



MIDDLESEX
Community College

Student Success Starts Here

2018



Annual Safety & Security Report

Report prepared by Alisa M. Chapman, Director of Compliance
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The information contained in this report is provided in compliance with State and Federal Law, specifically, the Clery Act. This report is also available at www.middlesex.mass.edu/safetyreport

Accessibility to Information and Non-Discrimination Statement

The Board of Higher Education of the Commonwealth of Massachusetts is responsible under Chapter 15A of the General Laws of the Commonwealth of Massachusetts for the overall governance of the public higher education system, which includes the fifteen Community Colleges. The Board of Higher Education and the Boards of Trustees of the Community Colleges maintain and promote a policy of non-discrimination on the basis of race, creed, religion, color, gender, gender identity, sexual orientation, age, disability, genetic information, maternity leave, military service and national origin (“protected class(s)/classification(s).”) The College’s Policy on Affirmative Action, Equal Opportunity & Diversity prohibits retaliation and incorporates by reference, and where applicable, the requirements of Titles VI and VII of the Civil Rights Act of 1964; Title VI of the Civil Rights Act of 1968; Titles I and II of the Civil Rights Act of 1991; Title IX of the Education Amendments of 1972 and its regulations found at 34 C.F.R. part 106; Equal Pay Act of 1963; Civil Rights Restoration Act of 1988; Sections 503 and 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Section 402 of the Vietnam-era Veterans Readjustment Act of 1974, Uniformed Services Employment and Reemployment Rights Act (USERRA); Age Discrimination Act of 1975; Age Discrimination in Employment Act of 1967, as amended; Family and Medical Leave Act of 1993; Federal Executive Order 11246 of 1965, as amended by Executive Order 11375 of 1967; Federal Executive Order 12900 of 1994; Federal Executive Order 13145 of 2000; Federal Executive Order 13160 of 2000; Federal Executive Order 13166 of 2000; Massachusetts Civil Rights Act; Massachusetts General Laws Chapters 151B, 151C, and Chapter 149; directives of the BHE, the Boards of Trustees of the Community Colleges and the Commonwealth of Massachusetts; and other applicable local, state and federal constitutions, statutes, regulations and executive orders.

The following person has been designated to handle inquiries regarding the Americans with Disabilities Act, the Rehabilitation Act and related statutes and regulations:

Alisa Chapman
ADA/504 Coordinator
Bedford Campus, Cataldo Building, Room 210
781-280-3620
chapmana@middlesex.mass.edu

The following person has been designated to handle inquiries regarding non-discrimination policies:

Reginald Nichols
Affirmative Action Officer
Bedford Campus, Cataldo Building, Room 214
781-280-3536
nicholsr@middlesex.mass.edu

The following person has been designated to serve as the overall coordinator for purposes of Title IX Compliance:

Alisa Chapman
Title IX Coordinator
Bedford Campus, Cataldo Building, Room 210
781-280-3620
chapmana@middlesex.mass.edu

The College’s [Policy on Affirmative Action, Equal Opportunity & Diversity](#), including the complaint procedure, can be found at: <https://www.middlesex.mass.edu/humanresources/downloads/paarn.pdf>.

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A Message from the Public Affairs Department

The information contained within this report is provided to Middlesex Community College community members, prospective students, their families, prospective employees and the general public, as a part of MCC's commitment to safety and security on campus. By providing this information, Middlesex Community College, in accordance with the mandates of the *Crime Awareness and Campus Security Act of 1990 (Clery Act)*, the *Violence Against Women Reauthorization Act of 2013* and *Title IX of the Educational Amendment Act of 1972*, demonstrates a commitment to our philosophy of establishing and maintaining a safe academic environment and a supportive climate in which to conduct the business and mission of the College. This report outlines MCC's programs and policies relating to community safety and awareness. Community members and prospective community members are encouraged to read this report to become familiar with our policies, procedures, crime information and resources.

Questions or comments about this report may be addressed to the Executive Director of Public Affairs at 978-656-3134 or cookp@middlesex.mass.edu, the Director of Compliance at 781-280-3620 or chapmana@middlesex.mass.edu or the Director of Public Safety at 781-280-3751 or martind@middlesex.mass.edu.

Sincerely,

Patrick Cook
Executive Director of Public Affairs

Alisa Chapman
Director of Compliance

Daniel Martin
Director of Public Safety

Quick Reference-Contact Information

College and Area Public Safety and Community Resources

Emergency	911	Dean of Students Office	781-280-3525
Public Safety- Bedford	781-589-0234	Title IX Coordinator	781-280-3620
Public Safety- Lowell	781-582-1384	Personal Counseling & Consultation	Bedford: 781-280-3635 Lowell: 978-656-3257
Director of Public Safety	781-589-0165	Affirmative Action Officer	781-280-3536
Bedford Police- non-emergency	781-275-1212	Rape Crisis of Greater Lowell	800-542-5212 Hotline: 978-452-8723
Lowell Police- non-emergency	978-937-3200	YWCA of Greater Lawrence	877-509-9922 Hotline: 978-686-8840
Massachusetts State Police	Andover: 978-475-3800 Concord: 978-369-4100	Domestic Violence Services Network	Help Line: 888-399-6111

Disclosure of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was signed into law in 1990. The law requires educational institutions participating in student financial aid programs under Title IV of the Higher Education Act to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occurred on or near campus. The report includes crime statistics for the previous three years. Statistics include crimes reported to MCC Public Safety, local police, persons referred for campus disciplinary action for categories required under the Clery Act, and Campus Security Authorities. For statistical purposes, crime statistics reported to any of the above named sources are recorded in the calendar year during which the crime is reported. This information is then separated by the campus locations as well as whether the crime occurred on campus property or on public property.

Annual Safety and Security Report Availability

Each year, on or before October 1st, an e-mail notification is sent to all enrolled students, staff and faculty members that provides the website to access this report. Prospective students and prospective employees are provided with information to access the report through the application process. In addition, e-mail or print copies of this report can be obtained by contacting the Director of Compliance at chapmana@middlesex.mass.edu. Print copies will be available at the Public Safety Office in Lowell and Bedford. This report is available on the College's website at: <https://www.middlesex.mass.edu/disclosurestatements/campsecript.aspx>.

Violence Against Women Reauthorization Act

On March 7, 2013, President Obama signed into law the Violence Against Women Reauthorization Act (VAWA), which imposed new requirements on colleges and universities with regard to sexual violence, domestic violence, dating violence and stalking. The requirements act to add to, refine, clarify and amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and act to reinforce Title IX. The Act adds offenses involving domestic violence, dating violence and stalking to the crimes that institutions must report in the Annual Safety & Security Report. The Act also expands the categories of reportable "hate crimes" to include those based on bias against gender identity or national origin consistent with Federal statutes.

VAWA amended the definition of sexual offenses and the category of reportable "sex offenses" to include: rape, fondling, incest and statutory rape consistent with the uniform crime reporting system of the Federal Bureau of Investigations. The Annual Safety & Security Report must also include detailed descriptions of MCC's internal procedures to resolve issues of domestic violence, dating violence, or stalking, resources on-and-off-campus, as well as descriptions of its educational and preventative programs.

Description of Campus Property

This report covers the Middlesex Community College campuses in Bedford and Lowell, Massachusetts, as well as public property within or immediately adjacent to and accessible from the campus. Crime statistics are requested and collected from the Lowell, Bedford and Billerica police. The College does not have residence halls or off-campus sponsored housing. In addition, there are no off-campus student organizations that are recognized by the institution or student organizations with off-campus housing facilities. The Bedford Campus and Lowell Campus maps are included at the end of this document.

Public Safety

Through the Department of Public Affairs, the MCC Public Safety Officers enhance the safety and security of the MCC campus, its community members, visitors and guests. Campus Public Safety Officers are authorized to enforce the rules and regulations of Middlesex Community College in the following ways:

- Dispersing activities not permitted under campus guidelines, i.e., improper use of facilities, harassment, and trespass.
- Issuance of parking tickets.
- Verbal warnings to cease unauthorized activity.
- Escorting violators from the campus facilities.

Public Safety officers do not operate with police powers and do not carry weapons.

Daily Crime Log

The MCC Public Safety Officers maintain a daily log of activity on the Lowell and Bedford campuses. The public daily log is available for viewing during regular College office hours. Copies are available within two business days of a written request. The MCC Public Safety Officers maintain crime statistics to aid in the publication of this report.

