of responsibility becomes final.

8. Remedies, Supportive Measures and Sanctions

i. Remedies

“Remedies” are measures used to ensure that the complainant has equal access to the College’s education programs and activities following a decision maker’s determination. Such remedies may include supportive measures and depend upon the determination and the needs of the complainant. The Title IX Coordinator is

responsible for implementing remedies and providing any needed assistance to the complainant.

ii. Supportive Measures

The Title IX Coordinator may continue and/or adjust supportive measures for the complainant following the conclusion of the procedure, based on the complainant's needs at that time.

iii. Sanctions

Sanctions against employee respondents, who are found to have committed the alleged conduct and thereby violated this policy, will be based on the circumstances and seriousness of the offense. Sanctions against CCSNH faculty and staff will be handled in accordance with employment policies or collective bargaining agreements governing discipline and dismissal. Sanctions may include, but are not limited to, mandated training, position reassignment, imposed workplace conditions, written warning, disciplinary suspension without pay, demotion, or dismissal.

9. Appeals

Parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Appeals are allowed on the following grounds:

- i. Procedural errors that affected the outcome of the matter;
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- iii. The Title IX Coordinator wrongfully concluded that the formal complaint did not constitute sexual harassment under this procedure and dismissed the formal complaint;
- iv. The Title IX Coordinator, investigator or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter; or
- v. A sanction imposed was improper in light of mitigating or extenuating circumstances not known at the time that a party was provided an opportunity to comment on sanctions, if any, or was not properly considered by the decision maker.

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Unless granted an extension for good cause by the Title IX Coordinator before the expiration of the appeal period, appeals submitted after this deadline are not timely and shall not be considered.

- i. Appeals must be filed by email with the Title IX Coordinator, who shall refer it to the appropriate appeals officer.
- ii. The Title IX Coordinator shall provide a copy of the appeal to all other parties.
- iii. The other parties shall have seven calendar days to submit a written statement addressing the appeal.
- iv. The officer considering the appeal shall conduct an impartial review of the appeal, including consideration of the record of the matter, and may consult with other CCSNH/College officials and/or CCSNH counsel in making their decision.
- v. The appeals officer shall issue a written decision describing the result of the appeal and rationale for the result, and provide it simultaneously to the parties. The officer may: 1) deny the appeal; 2) grant the appeal and send back the matter to the decision maker for further consideration; 3) grant the appeal and send back the matter for a new live hearing before a new decision maker; 4) grant the appeal by revising the sanction; or 5) grant the appeal of a dismissal of a formal complaint and order that an investigation be conducted.

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 Office of Campus Safety and services it provides in addition to crime statistics, crime prevention information, and emergency procedures.

Registered sexual offenders for the State of New Hampshire

Registered sexual offenders can be found at the following website:
<https://business.nh.gov/nsor/>

DRUG ALCOHOL AND SUBSTANCE ABUSE

562.02 CCSNH Alcohol Policy Statement:

CCSNH and its colleges are committed to establishing and maintaining an environment that fosters mutually beneficial interpersonal relations and a shared responsibility for the welfare and safety of others. Accordingly, the CCSNH and its Colleges recognize that in implementing an alcohol policy consideration must be given to the duty to promote a safe and secure, positive and productive environment.

Policy Purpose: Because alcohol can have a significant effect on the academic, working and residential environment, CCSNH has adopted this policy for governing alcohol use by students, staff, faculty, visitors, and guests. While CCSNH policy permits responsible consumption of alcohol at some places and times, the consumption of alcohol should

never be the primary purpose or focus of an event. Alcohol-free social events are encouraged.