Relationship with State and Local Police

Because MCC is a state-owned property, enforcement authority rests with the state police. MCC Department of Public Affairs and Campus Security Officers routinely work with state police and/or local police in investigation of criminal activity occurring on the campus property. Campus Public Safety Officers call in the state or local police in cases of criminal activity such as assault, automobile accidents, theft, violation of restraining orders, etc.

In most instances, restraining orders are delivered to:

- The Director of Public Safety
- The Dean of Students (any restraining order involving students)

The College collaborates with the Lowell and Bedford Police Departments to ensure safety on our campuses. In order to provide easier access to police and for timely responses to incidents, MCC has established a position on each campus for a Campus Safety Officer. These officers are Bedford and Lowell Police officers and have full authority on the MCC campuses. On their respective campuses, these officers patrol the campus, assist with criminal and emergency incidents, establish relationships with students, faculty and staff, and assist with creation and maintenance of preventative safety and security protocols, conduct trainings for the campus community and act as a liaison to the police department.

Security of and Access to Campus Facilities

Campus grounds are open to the public for non-organized activities, including but not limited to, walking, bicycling, etc. Visitors are expected to use facilities safely and properly. Those found violating normal safety practices or acting discourteously will be asked to leave. Community events are scheduled through the Campus Manager on either campus. Campus Public Safety Officers are provided with a schedule of organized events and will investigate unscheduled activity taking place.

Access to Buildings during Off-hours

Unauthorized persons are not allowed into campus buildings off-hours without prior permission or unless accompanied by an authorized person. College staff or students needing access to buildings during off-hours are required to arrange with the Chief Administrative Officer and/or the Director of Public Safety. The CAO or Director of Public Safety will provide Security with an authorized Access List.

Campus buildings are open Monday-Thursday, 7am - 10pm, Friday, 7am - 5pm, and Saturday 8am - 1pm when classes are in session. Buildings remain secured on holidays, Sundays, and during nonscheduled class periods unless special arrangements are made to the contrary by contacting the Campus Manager.

Maintenance

Middlesex Community College employees provide for janitorial services. The supervisor of the janitorial crew has keys to campus buildings in order to provide access for employees during their work shift, 10pm - 7am. During this time period, other employees or students are generally not on campus. A college employee accompanies mechanical contractors and mechanical trade workers when it is necessary for them to be on campus during other than normal working hours.

Emergency Response & Evacuation Procedures

What is an Emergency?

An emergency is an unforeseen event or condition requiring prompt action. Emergencies at Middlesex Community College can be generally classified as medical emergencies, fire/fire alarm emergencies, public safety emergencies & environmental emergencies. Emergency conditions affect either an individual, a small group or the entire College. In the event of an emergency that affects the entire College, an evacuation may be necessary.

In the event of a **Campus, Medical or Campus Safety Emergency**:

Dial 911 immediately

When calling for an emergency or non-emergency incident, be prepared to:

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

Campus Evacuation

Campus Evacuation

There are many reasons a campus may have to be evacuated. The most common reason for evacuation is due to fire alarm activation. Other reasons for evacuating a campus include, but are not limited to, a bomb threat, environmental condition or a physical threat. When you are asked to evacuate the facility by Public Safety personnel, law enforcement or the fire alarm sounds:

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

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

Faculty and staff are asked to inform the Public Safety Officer or Fire Personnel of any students, faculty or staff who may need assistance with evacuation and the location in which they are waiting. Under no circumstances are the elevators to be used when a fire alarm is sounding.

Emergency Drills, Testing and Evacuation Procedures

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Middlesex Community College, evacuation drills are used as a way to educate and train students, faculty and staff. During the drill, students, faculty and staff ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to education, the process also provides MCC with the opportunity to test the operation of fire alarm system components.

The Executive Director of Public Affairs, the Department of Public Safety and the Environmental Health & Safety Officer coordinate evacuation drills. In all buildings, emergency exit signs are provided to give guidance on the direction people should travel when exiting each building for a short-term building evacuation. In academic buildings, evacuation maps are posted on the wall next to the classroom doors and in administrative buildings, the evacuation maps are located along the corridors. MCC does not tell individuals in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. Staff on the scene will communicate information to individuals regarding the developing situation or any evacuation status changes.

MCC conducts announced and unannounced drills and exercises periodically and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

Timely Warnings

The Middlesex Community College Emergency Alert System is intended to give students, faculty and staff timely notifications of incidents that may present an immediate threat to the campus community and to heighten safety awareness. The alerts can also be used to assist law enforcement agencies with widespread communications to our campus community with valuable and timely information to assist them with the management of an operation.

The safety of our students, staff and faculty is paramount to Middlesex Community College. The College has created a three-tier, Emergency Management Team consisting of more than 100 administrators to oversee all operations on campus, both during a crisis as well as in the planning and preparedness stages.

The Emergency Management Team shall be responsible for the activation of a Middlesex Community College Emergency Alert when an incident is reported to the team, Public Safety, a Campus Resource Officer and/or Campus Security Authority and rises to the level of a required widespread communication. The Emergency Management Team is chaired by the Executive Director of Public Affairs. The Emergency Management Team, which includes the Executive Director of Public Affairs, a Clery Compliance Authority and Public Safety, shall determine if there is a significant emergency or dangerous situation, determine the appropriate community members that should receive the notification, determine the content of the notification and initiate the notification system.

Every effort will be made to distribute the alert in a timely manner; however, each release is subject to the availability of accurate information concerning the incident and if releasing information will compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Alerts are distributed to faculty, students and staff through a variety of sources, including text messaging, phone calls, social media, or email.

Participation in the Emergency Alert system is “opt-out” meaning each community member is automatically in the system. Community members can elect to opt-out of the alert system; however, that is not recommended. If the individual elects not to share his/her cell phone information through the system, that individual will not receive electronic communications that are distributed through the automated Emergency Alert system. Other manners of

communication, such as oral communications from Security and Emergency Management Team personnel and audible instructions on the intercom system will also be used when necessary.

Middlesex Community College tests the Emergency Alert System annually, which may be announced or unannounced and may be limited to a small portion of the staff. Community members are encouraged to read these procedures in advance so they are prepared.

For questions related to emergency responses, evacuation procedures and timely warnings, please contact the Executive Director of Public Affairs, Patrick Cook at cookp@middlesex.mass.edu, 978-656-3134, Cowan Center 5th Floor, or the Director of Public Safety, Daniel Martin at martind@middlesex.mass.edu, 781-280-3751, Cataldo Building, room 211.

Active Threat Guidelines

We strongly encourage members and visitors of the MCC campus community to review these guidelines in the event of an emergency. An active threat refers to any incident, which creates an immediate risk or presents an imminent danger to the campus community such as a shooter, armed intruder or hostage situation. Please take the time now to review these guidelines, as it will help increase your ability to respond in the event of an emergency. If you are interested in training on this topic for your office, class or group, contact Director of Public Safety Dan Martin at martind@middlesex.mass.edu or 781-280-3751.

The A.L.I.C.E. Program

A.L.I.C.E. is a school safety program created in the year 2000 to offer additional options to students and staff in dealing with an armed intruder situation.

ALERT as many people as possible and notify authorities. Call 911!

LOCKDOWN or shelter in place by locking down and barricading all entry points.

INFORM listen for and give real-time updates by any communication and technology means possible.

COUNTER the attacker as a last resort by movement, noise, distraction (throw chairs, books, shoes, etc.) and attempt to incapacitate the attacker. Commit to your actions!

EVACUATE or get out and put distance between yourself and the attacker!

Safety Tips:

- Try to stay calm and gather information.
- Switch your phone to silent or vibrate until the threat is over.
- Use your knowledge and training to help others.
- Obey all law enforcement commands. You may be asked to keep your hands in the air or may be handcuffed until the situation is assessed.
- When entering a new space, always be sure to locate all exits, including emergency exits.
- Take drills seriously. Look for alternative ways to exit buildings, not the ones you use daily.
- If you are not at MCC when a campus emergency takes place, stay away. Look for all instructions via the emergency text messaging system or the College's website.

U.S. Department of Homeland Security

The U.S. Department of Homeland Security (DHS) aims to enhance preparedness through a "whole community" approach by providing products, tools, and resources to help prepare for and respond to an active shooter incident. DHS provides the following guidelines:

HOW TO RESPOND

WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

1. RUN

- Have an escape route and plan in mind
- Leave your belongings behind
- Keep your hands visible

2. HIDE

- Hide in an area out of the shooter's view
- Block entry to your hiding place and lock the doors
- Silence your cell phone and/or pager

3. FIGHT

- As a last resort and only when your life is in imminent danger
- Attempt to incapacitate the shooter
- Act with physical aggression and throw items at the active shooter

CALL 911 WHEN IT IS SAFE TO DO SO

HOW TO RESPOND

WHEN LAW ENFORCEMENT ARRIVES

- Remain calm and follow instructions
- Put down any items in your hands (i.e., bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements toward officers such as holding on to them for safety
- Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

INFORMATION

YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR

- Location of the active shooter
- Number of shooters
- Physical description of shooters
- Number and type of weapons held by shooters
- Number of potential victims at the location

Reporting Criminal and Emergency Incidents

Middlesex Community College students, faculty, staff, guests and visitors are encouraged to report all crimes and public safety related incidents to the MCC Public Safety or Campus Safety Officer in a timely manner. Public Safety and the Campus Security Officer, based on their role, are mandated to report crimes and emergency incidents. Both the Lowell and Bedford campus maintain 24-hour coverage and are continually patrolled. Public Safety Officers can be approached at any time.

Campus, Medical or Campus Safety Emergency

Dial 911 immediately

When calling for an emergency or non-emergency incident, be prepared to:

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

Non-Emergency Incidents

For Non-life threatening emergencies:

- Dial ext. 6224 from on-campus phones or
- Public Safety, Bedford: 781-589-0234 or
- Public Safety, Lowell: 781-589-1384

MCC strongly recommends that community members pre-program their cell phones with the MCC Public Safety phone numbers as well as local police agency's non-emergency phone numbers.

General Response to Reported Incidents

Upon receiving a report of any criminal activity, injury, or accident, a Public Safety Officer will respond by interviewing the reporting individual for details of the incident. The Public Safety Officer may be accompanied by the Campus Resource Officer or may refer the incident to the Campus Resource Officer. The Public Safety Officer on duty will complete an incident report, which is reviewed by the Director of Public Safety, and, when appropriate, the Dean of Students. Copies of incident reports are maintained in the Public Safety Office.

Actions:

- The Public Safety Officer on duty can often respond to an incident by taking such actions as: Asking a person to leave the campus, issuing a parking ticket, or intervening to disperse offenders.
- Complaints of discrimination and/or harassment, including sexual violence are referred to Reginald Nichols, MCC Affirmative Action Officer and/or Alisa Chapman, Title IX Coordinator for resolution, which can include state or local police. The College's Policy on Affirmative Action, Equal Opportunity & Diversity, which includes the College's Policies against Sexual Violence and Sexual Harassment, can be found at <https://www.middlesex.mass.edu/humanresources/downloads/paarn.pdf>.
- Public Safety Officers work with the Campus Resource Officers and the state and local police as appropriate in reporting criminal incidents. The police then conduct their own investigation and in most cases keep college officials apprised of the status and dispensation of each case.
- In the case of incidents or complaints regarding maintenance of facilities and grounds, the College Facilities and Maintenance staff address the concern in response to a Maintenance Work Order completed by the responding officer.

Monitoring & Reporting of Criminal Activity Off-Campus

Middlesex Community College does not operate off-campus housing or off-campus student organization facilities. When off-campus incidents occur and involve MCC students or employees, MCC security officers may assist with the investigation in cooperation with local, state or federal law enforcement officials.

The College reserves the right to take disciplinary action against a student for off-campus conduct when such conduct adversely affects the College community, poses a threat of harm to the College community, interferes with the College's pursuit of its objectives and mission, and/or if a student is charged with a violation of state or federal law. Proceedings under the Student Code may be carried out prior to, simultaneously with or following civil or criminal proceedings off-campus.

Confidential Reporting Process & Exceptions

Middlesex Community College encourages and supports all member of the community to report crimes that happen on campus to Public Safety. Any community member who is the victim or witness to a crime is encouraged to promptly report the incident to Public Safety. Due to the sensitive nature of certain types of crimes, community members may report crimes for investigation or report crimes on a voluntary basis for inclusion in the Annual Safety and Security Report or victims may choose to confidentially report to a Personal Counselor through **MCC Personal Counseling & Consultation Services** if they wish to have their report remain confidential.

- Bedford Campus, Enrollment Center, 2nd Floor (781) 280-3630
- Lowell Campus, City Building, 3rd Floor (978) 656-3258

Community Safety Awareness & Crime Prevention Education

Periodic forum programs and advertising campaigns, consisting of distribution of flyers or brochures, posting of messages, and electronic mail, will inform students and employees about crime prevention and resources. Programming and advertising topics include: safety awareness, active shooter/armed intruder response, weather emergency preparedness, health advisories, alcohol and illegal drugs, intimate partner violence, sexual assault and other safety matters that affect our community. These programs are developed and provided by the following offices/staff throughout the academic year for students and throughout the calendar year for faculty and staff: Director of Public Safety, Campus Resource Officers, Director of Compliance/Title IX Coordinator, Affirmative Action Officer, Dean of Students Office, Personal Counseling & Consultation Services, the Environmental Health & Safety Officer, Human Resources and the Coordinator for Wellness Programs.

Middlesex Community College believes that through crime prevention and safety awareness education, community members are better prepared to prevent crime and to respond if crime does occur. Community members should be aware of the following:

- The College encourages students and employees to be aware of their responsibility for their own safety/security and the security of others. The Director of Public Safety invites all students, faculty and staff to make recommendations of programs or initiatives that could enhance campus safety.
- As part of their regular patrol duties, MCC security officers and the Campus Resource Officers inspect the lighting and other safety conditions of the campus facilities. If a problem is found, officers will send a work order to the Facilities Department.
- The College utilizes an emergency notification system, which enables College officials to send students, faculty and staff voicemails, emails, and text messages with timely information within minutes.
- MCC security officers and the Campus Resource Officers may patrol the campuses on foot as a visible and efficient method of patrolling.

- MCC Public Safety officers have the ability to review closed circuit televisions in public areas on both campuses.
- The Director of Public Safety works with on-campus event organizers to ensure proper security of large-scale events.
- The College has conducted *Campus Security Authority (CSA)* training.

Community Safety Awareness- Sex Offender Information

The Massachusetts Sex Offender Registry Board classifies sex offenders according to levels low risk (1) to high risk (3). The Board is required to transmit a Level 3 sex offender's registration data and final classification to an institution of higher education where the offender works, intends to work, is enrolled as a student or intends to enroll as a student. Police Departments may also transmit Level 2 and Level 3 sex offender information to the College regarding such sex offenders who may live or work near the College.

The Director of Public Safety will act as the primary Public Safety Officer at the College. The Director of Public Safety, the Executive Director of Public Affairs and the Director of Compliance will act as the liaisons to the Massachusetts Sex Offender Registry Board and local Police Departments in receiving sex offender registry information. The Directors and Executive Director will receive all Level 3 notifications directly from the Board and/or local Police Departments. They will coordinate the posting of Level 3 notifications on campus and disseminate Level 3 information to the President, Vice Presidents, Dean of Students, Human Resources Director, Campus Managers, Public Safety and managers in areas where vulnerable populations are served including the Library, LMACS, Community Programs and the Fitness Center. In addition, the College reserves the right to directly notify instructors, faculty members and/or supervisors. Managers in areas of responsibility who service vulnerable populations shall be made aware of the following:

- *The College Policy on Access to Sex Offender Information.*
- *Where Sex Offender Registry Information is Available.*
- *The Procedures MCC Follows upon Receipt of Sex Offender Registry Information.*

Community Notification of Level 3 Sex Offender Information

The Director of Public Safety or his/her designee shall post designee Level 3 offender notices within 2 days of receiving the information from the Board, regardless of when a meeting to inform the offender occurs. The notice locations include, but are not limited to, a bulletin board on Main Street of the Campus Center on the Bedford campus, a bulletin board in the Lobby of the Cowan Center on the Lowell Campus, the Libraries on both campuses, the Fitness Center, and a centrally located bulletin board in each building on both campuses, both administrative and academic.

Finally Classified Offender's Obligation to Notify the College

Current Students who are enrolled and receive their final classification or a change in classification as a Level 2 or Level 3 sex offender during their period of enrollment must immediately notify the Director of Public Safety, Daniel Martin, at 781-280-3751 to arrange a meeting with the Dean of Students, Director of Human Resources and the Director of Public Safety or their designees.

Potential Students must notify the Director of Public Safety, Daniel Martin, at 781-280-3751 to arrange a meeting when they intend to enroll at the College or enroll in classes; however, this meeting must take place prior to the start of classes. The meeting is with the Dean of Students, Director of Human Resources and the Director of Public Safety or their designees.