Policy:

1. Alcohol is not permitted on CCSNH property, including any of the colleges, academic centers, and leased facilities except as specifically allowed by CCSNH policy.
2. A request for approval to serve alcoholic beverages form must be submitted to the president of the college or chancellor of CCSNH for each function being planned where alcohol, beer or wine will be served. This form must be submitted 30 days prior to the event. All bar service must be provided by a holder of an appropriate New Hampshire Liquor License. The vendor must provide a certificate of insurance providing evidence of commercial general liability insurance, including liquor liability coverage, and workers compensation as required by law. This certificate of insurance must name CCSNH as an additional insured with respect to commercial general liability including liquor liability and evidence limits of liability as required by CCSNH. If requests are received with less than a 30-day notice, the president or the chancellor has the right to deny approval and service will not be granted.
3. The acquisition, distribution, possession, or consumption of alcohol by employees and other members of the CCSNH community must be in compliance with all local, state, and federal laws and CCSNH policy. Except as expressly permitted by the president or chancellor, employee consumption of alcohol while on duty is prohibited.
4. Non-alcoholic beverages must be provided at events where alcoholic beverages are served.
5. Restrictions on alcohol use on CCSNH property vary by location, and, in some cases, by time.
 - a. Residence halls and apartment housing. Possession or consumption of alcohol by anyone under legal drinking age is prohibited. Residents of legal drinking age may consume alcohol in their rooms or apartments provided:
 - i. A resident of legal drinking age may have just one open alcohol container at a time for personal consumption;
 - ii. Alcohol may not be consumed in common areas such as lounges, hallways, etc.;
 - iii. Excessive amounts of alcohol, including kegs, punch bowls, beer balls, or excessive amounts in bottles or cases, are strictly prohibited; and
 - iv. Consumption of alcohol is done so in a responsible manner and the resident's conduct otherwise conforms to all rules and policies including the Student Code of Conduct;

- b. Dining halls and cafeterias. During periods when dining halls and cafeterias are not open to students and are assigned to workshops or conferences, alcohol may be served and consumed.
 - c. Academic, administrative, classroom buildings or grounds. Consumption of alcohol is permitted only as part of an approved event, such as a fundraising event or a celebration of a special accomplishment. The chancellor or the president of the college sponsoring the event must give the required approvals.
6. CCSNH and its colleges have an interest in off-premise events held in their names. If alcohol is used illegally or inappropriately at such events, CCSNH or the college may take steps to protect its interests including, but not limited to, instituting disciplinary action against an employee or student.
7. Any request for variation from this policy including activities related to educational programs must be submitted to the president of the college or the chancellor.
8. Each college may adopt alcohol policies that are more restrictive than this CCSNH policy.

730.03 DRUGS AND NARCOTICS (ccsnh)

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.

SUBSTANCE ABUSE AWARENESS AND EDUCATION

Substance abuse awareness and education is conducted yearly during student orientation and during annual substances abuse education each semester.

HEALTH AND SAFETY PROGRAMS

Pandemics: Due to COVID-19 MCC has instituted numerous protocols and procedures designed to prevent or mitigate the spread of communicable diseases. Until further guidance from the Center for Disease Control, and the State of New Hampshire most college courses will be conducted online with the exception of courses requiring labs such as nursing, robotics, welding, automotive, and HVAC. All students and visitors who enter an MCC building must be cleared through the health screening station and have their temperature taken.

Below is a sample of an Individual Program Framework (IPF) that have been developed for each instructional program with students and faculty physically on campus during the 2020-2021 academic year.

I. Statement of Need for On-site Instruction

The purpose of this document is to develop the parameters of a plan to engage in on-site instruction in a very limited manner in order to serve the face-to-face instructional needs of the Health Fitness Professional Program.

II. Basic Principles

1. Protocols developed for safety and well-being of students, faculty and staff are based on current CDC, OSHA and NH DHHS and Re-Opening Task Force guidance.
2. Completion of the program has been established as an educational priority for the students served and the region's economic development.
3. Adequate measures are in place to ensure workforce readiness to deliver the program in a safe and uninterrupted manner.

III. Building Access and Flow Control

1. Prescreening – Students, faculty and staff must be screened daily prior to entry. The screening information collected shall be used only for the purpose of maintaining healthy business operations and shall be maintained as confidential. Prior to entry, each individual shall provide the following:
 - a. An attestation that they have taken and recorded their temperature prior to arriving at work and that the temperature did not exceed 100.0 degrees Fahrenheit. Alternatively, the temperatures of individuals will be screened at the entrance by an appropriately protected employee (mask, safety glasses and gloves).
 - b. An attestation that they have reviewed and answered “no” to each of the following questions:

- i. Have you been in close contact with a confirmed case of COVID-19?
 - ii. Have you had a fever or felt feverish in the last 72 hours?
 - iii. Are you experiencing any respiratory symptoms including a running nose, sore throat, cough, or shortness of breath?
 - iv. Are you experiencing any new muscle aches or chills?
 - v. Have you experienced any new change in your sense of taste or smell?
 - c. Any person who answers “yes” to any of the questions (except in the circumstance of the affirmative answer being affiliated with a known, non-contagious, condition, such as a runny nose due to allergies) or has a temperature that exceeds 100.0 degrees Fahrenheit shall be required to leave the premises and re-evaluated in no less than 24 hours.
2. Building Access – HFP classes will be conducted in Room 243/adjacent lab and the fitness center and adjacent Yoga Room, all of these spaces are all large enough to allow for appropriate social distancing (6 ft.), while sitting and performing movement for the maximum number of students which is 12.
3. Instructors and students whose classes are in Room 243 will be entering and exiting the building through the back door (closet to Room 243) only and using restrooms closest to Room 243.
4. Students and Instructors who have classes that are in the Fitness Center/Yoga Room will be entering and exiting through the main entrance only and utilizing the locker room restrooms only.
5. Once in the building program students, faculty and staff will proceed to designated classroom/lab and stay within the lab and exit the same way they entered.
6. All program students, faculty and staff will use the bathrooms closest to Room 243 and the locker room bathrooms outside of the Fitness Center. The bathrooms will include signage that emphasizes handwashing protocols. The bathrooms will also include cleaning product to wipe down handles and other high-touch areas. Finally, bathrooms will be limited to one person at a time, with a low-touch means provided outside the bathroom for indicating if it is occupied.

IV. Building Cleaning Practices

1. At the end of each class, program instructors will lead students in cleaning all surfaces used by students using disinfectant spray and wipes supplied in the classroom. **All hazardous waste (masks and gloves) must be disposed of in the Hazardous Waste bins only.**

2. At the end of each day, building service workers using appropriate PPE will clean and disinfect areas used by program participants focusing especially on frequently touched surfaces. Facilities staff will be responsible for cleaning the commonly used areas such as door handles, restrooms, and handrails in the hallways. As well as the instruction tables, sink areas, and other building specific areas within the labs.
3. In the event of a positive case, building service workers will clean and disinfect all affected areas following CDC guidance. More specifically, the cleaning process will include:
 - a. Closing off areas visited by the ill person. Opening outside doors and windows and using ventilating fans to increase air circulation in the area. Wait 24 hours or as long as practical before beginning cleaning and disinfection.
 - b. Cleaning staff will then clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment (like tablets, touch screens, keyboards, remote controls, and ATM machines) used by the ill person, focusing especially on frequently touched surfaces.

V. Instructional/Classroom Model

- HFP classes will be conducted in Room 243/adjacent lab and the fitness center and adjacent Yoga Room. All of these spaces are all large enough to allow for appropriate social distancing (6 ft.), while sitting and performing movement for the maximum number of students which is 12.
- Instructors and students whose classes are in Room 243 will be entering and exiting the building through the back door(closest to Room 243) only, and using bathrooms closest to Room 243
- Students and Instructors who have classes in the Fitness Center/Yoga Room will be entering and exiting through the main entrance only and utilizing the locker room bathrooms only.
- Students and Instructors are required to wear masks at all times.
- Cloth masks may be worn during instruction, at desks with social distancing (6 ft. or greater). Surgical masks must be worn when instructors and students need to be closer than 6 ft. and when students are performing exercise.
- Students will remain socially distanced with the exception of the labs that require students to work with a partner. Partners will remain the same throughout the entirety of the course.