Current Students who receive their final classification or a change in classification as a Level 2 or Level 3 sex offender during their period of enrollment must immediately notify the Director of Public Safety, Daniel Martin, at 781-280-3751 to arrange a meeting with the Dean of Students and the Director of Public Safety or their designees.

Current Employees who receive their final classification or a change in classification as a Level 2 or Level 3 sex offender during their period of employment must immediately notify the Director of Public Safety, Daniel Martin, at 781-280-3751 to arrange a meeting with the Director of Human Resources and the Director of Public Safety or their designees.

Potential Employees must notify the Director of Public Safety, Daniel Martin, at 781-280-3751 to arrange a meeting when they are offered employment at the College; however, this meeting must take place prior to the start of employment. The meeting is with the Director of Human Resources and the Director of Public Safety or their designees.

College Officials' Meeting with Level 2 or Level 3 Sex Offender

The sex offender will be advised of the following:

- *Inform the offender of the College's knowledge of his/her final classification.*
- *Outline the College's obligation to provide public access to Level 2 & 3 sex offender information through its Department of Public Safety.*
- *Any restrictions that will be imposed on the sex offender.*
- *If the offender is classified at Level 3, he/she is further informed of the College's policy of posting notice at each campus.*
- *If the offender is classified at Level 3, provide the offender with a copy of the community notification the College intends to post.*
- *If the offender is classified at Level 3, the functional areas of the College which will be provided with the public notification that will be posted.*
- *If the offender is classified at Level 3, that the community notification will take place within two days of receipt regardless of when the meeting occurs.*

Failure to follow the College SORI policy, specifically the "Finally Classified Offender's Obligation to Notify the College" may result in withdrawal from classes, restriction from College facilities, revocation of employment and/or notification to the Massachusetts Sex Offender Registry Board and/or local police.

Public Access to Level 2 & 3 Sex Offender Information

The College will advise students and employees how to access sex offender information through appropriate College publications that include, but are not limited to, the Student Handbook, Academic Catalog, Faculty Handbook and the College Portal.

The Department of Public Safety will be responsible for maintaining a Level 2 and Level 3 Sex Offender Binder on each campus. The sex offender information binders at the Public Safety Offices shall be available for public inspection and copies of Level 2 and 3 notices may be provided upon appropriate written request.

The Director of Public Safety or his/her designee will not respond to a request for Level 2 or 3 sex offender information unless the request is presented in writing utilizing the College's "Sex Offender Information Request Form". The form is available online at the College Portal and in hard copy at the Public Safety offices. The Director

of Public Safety or his/her designee will maintain a log and record of all inquiries including copies of all the written requests for sex offender information.

Upon receiving a written request for information, the Director of Public Safety or his/her designee will inform individuals seeking public information on sex offenders to contact their local police department or the Board to obtain a more in-depth listing of sex offender information.

Upon receiving a written request for information, the Director of Public Safety or his/her designee will also inform individuals seeking public information on sex offenders that use of sex offender information to engage in illegal discrimination or harassment of an offender shall be punishable by not more than two and one-half years in the house of correction or by a fine of not more than \$1,000 or by both such fine and imprisonment.

Alcohol & Drug Policy

Standards of Conduct

As stated in the Student Handbook: "In enrolling at Middlesex Community College, a student agrees to abide by College regulations which are described below. Violations of these regulations or the aiding, abetting, inciting, encouraging or supporting such violations constitute an offense for which students may be subject to disciplinary action."

Drugs on Campus

Any student found possessing, using, selling, or involved in any way with narcotics, psychedelic drugs or chemicals, or dangerous drugs on this campus, unless prescribed by a physician, will be subject to disciplinary action. In addition, the College remains cognizant of its responsibilities to the civil authorities. Operating within this framework, students who seek information, advice or counseling regarding drugs are urged to contact members of the Student Services staff or their own healthcare provider. Complete confidentiality will be maintained. In addition, the Student Services staff is prepared to refer students to appropriate professionals (medical, legal, psychiatric, etc.) according to the needs of the individual student. Contact will be held in complete confidence.

Marijuana Policy

Although Massachusetts law permits the use of medical marijuana and the possession, use, distribution and cultivation of marijuana in limited amounts, federal law, including the Federal Controlled Substances Act of 1970, the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, prohibits the possession, use, distribution and/or cultivation of marijuana at educational institutions. Further, as marijuana remains classified as an illegal narcotic under federal law, institutions of higher education that receive federal funding are required to maintain policies prohibiting the possession and use of marijuana on their campuses. Accordingly, the possession, use, distribution or cultivation of marijuana, even for medical purposes, is prohibited on all Community College property or at College sponsored events and activities. Also prohibited is the operation of a motor vehicle while under the influence of marijuana on Community College property or at College sponsored events or activities. Further, this policy prohibits the possession, use, or distribution of all marijuana accessories and marijuana products. Marijuana accessories shall include, but are not limited to, any device or equipment used for ingesting, inhaling, or otherwise introducing marijuana into the human body. Marijuana products shall include, but are not limited to, products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products.

Violations of this policy by any student or employee shall result in disciplinary action, up to and including expulsion or termination in accordance with applicable College policies or collective bargaining agreements.

Alcoholic Beverages

Consumption of alcoholic beverages is prohibited anywhere on Middlesex Community College property including the parking lots. If any student under age 21 is found in violation of this policy, parents/legal guardians may be notified.

Sanctions for Violation of College Policies

Also, as stated in the Student Handbook:

"A student who ignores opportunities for help and assistance and who willfully violates College regulations and the law faces disciplinary action."

The College will impose disciplinary sanctions on students (consistent with local, state, and federal law) which may include discipline up to and including expulsion and referral to appropriate authorities for prosecution. The disciplinary procedure for due process is outlined in the Student Handbook.

Health Risks Associated with Use of Drugs and Alcohol

It is a known fact that a person's physical and emotional health can be affected by the abuse of drugs. Stimulants (such as cocaine/crack or amphetamines) and depressants (such as alcohol and tranquilizers) are the most commonly abused drugs.

Alcohol, even in small amounts, can slow reflexes, reduce coordination, impair judgment and cause mood changes. CORE Survey statistics have shown that the majority of violent behaviors exhibited by college students including vandalism, acquaintance rape, fights, and driving accidents have involved alcohol. Prolonged alcohol consumption can result in brain damage, heart problems, and liver damage. Alcohol use during pregnancy may cause birth defects in the child.

Marijuana may affect short-term memory, coordination, depth perception, male sperm production, and the immune system. THC, the active ingredient in marijuana, is stored in the body's fat cells and testing will still show residue evidence even after a month. (THC can also be recovered in hair when tested as long as six months after use.)

Tranquilizers (such as barbiturates, benzodiazepines) are prescribed to relieve anxiety, tension, and sleep problems; however, when taken in excessive amounts, can cause impaired judgment, slurred speech, and loss of motor control. Tranquilizers are highly addictive, even at lower doses, and in combination with alcohol or other drugs may cause coma or death.

Cocaine/Crack, though effects are unpredictable, may cause confusion, hallucinations, destruction of nasal membranes and, when smoked, lesions in the lungs. Addiction to cocaine occurs rapidly. Cocaine withdrawal results in severe depression and fatigue. Convulsions, coma and death are possible with even small amounts. Hallucinogens (PCP, LSD, and Mescaline/Peyote) cause illusions and hallucinations, poor perception of time and distance, paranoia, anxiety and loss of control. Since the drugs block pain receptors in the brain, violent episodes of self-inflicted injury may result. "Flashbacks" may also occur even after use of the drugs has stopped.

Drug and Alcohol Abuse Prevention Program

Middlesex Community College provides programs and services that stress prevention of drug and alcohol abuse through education and outreach activities. Workshops, guest speakers, informational materials dealing with health related issues and behavioral risks associated with drugs and alcohol are presented throughout the school year at both campuses.

Appropriate referrals to community service agencies and treatment programs are available through the Counseling Department for students who have alcohol and/or drug related problems and who need help with confidential support services and counseling. Employees can receive referrals through the Employee Assistance Program.

In acknowledgement of its role in the larger community, Middlesex hosts weekly meetings of ALANON and Alcoholics Anonymous on campus.

Summary of Legal Sanctions for Alcohol and Drug Abuse

The illegal use of drugs and alcohol is a serious crime under local, state, and federal laws. Courts do not lift a prison sentence so that a convicted person may attend college or continue a job. A felony conviction for a drug or alcohol offense can also prevent a person from entering many professions or other areas of employment.

State and Local ordinances in Massachusetts prohibit public consumption of alcohol and impose fines for violation. Massachusetts laws prohibit the sale or delivery of alcoholic beverages to a person under age 21. A fine and/or imprisonment may be imposed. Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages is also punishable by a fine. Fines, revocation of driver's license, possible prison sentence, and mandatory alcohol rehabilitation may be imposed for a conviction of driving under the influence of alcohol.

Penalties in Massachusetts for the illegal use of controlled substances or drugs vary with the type of drug. In general, narcotic, addictive, and drugs with a high potential for abuse have heavier penalties.

Possession of drugs is illegal without valid authorization. Even though penalties for possession are generally not as severe as those for the manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

It is illegal in Massachusetts to be in a place where heroin is kept and to be "in company" of a person known to possess heroin. Anyone in the presence of heroin at a party or dormitory suite risks a serious drug conviction. The sale and/or possession of "drug paraphernalia" are illegal under Massachusetts law.

A person convicted of drug possession under state or federal law is ineligible for federal student grants and loans up to one year after the first conviction and five years after a second conviction, and permanent loss after a third conviction.

In or within 1000 feet of a college or school, under federal law, distribution of drugs to a person under age 21 is punishable by twice the normal penalty with a mandatory sentence of one year in prison. A third conviction is punishable by mandatory life imprisonment.

Severe prison sentences are set under federal law for the manufacture and distribution of drugs if death or serious injury results for the use of the substance.

Resources for Substance Abuse Issues

On-campus:

MCC Personal Counseling & Consultation Services

- Bedford Campus, Enrollment Center, 2nd Floor: 781-280-3630
- Lowell Campus, City Building, 3rd Floor: 978-656-3258

On-line:

Alcoholics Anonymous: www.aaboston.org (Daily listing of AA meetings by town)

Narcotics Anonymous: www.newenglandna.org (Daily listing of NA meetings by town)

Marijuana Anonymous: <https://www.marijuana-anonymous.org/> (Listing of in-person, phone and online meetings by state)

Merrimack Valley HUB Community Services Directory www.mvhub.com

Comprehensive list of area community mental health and non-profit services in the Merrimack Valley (including Substance Abuse Counseling)

Massachusetts Hotlines:

Massachusetts Substance Abuse Information and Education Helpline

800-327-5050 TTY: 888-448-9321

Information, referrals, language interpreters always available

A copy of the College's *Drug Free Schools and Communities Act* policy may be accessed at:

<https://www.middlesex.mass.edu/disclosurestatements/drugpolicy.aspx>

Weapons Policy

It is the policy of Middlesex Community College to prohibit the possession, display of, or attempt or threat to use unauthorized firearms, knives or other weapons on campus, also including, but not limited to, explosives, ammunition, replica or facsimile weapons, or objects not originally intended as a weapon, but used as such or to imitate a weapon.

This policy does not prohibit small quantity personal protection chemical spray devices (e.g., key-chain sprays) intended for defensive purposes, or tools possessed and used by employees in accordance with departmental policies, uniformed law-enforcement officials, armored-car couriers, or others specifically authorized by the College.

Hazing Policy

Hazing Policy (MGL c. 269, s. 17)

In accordance with Chapter 665 of the Acts of 1987, Middlesex Community College prohibits any form of hazing on or off the campus. (Text as amended by 1987, 665 effective April 4, 1988.) Section 17: Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in section eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Students who are involved, directly or indirectly, in the act of hazing are subject to disciplinary action. In addition, they are liable to the full penalties of the Massachusetts laws.

Failure to Report Hazing: Penalty

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

Smoking

In concert with the Massachusetts Smoke-Free Workplace Law, MCC has developed a policy to protect employees, students and visitors from health hazards resulting from exposure to secondhand smoke. This policy applies to all people on MCC campuses, including, but not limited to, students, faculty, staff, visitors and contractors. Smoking is prohibited on all property owned or operated by Middlesex Community College. This consists of all buildings, all grounds, including exterior open spaces, parking lots, on-campus sidewalks, roadways and driveways, recreational spaces and facilities, and in all college-owned or leased vehicles. Smoking will only be allowed in private vehicles, lawfully parked on campus lots, in which the smoker is authorized to be in.

Sexual Violence, Domestic & Dating Violence & Stalking

The College maintains a Policy Against Sexual Violence as part of its Policy on Affirmative Action. The College's Policy on Affirmative Action is available to all students, employees and members of the general public at the College's website at: <https://www.middlesex.mass.edu/diversityandequityaffairs/downloads/aapv2.pdf> or by hard copy through the Office for Diversity & Equity Affairs. The College's Policy Against Sexual Violence is enforced by the College's Title IX Coordinator and states as follows:

Introduction

Sexual violence is prohibited under state law and the College's Policy on Affirmative Action. Sexual violence is prohibited pursuant to Title IX of the Educational Amendment Act of 1972, which states: *No person in the United States, shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance.*

All reported or suspected cases of sexual violence shall be reported to the College's Title IX Coordinator. Please refer to the Complaint Procedures for specific complaint procedures and guidelines (see Section L).

The College prohibits retaliation against any person who presents a formal or informal complaint of sexual violence or who testifies or offers evidence connected with a complaint. Retaliation is a violation of this policy whether or not the underlying claim of sexual violence is confirmed.

Sexual Violence Defined

Sexual Violence: Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (*e.g.*, due to the person's age or use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Employees, students, or third parties can perpetrate sexual violence. All such acts of sexual violence are forms of sex discrimination and are prohibited by Title IX.

Sexual Violence under this Policy includes, but is not limited to:

- a. **Rape** - Defined by the Federal Bureau of Investigation as follows: 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.
- b. **Sexual Assault** - Actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:
 - **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;
 - **Incest** - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and
 - **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.
- c. **Sexual Exploitation** - Occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

- d. Aiding in the Commission of Sexual Violence** - The aiding or assisting in the commission of an act(s) of sexual violence is prohibited.
- e. Dating Violence** - Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) 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.
- f. Domestic Violence** - A felony or misdemeanor crime of violence including, but not limited to, attempting to cause or causing physical harm; placing another in fear of imminent serious physical harm; or causing another to engage involuntarily in sexual relations by force, threat or duress, which is committed by (a) a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) 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 (e) 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.
- g. Stalking** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. For the purposes of this definition, "substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Reporting Complaints of Sexual Violence

A victim of sexual violence has the right to file (or not file) an Affirmative Action Discrimination Complaint Form with the College. The process for filing a complaint is outlined under the Policy on Affirmative Action's Complaint Procedure. For more information or assistance with filing a complaint, please contact the College's Title IX Coordinator. If the Title IX Coordinator is the subject of a complaint, the President shall designate another College official to administer the Complaint Procedures. A victim may also choose to file a criminal complaint, in which case

the Title IX Coordinator and/or Campus Police can assist the victim with that process. Reporting the incident to the Title IX Coordinator or Campus Police does not obligate the victim to file criminal charges.

College's Investigation

The College is obligated to investigate all allegations of sexual violence, even if the alleged victim chooses not to file a formal complaint and/or participate in the investigation. Additionally, a complaint filed in another forum, including a criminal or civil complaint, shall not delay the College's investigation of a complaint of sexual violence. The College shall promptly and thoroughly investigate all such allegations in accordance with the Policy on Affirmative Action's Complaint Procedure and shall provide the victim with periodic updates on the status of the investigation. A person found to have committed an act of sexual violence shall be subject to disciplinary action ranging from mandatory counseling and/or training, verbal or written warnings, suspension, expulsion from the College or termination from employment, as well as criminal prosecution.

Victim Identification

Personal identifiable information about a victim will be treated as confidential and only shared with persons with a specific need to know and/or who are investigating and/or adjudicating the complaint, delivering resources or support services to the victim or as public safety requires. The College does not publish the names or other identifiable information of victims in the campus police department's Daily Crime Log, in any Timely Warnings issued or online. In accordance with the Family Educational Rights and Privacy Act, a victim may request that no directory information maintained by the College be released absent his/her prior, written consent.