- When instructors need to be closer than 6 ft. to students to demonstrate something, they will wear surgical masks and limit these demonstrations to 10 minutes or less.
- Instructors and students must wash hands prior to and after close contact with each other.
- Instructors may not remove masks to ascertain if a student is unable to hear or understand. However, microphones can be provided to the instructor for this purpose.
- During exercise, students must wear surgical masks at all times, and shields will be provided for additional protection, but not mandatory.
- In the event a student displays or communicates an adverse response to wearing a mask, specifically during exercise, they shall be allowed to briefly re-position masks to just below the nose until they are able to go outside to remove mask.
- Students should change masks after each exercise session.
- Equipment for exercise sessions will be stored in Fitness Center/Yoga area. Students will one at a time or with their partners only, be allowed to collect the equipment that they will be utilizing that day. The equipment they pick must remain with them for the entire class and not be shared with another group or individuals.
- Students will then be assigned a room and/or area to work in for that day and should remain in that area when conducting their exercise session.
- Students will be responsible for cleaning all equipment they utilized during and after exercise sessions.
- Students will be given breaks as needed for hydration, food or rest.
- Students should plan appropriately for the class and plan to bring enough water/drink for both normal hydration and exercise needs.
- Instructors and students are not required to wear gloves, however they should wash hands upon entering and leaving class for breaks, after working closely with partners/students and after touching equipment.
- If students and instructors are unable to wash hands during an exercise session in which they are constantly touching equipment or in close contact with each other, they should use hand sanitizer periodically during the session.
- When leaving the building for a break, students and instructors should wash hands and not remove PPE until outside of the building and social distancing (6 ft. or greater) can occur.
- When on a break students and instructors shall eat and drink outside with social distancing (6 ft. or greater). They may go to their cars or leave campus for meals. **No on-campus food/beverage offerings will be available with the exception of emergency supplies provided by the College for the classrooms/labs.**

- Before returning to an instructional activity students and instructors must put on masks before entering the building and wash hands upon entering the classroom.
- During off campus visits, students and instructors must adhere to the policies of the site they are visiting and masks must be worn at all times. Students should not enter the facility and should remain socially distanced outside the facility until instructed to enter.

VI. Schedule

1. The college will develop a master schedule clearly designating the times that rooms will be used for instruction.
2. The schedule will allow sufficient time between instructional activities to allow for cleaning and for students to clear the building before the next class enters.
3. The schedule may allow for concurrent classes so long as sufficient spacing protocols are respected including with respect to use of common hallways and bathrooms.

VII. Individual Hygiene and Safety Protocols

1. Safety and well-being are shared responsibilities between administration, faculty, staff and students.
2. Each person participating in on-site activities shall review and sign an acknowledgement of safety measures and protocols that have been implemented and will be enforced on a day-to-day basis.
3. Before beginning instruction on the first day of on-campus classes, instructors shall review personal hygiene and safety protocols including hand hygiene, use and disposal of personal protective equipment, maintaining physical distance, and cleaning.
4. Each person participating will be encouraged to provide feedback with the respect to effectiveness of safety protocols, including an anonymous reporting option.
5. Upon receiving a report that a program participant is a known or suspected case of COVID-19, the college will determine the group of students, faculty and staff who may have had close contact with the participant. Close contact is being within approximately 6 feet of a known or suspected COVID-19 case for a prolonged period of time, *i.e.*, longer than 10 minutes and would include persons who shared the same work space for a prolonged period of time even if not at the same time. This would include, for example, a program participant who came in the afternoon and worked at the same computer set up that the ill participant used in the morning. Notice of the COVID-19 case will be provided only to this group of individuals that may have been exposed to the virus. In providing notice, the college will not provide

any more information than necessary about the ill person. Those who are determined to be close contacts will be advised that they should remain home and quarantine for 14 days since the last date of potential exposure and monitor their own health and report any symptoms to the college and their health care provider.

6. If any of persons who are deemed close contacts report symptoms, they will be instructed to contact their health care provider and to stay home and not participate in program activities on-site until they are free of fever, and any other symptoms for at least 72 hours, without using a fever-reducing or other symptom altering medication (e.g. Tylenol, cough suppressants). A fever is defined as a temperature of 100.4 degrees Fahrenheit or 38 degrees Celsius taken by an oral thermometer.
7. Any persons receiving positive diagnoses will need to submit a note from a doctor when they have tested negative and are cleared to return.

VIII. Equity and Opportunity

1. Students who due to personal health circumstances have been advised by a physician to remain in quarantine and therefore are unable to complete the program may request an incomplete grade consistent with college academic policies.
2. Students who are unable to return to complete the labs associated with their courses may be granted a W for the course. Student should be in contact with their faculty and department chair to discuss their situation. Faculty will work with Academic Affairs to assist the student.