Interim Protective Measures

Title IX requires the College to take reasonable steps to ensure equal access to its education programs and activities and protect individuals from Prohibited Conduct, including taking interim protective measures before the final outcome of an investigation. The College shall take these steps promptly once it has notice of an allegation of Prohibited Conduct, including sexual violence. Examples of interim protective measures include, but are not limited to, the following:

- access to counseling services and assistance in scheduling an appointment, on or off campus;
- imposition of an interim suspension or on-campus "no-contact" order;
- rescheduling of exams and assignments;
- providing alternative course completion options;
- changing class schedules, including withdrawing from a course without penalty;
- changing work schedules or job assignments;
- limiting access to certain College facilities or activities pending resolution of the matter;
- voluntary leave of absence;
- providing an escort to ensure safe movement between classes and activities; and/or
- providing academic support services, such as tutoring.

The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what interim measures to take, including, for example, the specific needs expressed by the victim; the severity or pervasiveness of the allegations; any continuing effects on the victim; whether the victim and respondent share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures have been taken to protect the victim (*e.g.*, civil protection orders).

In general, when taking interim protective measures, the College shall minimize the burden on the victim. To the extent permitted by law, the victim shall be notified of any interim measures taken by the College concerning the respondent. Even under those circumstances where a victim does not wish to pursue a complaint and requests

confidentiality, the College must take immediate action to protect the victim while keeping her or his identity confidential.

Amnesty

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College's drug/alcohol policies. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

Protections for Victims of Sexual Violence

A person subjected to sexual violence shall:

- Be provided with a copy of the College's *Sexual Violence – Victim's Rights and Information Advisory*, which shall include information concerning counseling, health, and mental health services, victim advocacy and support, law enforcement assistance, and other services available on and off campus;
- Have the right to pursue, or not pursue, assistance from campus administration officials or campus law enforcement;
- Not be discouraged by College officials from reporting an incident to both on-campus and off-campus authorities;
- Be provided assistance in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of campus personnel should a civil and/or criminal complaint be pursued;
- Be free from any suggestion that they somehow contributed to or had a shared responsibility in the violent act;
- Receive the same level of support at any proceeding before College officials as is permitted to the accused party, including the presence of a personal advisor during any disciplinary proceeding and the right to be notified in a timely manner of the outcome of such proceedings and any appeal right available;
- Receive full and prompt cooperation from College personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings;
- Have access to existing College counseling and medical professionals, victim support services, and to obtain referrals to off-campus counseling and support services if desired;
- Be permitted to attend classes, work and participate in College activities free from unwanted contact or proximity to the respondent insofar as the College is permitted and able;
- Be permitted to request changes to an academic schedule if such changes are requested by the alleged victim and are reasonably available; and
- Be informed of any no-contact or no-trespass orders issued to the respondent by the College and the College's commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

Recommended Procedures for a Victim of Sexual Violence

For a person subjected to an act of sexual violence, there can be time-sensitive decisions to make about sexually transmitted infections, pregnancy, and collecting physical evidence in the event of prosecution. Individuals who have been victims of sexual violence are advised as follows:

- **Protect Yourself and Get Medical Attention** – A victim should be advised to go to a safe place as soon as possible and seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and collect important evidence. It is

recommended that a physical exam be conducted within 72 hours of the violence. Submitting to a physical exam does not mean that a victim is required to press charges. This action merely preserves the option to do so. Designated College personnel can assist in providing transportation to the hospital.

- **Preserve Evidence** - It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event criminal prosecution is pursued. If possible, a victim should be advised not to wash, eat, drink, douche, clean, use the bathroom, or change clothes. If clothes are changed, all clothes that were worn at the time of the incident should not be cleaned and should be placed into an unused or clean paper bag.
- **Health and Support Services** - Various health and support services are available on and off campus for students and employees who have experienced sexual violence. For information about such services, including counseling, please contact the Affirmative Action and/or Title IX Coordinator.

Rape Crisis Center Contact Information

The following is a list of Rape Crisis Centers in Massachusetts. As the following contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at the Commonwealth's Executive Office of Health and Human Services' Website under "Consumer" information at <http://www.mass.gov/eohhs/>.

Greater Boston Area

Boston Area Rape Crisis Center, Cambridge, 617-492-7273 Hotline, 617-492-6434 TTY

Northeastern Massachusetts

North Shore Rape Crisis Center, Beverly, 800-922-8772 Hotline, 978-921-8729 TTY

Rape Crisis Services of Greater Lowell, 800-542-5212 Hotline, 978-452-8723 TTY

YWCA of Greater Lawrence, 877-509-9922 SA Hotline, 978-686-8840 TTY

Central Massachusetts

Rape Crisis Center of Central Mass., Worcester, 800-870-5905 Hotline, 508-852-7600 TTY

Rape Crisis Center of Central Mass., Fitchburg, 800-870-5905

Wayside Victim Services, Milford, 800-511-5070 Hotline, 508-478-4205 TTY

Voices Against Violence, Framingham, 800-593-1125 Hotline, 508-626-8686 TTY

Southeastern Massachusetts

A Safe Place, Nantucket, 508-228-2111 Hotline, 508-228-0561 TTY

Independence House, Hyannis, 800-439-6507 Hotline, 508-778-6782 TTY

Women Support Services, Vineyard Haven, 508-696-7233

Greater New Bedford Women Center, New Bedford, 888-839-6636 Hotline, 508-996-1177 TTY

New Hope, Attleboro, 800-323-4673 Hotline/TTY

Stanley Street Women Center, Fall River, 508-675-0087 Hotline, 508-673-3328 TTY

Womansplace Crisis Center, Brockton, 508-588-8255 SA Hotline, 508-894-2869 TTY

Western Massachusetts

Elizabeth Freeman Center, Pittsfield, 413-443-0089 Hotline, 413-499-2425 TTY

Everywoman Center, Amherst, 413-545-0800 Hotline, 888-337-0800 TTY

NELCWIT, Greenfield, 413-772-0806 Hotline/TTY

YWCA, Springfield, 800-796-8711

YWCA of Western Mass, Westfield, 800-479-6245 Hotline/TTY

These Rape Crisis Centers offer FREE services to survivors of sexual violence, including:

- 24/7 hotline counseling, information, and referral;
- Will go with survivors to hospitals and/or police stations 24/7;
- Will go with a survivor to court;
- Provide one-to-one counseling and support group counseling; and
- Provide primary prevention education; professional training; outreach.

Domestic & Dating Violence Resources

Bridges Domestic & Sexual Violence Support- 603-883-3044

<http://www.bridgesnh.org/>

Domestic Violence Services Network- 1-888-399-6111

<http://dvsn.org/>

Alternative House- Lowell- 1-888-291-6228

<http://www.alternative-house.org>

REACH Beyond Domestic Violence- 1-800-899-4000

<http://www.reachma.org/>

Duty to Report

General Responsibility to Report Prohibited Conduct

No member of the College community who receives a complaint of Prohibited Conduct can ignore it; he or she should give to the person making the complaint as much assistance in bringing it to the attention of the Affirmative Action Officer or Title IX Coordinator as is reasonably appropriate given his or her position at the College and relationship with the person making the complaint. Therefore, all students, faculty, staff, and administrators are strongly encouraged to report to the Affirmative Action Officer or the Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes a violation of this Policy.

Reporting of Title IX Offenses by Responsible Employees

Allegations involving Title IX Offenses shall be reported by all “Responsible Employees” to the Title IX coordinator or official designee as soon as the employee becomes aware of it. A Responsible Employee includes any College employee who has the authority to take action to redress Title IX Offenses; who has been given the duty of reporting Title IX Offenses to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty. Responsible Employees shall include, but are not be limited to, College trustees, administrators, department chairs, program coordinators, campus police, club/activity advisors, coaches, managers or supervisors.

Mandatory Reporting of Abuse Under State Law

Children (a person under the age of 18) may be students at the College, or may be engaged in activities sponsored by the College or by third-parties utilizing College facilities. In such instances, where an employee has reasonable cause to believe that a child is suffering physical or emotional injury, resulting from among other causes, sexual abuse, the employee and the College may be obligated to comply with the mandatory reporting requirements established at M.G.L. Chapter 119, Section 51A-E. In such cases, the employee is directed to immediately report the matter to the College’s Affirmative Action and/or Title IX Coordinator, who, in consultation with other officials, shall contact the Commonwealth’s Department of Children and Families and/or law enforcement. An employee may also contact local

law enforcement authorities or the Department of Children and Families directly in cases of suspected abuse or neglect. State law also maintains mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. For more information on these reporting requirements, please contact the College's Affirmative Action Officer.

Any member of the College community who has a question about his or her responsibilities under this Policy should contact the Affirmative Action Officer or Title IX Coordinator.