CCSNH COVID-19 Student Social Compact: This Social Compact is part of the Student Code of Conduct adopted for the 2020-21 academic year.

As members of this campus community, we face a serious public health situation that requires a new level of awareness and caution in our daily lives. As a caring community, we understand that our health and safety depend on how well we take care of ourselves and each other. As a member of this community I promise to responsibly protect my health and the health of others. I make these efforts to help prevent the spread of COVID-19 and other risks to our community's health and to best preserve the learning opportunities available to me as a student at this college.

The virus that causes COVID-19 is highly contagious. It is possible to develop and contract COVID- 19, even when individuals follow all of the safety precautions recommended by the Centers for Disease Control (CDC), the State of New Hampshire, and the College. NH's community colleges are following coronavirus guidelines issued by the CDC, the NH Department of Health and Human Services (DHHS), and other

reliable resources to reduce the spread of infection. However, by engaging in on- or offcampus activities, students, faculty and staff can never be completely shielded from all risks of exposure or illness caused by COVID-19 or other infections.

Maintaining college instructional and service activities is dependent upon how well ALL members of our college community adhere to public health recommendations and expectations. Significant changes in the trajectory of the virus may result in changes to instructional and campus operational plans. It is in all of our best interests to do our part to mitigate the spread of COVID-19. To protect myself and others, and preserve the opportunity of learning in this campus setting, I understand that as a member of the CCSNH community I will be expected to:

PROTECT MYSELF

1. Monitor for the symptoms of COVID-19 and report as directed by the college and to a medical professional if I experience fever, cough, shortness of breath or other symptoms identified by public health authorities
2. Wash my hands often with soap and water or use effective hand sanitizer
3. Maintain appropriate physical distancing, especially in indoor settings
4. Protect myself from viral respiratory infections by means that may include obtaining a flu shot as recommended by NH public health authorities
5. Follow all other recommendations of public health officials in the State of New Hampshire

PROTECT OTHERS

1. Stay home if feeling ill, or after exposure to someone who is ill or is suspected or confirmed positive for COVID-19
2. Wear an appropriate face covering and other protective gear as directed by the college
3. Be positive, sensitive and helpful to anyone around me who may be troubled or struggling
4. Recognize that others may have health conditions or relevant family circumstances that are private and respect their needs for personal and community precautions
5. Understand that individuals can have COVID-19 yet be asymptomatic and therefore an unknown carrier of the virus

PROTECT MY COLLEGE COMMUNITY

1. Keep clothing, belongings, personal spaces and shared common spaces clean
2. Carefully observe instructional signs and follow directions
3. Inform the designated COVID-19 Contact Person at my college if I have a positive test or am experiencing symptoms associated with COVID-19

4. Participate as requested in testing and contact tracing to preserve the wellness of the community
5. Recognize that COVID-19 does not stop at campus boundaries and be aware that my behavior outside campus can create risks for my on-campus community
6. Behave with compassion and understand that we are all doing the best we can in unprecedented circumstances – share concerns rather than anger or blame

PROTECT MY SURROUNDING COMMUNITY

1. Complete required precautions prior to arrival on campus, or if I have had to leave the state
2. Self-isolate in accordance with NH DHHS guidelines if I test positive for COVID19
3. Quarantine in accordance with NH DHHS guidelines if I am identified as having been in close contact of a suspected or confirmed case for COVID-19 or fall under the travel restrictions for COVID-19
4. Practice safe physical distancing when participating in the community outside of the campus
5. Pay attention to and observe local and state directives
6. Remember that not everyone is affected equally by COVID-19 and by complying with COVID-19 health guidelines, I will help those who are most vulnerable to stay safe
7. This virus does not discriminate, and neither will I – no person or group of people is responsible for this virus and I will not blame the presence of COVID-19 on anyone in my community

ANNUAL CRIME STATISTICS

How we compile our statistics:

The Clery Act requires 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 Office of Campus Safety immediately.

The following list of crimes (and their definitions) are those which are required to be reported to the United States Department of Education.

The following definitions are to be used for reporting the crimes listed in § 668.46, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for *murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations* are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of fondling, incest, and statutory rape are excerpted from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of *larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property* are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

Crime Definitions From the Summary Reporting System (SRS) User Manual From the FBI's UCR Program

Arson

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

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another.

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.

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal 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 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. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Crime Definitions From the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

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

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

Crime Definitions From the Hate Crime Data Collection Guidelines and Training Manual From the FBI's UCR Program

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Type of Incident	On Campus			Public Property			Non Campus (N/A)			Residential Facilities (N/A)		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
Criminal Offenses												
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0						
Manslaughter by Negligence	0	0	0	0	0	0						
Robbery	0	0	0	0	0	0						
Aggravated Assault	0	0	0	0	0	0						
Burglary	0	0	0	0	0	0						
Motor Vehicle Theft	0	0	0	0	0	0						
Arson	0	0	0	0	0	0						
Sexual Assault (Sex Offenses)												
Rape	0	1*	0	0	0	0						
Fondling	0	0	0	0	0	0						
Incest	0	0	0	0	0	0						
Statutory Rape	0	0	0	0	0	0						
Arrests												
Weapons, carrying, Possessing	0	0	0	0	0	0						
Drug Abuse Violations	1	0	0	0	0	0						

Liquor Law Violations	0	0	0	0	0	0							
Hate Crimes (Race)													
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							
Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							
HATE CRIMES (Gender)													
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							

Aggravated Assault	0	0	0	0	0	0						
Burglary	0	0	0	0	0	0						
Motor Vehicle Theft	0	0	0	0	0	0						
Arson	0	0	0	0	0	0						
Theft	0	0	0	0	0	0						
Simple Assault	0	0	0	0	0	0						
Intimidation	0	0	0	0	0	0						
Vandalism/Property	0	0	0	0	0	0						

HATE CRIMES (Gender Identity)

Murder / Non-Negligent Manslaughter	0	0	0	0	0	0						
Negligent Manslaughter	0	0	0	0	0	0						
Robbery	0	0	0	0	0	0						
Aggravated Assault	0	0	0	0	0	0						
Burglary	0	0	0	0	0	0						
Motor Vehicle Theft	0	0	0	0	0	0						
Arson	0	0	0	0	0	0						
Theft	0	0	0	0	0	0						
Simple Assault	0	0	0	0	0	0						
Intimidation	0	0	0	0	0	0						

Vandalism/Property	0	0	0	0	0	0							
HATE CRIMES (Religion)													
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							
Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							
HATE CRIMES (Sexual Orientation)													
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							

Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							
Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							

HATE CRIMES (Ethnicity)

Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							

Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							
HATE CRIMES (National Origin)													
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							
Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							
HATE CRIMES (Disability)													

Murder / Non-Negligent Manslaughter	0	0	0	0	0	0							
Negligent Manslaughter	0	0	0	0	0	0							
Robbery	0	0	0	0	0	0							
Aggravated Assault	0	0	0	0	0	0							
Burglary	0	0	0	0	0	0							
Motor Vehicle Theft	0	0	0	0	0	0							
Arson	0	0	0	0	0	0							
Theft	0	0	0	0	0	0							
Simple Assault	0	0	0	0	0	0							
Intimidation	0	0	0	0	0	0							
Vandalism/Property	0	0	0	0	0	0							
VAWA Offenses (On campus)													
Domestic Violence	0	0	0	0	0	0							
Dating Violence	0	0	0	0	0	0							
Stalking	0	0	0	0	0	0							
VAWA Offenses (Public Property)													
Domestic Violence	0	0	0	0	0	0							

Dating Violence	0	0	0	0	0	0							
Stalking	0	0	0	0	0	0							
Incidents that were Referred for Disciplinary Action (On Campus)													
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0							
Drug Law Violations referred for Disciplinary Action	0	0	0	0	0	0							
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0							
Incidents that were Referred for Disciplinary Action (Public Property)													
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0							
Drug Law Violations referred for Disciplinary Action	0	0	0	0	0	0							
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0							

	2019	2020	2021	
TOTAL UNFOUNDED CRIMES	0	1	0	