Complaint Procedure- General Information

Acts of sexual violence are subject to disciplinary action pursuant to the College's Policy on Affirmative Action's Complaint Procedure. The Complaint Procedure provides as follows:

Application of Policy

The complaint procedure is intended to provide a mechanism to investigate and where possible resolve complaints of alleged violations of this Policy against employees and students. The procedures outlined below are intended to ensure that the College will conduct an impartial, fair, effective, and efficient investigation of all allegations of violations of this Policy without fear of retaliation. The complaint procedure is available to any employee or student, or applicant for employment or admission, who believes he/she has been subjected to Prohibited Conduct as defined under this Policy. A complaint filed in another forum does not preclude an individual from filing a complaint under this Policy. Further, a complaint filed in another forum, including a criminal or civil complaint, shall not delay an investigation of a complaint filed under this Policy.

Confidentiality of Process

The complaint procedure will be conducted as confidentially as reasonably possible to protect the privacy rights of all individuals involved. The College may share information concerning the complaint with parties, witnesses and/or others during any phase of the procedure on a need-to-know basis and shall share information with union representatives as provided for in G.L. c.150E. All individuals with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss the matter with anyone other than a personal advisor, if applicable.

Complainant Requests Confidentiality

Where a Complainant requests that no action be taken by the College or requests that her/his identity not be revealed, the College shall take reasonable steps to investigate and respond to the complaint, but shall inform the Complainant that such a request may hamper its ability to fully investigate an alleged violation of this Policy and/or to take appropriate remedial steps, including disciplinary action. Where an allegation of Prohibited Conduct involves the potential of an ongoing threat to the health, safety or security of the College or a potential adverse employment action, the Affirmative Action Officer, or in the case of an alleged Title IX Offense, the Title IX Coordinator, shall inform the Complainant that it cannot ensure confidentiality and disclosure of their name may likely be required.

Off Campus Behavior

The College reserves the right to investigate alleged Prohibited Conduct under this Policy occurring off-campus when such conduct adversely affects the College Community, poses a threat of harm to the College Community; interferes with the College's pursuit of its educational objectives and mission, and/or if a student or employee is charged with a serious violation of state or federal law.

Interim Protective Measures

Title IX requires the College to take reasonable steps to ensure equal access to its education programs and activities and protect individuals from Prohibited Conduct, including taking interim protective measures before the final outcome of an investigation. The College shall take these steps promptly once it has notice of an allegation of Prohibited Conduct, including sexual violence. Examples of interim protective measures include, but are not limited to, the following:

- access to counseling services and assistance in scheduling an appointment, on or off campus;
- imposition of an interim suspension or on-campus "no-contact" order;
- rescheduling of exams and assignments;
- providing alternative course completion options;

- changing class schedules, including withdrawing from a course without penalty;
- changing work schedules or job assignments;
- limiting access to certain College facilities or activities pending resolution of the matter;
- voluntary leave of absence;
- providing an escort to ensure safe movement between classes and activities; and/or
- providing academic support services, such as tutoring.

The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what interim measures to take, including, for example, the specific needs expressed by the victim; the severity or pervasiveness of the allegations; any continuing effects on the victim; whether the victim and respondent share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures have been taken to protect the victim (*e.g.*, civil protection orders).

In general, when taking interim protective measures, the College shall minimize the burden on the victim. To the extent permitted by law, the victim shall be notified of any interim measures taken by the College concerning the respondent. Even under those circumstances where a victim does not wish to pursue a complaint and requests confidentiality, the College must take immediate action to protect the victim while keeping her or his identity confidential.

Interim Action

The College reserves the right to suspend a student on an interim basis or place an employee on paid administrative leave prior to completing an investigation under this Policy when it reasonably concludes that a student or employee: (a) poses a threat to health or safety; (b) poses a threat to College property or equipment; (c) is disruptive or interferes with the normal operations of the College; or (d) is charged with a serious violation of state or federal law. In such cases, the College shall provide the employee or student of the specific reason(s) for the interim action. During a student's interim suspension or an employee's leave, the College reserves the right to prohibit the individual from entering upon the College's property or participating in any College activities absent written authorization from an appropriate official of the College.

Joint Investigation

In some circumstances, a Responding Party's conduct may constitute a potential violation of this Policy and/or other conduct policies applicable to employees or students. In such cases, in order to avoid duplicative investigatory efforts, a joint investigation under this Policy may be conducted by the AAO or, in the case of an alleged Title IX Offense, the Title IX Coordinator, and the administrator charged with enforcing conduct policies. For example, if the Responding Party is a student, the Affirmative Action Officer (or Title IX Coordinator if a Title IX Offense is alleged) and Student Code of Conduct Officer may jointly investigate the complaint. Based on the findings of their joint investigation, the student may be subject to disciplinary action for violations of this Policy and/or the Student Code of Conduct. Where the Responding Party is an employee, a joint investigation may be conducted by the Affirmative Action Officer (or Title IX Coordinator if a Title IX Offense is alleged) and the employee's supervisor. Based on the findings of their joint investigation, the employee may be subject to disciplinary action for violations of this Policy and/or for inappropriate and unprofessional conduct.

Collateral Rights of Employees

Any disciplinary action taken against an employee shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements.

Anonymous Complaints

To the extent possible, the College is obliged to investigate and respond to anonymous complaints. Any individual may file an anonymous complaint concerning any Prohibited Conduct referenced under this Policy. An individual may report the incident without disclosing his/her name, identifying the respondent or requesting any action. Depending on the level of information available about the incident or the individuals involved; however, the College's ability to respond to an anonymous report may be limited. An anonymous complaint may be filed with the Affirmative Action Officer or, in the case of an alleged Title IX Offense, the Title IX Coordinator.

Amnesty

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College's drug/alcohol policies. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

False Charges

Filing a false charge under this Policy is a serious offense. If an investigation reveals that a complainant knowingly filed false charges, the College shall take appropriate actions and issue sanctions pursuant to other applicable College policies, including any applicable collective bargaining agreement. The imposition of such sanctions does not constitute retaliation under this Plan.

Complaint Procedures for Sex Discrimination, Sexual Harassment or Sexual Violence

The complaint process is comprised of two procedures - the informal procedure and the formal procedure. In the event a complaint alleges a Title IX Offense, the College's Title IX Coordinator shall have the responsibility for administering this Policy, including the Complaint Procedure.

Informal Procedure

Where appropriate, the parties to a dispute and/or the Affirmative Action Officer may attempt to reach an informal and prompt resolution of the potential complaint. Informal resolution is encouraged and any of the parties involved may request the intervention of the Affirmative Action Officer to assist in resolving the matter informally. An informal resolution is achieved through open dialogue between the parties that allows for the airing of any misunderstandings or disputed issues. The informal procedure shall not be used in an effort to resolve allegations of sexual harassment or sexual violence. Further, at no time shall a Responding Party question or confront a Complainant, or engage a third party to do so, as such conduct may constitute intimidation and/or retaliation, which are strictly prohibited under this Policy.

Formal Procedures

The following rules apply throughout all phases of the formal complaint process: (1) all parties to a complaint may have a personal advisor (for union employees this may be a union representative and in cases involving allegations of sexual violence the personal advisor may be an attorney); (2) the role of a personal advisor is limited to providing discrete advice and counsel to the party; (3) the filing of a complaint under this Policy shall not preclude a Complainant from pursuing a complaint in a separate legal forum; (4) a grade dispute based on alleged Prohibited Conduct shall proceed under this Policy and not the Grade Appeal Process contained in the Student Grievance Procedure; and (5) all findings reached under Complaint Procedure must be based on a "preponderance of evidence" (i.e.; more likely than not) standard.

At any point during the formal complaint procedure, either party may request mediation by contacting the Affirmative Action Officer. The purpose of mediation is to resolve the dispute to the satisfaction of both parties. Mediation shall be mutually agreed upon by the parties. Mediation shall not be used in an effort to resolve allegations of sexual harassment or sexual violence. The Affirmative Action Officer, or designee, shall select an impartial mediator, who shall be mutually agreed upon and not unreasonably refused by either party, and inform the parties in writing of the mediation process and schedule. The mediator must have training or experience in mediating matters subject to this complaint process. Where practicable, a mediation session shall be conducted no later than thirty (30) days after agreed to by the parties. The timelines presented under the Complaint Procedure shall be tolled pending the outcome of mediation. If mediation is successful in resolving the complaint, the Affirmative Action Officer shall reduce to writing the terms of the mediated resolution, which shall be signed by the parties. If mediation does not result in a resolution, all mediation discussions shall remain confidential and may not be used or introduced in this process or any other forum.

Step 1 – Affirmative Action Officer Investigation

When a Complainant believes that they have been subjected to Prohibited Conduct, the Complainant may file a formal written complaint with the Affirmative Action Officer, or in the case of an alleged Title IX Offense, the Title IX Coordinator. For student Complainants, a formal complaint may be filed within thirty (30) days following the end of the instructional period when the Complainant knew or should have known of the grievable act. For employee Complainants, a formal complaint may be filed within thirty (30) days from when the Complainant knew or should have known of the grievable act. The complaint shall contain a statement of all known facts pertaining to the alleged violation and shall be filed preferably on the Affirmative Action Discrimination Complaint Form (see Appendix A). If a student is involved, the Affirmative Action Officer shall notify the Vice President or Dean of Student Services. During Step 1, the Affirmative Action Officer has the authority to seek to resolve the complaint through an administrative remedy. If the parties accept the administrative remedy proposed, its terms shall be reduced to writing, signed by both parties and the Affirmative Action Officer shall retain the document, with copies to the parties. Thereafter, the matter shall be considered resolved between the parties.

Upon receiving a written complaint, the Affirmative Action Officer will notify the Responding Party in writing, of the complaint (see Appendix B), and provide the Responding Party with a copy thereof. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Responding Party shall have ten (10) days from receipt of notice to submit to the Affirmative Action Officer a written response to the complaint.

Where practicable, within thirty (30) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Affirmative Action Officer shall conduct an investigation and prepare and issue a Report of Preliminary Findings to the parties. The investigation shall include, but is not limited to, an analysis of the allegations and defenses presented, consideration of all relevant documents, including materials presented by the parties, interviews of the parties and other individuals and/or witnesses, and/or reviewing certain documents or materials in the possession of either party that the Affirmative Action Officer has deemed relevant to the complaint. The Affirmative Action Officer's report shall specify the investigation undertaken and summarize his/her preliminary findings. The report shall be delivered to the parties in hand or by certified mail. If the investigation is not completed within thirty (30) days, status updates shall be provided to the parties every thirty (30) days until it is completed. Any request by a party to extend a deadline established under this procedure shall be presented in writing to the Affirmative Action Officer.

Thereafter, the parties will have ten (10) days from the date of their receipt of the Report of Preliminary Findings to submit Rebuttal Statements to the Affirmative Action Officer. The parties may present no new allegations at that time. Where practicable, within seven (7) days of receiving the parties' Rebuttal Statements, the Affirmative Action

Officer shall review the Rebuttal Statements, prepare, and submit a Report of Final Findings and Recommendations to the President's Designee for consideration.

Step 2 – Review and Decision by the President's Designee

Where practicable, within ten (10) days of receipt of the Affirmative Action Officer's Report of Final Findings and Recommendations, the President's Designee shall issue a written decision to the parties. The written decision shall accept, reject or modify the Affirmative Action Officer's Final Findings and Recommendations. The Designee's written decision shall be delivered in hand or by certified mail and shall include the Report of Final Findings and Recommendations. If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall designate a Board member(s) as Designee to administer Step 2 of the Complaint Process.

Step 3 – Appeal to President

A party who is not satisfied with the Designee's written decision may file an appeal with the President within five (5) days of receiving the Designee's decision. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision accepting, rejecting or modifying the Designee's decision. The President's decision is final provided that any corrective action and/or discipline imposed are subject to applicable collective bargaining agreements.

If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

Educational & Informative Programs

The prevention of sexual violence, sexual assault, sexual harassment, domestic violence, dating violence and stalking, depends in part, on the awareness of individual's responsibility for crime prevention and personal safety. Information is provided through programs and education, which include: the Policy on Affirmative Action, Equal Opportunity & Diversity, student and employee handbooks, the Annual Safety & Security Report, seminars, workshops, trainings, pamphlets, brochures, posters and messages on Newscaster as well as programming provided by the Coordinator of Wellness Programming. In addition, other educational and informative programs include:

- Public Safety conducts trainings and provides safety and security information open to all students, faculty, staff and various visitor groups on campus.
- Public Safety provides escorts for students, faculty, staff and visitors.
- MCC conducts Bystander Intervention trainings to help students, faculty and staff determine what to do when they witness possible emergencies.
- Self-protection classes: Bedford Police in conjunction with Public Safety provide self-defense training for free or with minimal cost to female- Identifying students, staff, and community members. This service is offered periodically throughout the academic year and is advertised via Newscaster.
- A Sexual Violence information sheet was created and has been handed out to various departments to provide assistance on policies, reporting and resources related to sexual violence (Title IX). When a Title IX complaint is received, the survivors (victims) receive the Affirmative Action Policy and information sheet. It provides guidance on resources, policies and procedures.
- An online program for incoming students is provided.
- Programs specific to sexual offenses, domestic violence, dating violence and stalking for students, faculty and staff conducted by the Title IX Coordinator.

Middlesex Community College is providing training on sexual violence, sexual harassment, domestic violence, dating violence and stalking through an online forum. This program also provides safe and positive options for bystander intervention and helps users develop strategies to intervene during a situation. This informational training session will be sent to first-year students in the beginning of the fall semester and to all new students at the beginning of the spring semester. In addition, new faculty and staff will be asked to complete the training session during their orientation to the College. Furthermore, all other students, faculty and staff who are interested in the training can access the training.

Please contact Alisa Chapman, Director of Compliance & Title IX Coordinator, at chapmana@middlesex.mass.edu for more information.

Sexual Harassment

The goal of the Community College is to promote an educational environment and workplace free of sexual harassment. Sexual harassment of students or employees occurring in the classroom or the workplace is unlawful and will not be tolerated by the Community College. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt, if encountered by students or employees.

Because the Community Colleges take allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective measures, including disciplinary action where appropriate and consistent with applicable collective bargaining agreements.

Definition of Sexual Harassment

Sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment or academic decisions; or
- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating or sexually offensive learning or working environment.

Under these definitions, direct or implied requests by a supervisor or instructor for sexual favors in exchange for actual or promised job or academic benefits constitute sexual harassment. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work or educational environment that is hostile, offensive, intimidating, or humiliating to another may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and/or its pervasiveness:

- a. Unwelcome sexual advances - whether they involve physical touching or not.
- b. Repeated, unsolicited propositions for dates and/or sexual intercourse.
- c. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.
- d. Displaying sexually suggestive objects, pictures, cartoons.
- e. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- f. Verbal harassment or abuse on the basis of sex.
- g. Inquiries into another person's sexual activities, practices or experiences.
- h. Discussion of one's own sexual activities, practices or experiences.

The legal definition of sexual harassment is broad and applies to any individual of either gender who participates in the College Community, including a student, faculty member, administrator or any other person having dealings

with the College. In addition, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a hostile, offensive, intimidating, or humiliating workplace or academic environment to male or female workers or students may also constitute sexual harassment.

All employees and students should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, or retaliation against individuals who have cooperated with an investigation of sexual harassment is unlawful and will not be tolerated by the Community Colleges.

Complaints of Sexual Harassment

If any member of the College Community believes that he/she/they has been subjected to sexual harassment, he/she/they has a right to file a complaint under this policy, either in writing or orally.

All complaints of sexual harassment shall proceed under this Policy's Complaint Procedure. To file a complaint a person may do so by contacting the College's Title IX Coordinator, or designee. A report of an allegation of sexual harassment may also be presented to other "Responsible Employees" at the College. These persons are also available to discuss any concerns a person may have and to provide information about the Policy on Sexual Harassment and the complaint process.

Sexual Harassment Investigation

A complaint of sexual harassment will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will be conducted in accordance with this Policy's Complaint Procedure and will include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed. Once the investigation is completed, the College will, to the extent appropriate, inform the parties of the results of that investigation.

If it is determined that a violation of this Policy has occurred, the College will act promptly to eliminate the offending conduct and, where it is appropriate, impose disciplinary action.

Disciplinary Action

Discipline for violating this Policy may include, but is not limited to, mandatory counseling or training, verbal or written warnings, suspension, termination from employment, or expulsion from the College.

Consensual Relationships

Faculty/Administrator/Staff Member Relationships with Students

A romantic and/or sexual relationship, consensual or otherwise, between a faculty member, administrator or staff member and a student is looked upon with disfavor and is strongly discouraged. No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or whose academic work is being supervised or evaluated, directly or indirectly, by the faculty member. No administrator or staff member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who the administrator or staff member supervises, evaluates, advises, or provides other professional advice or services as part of a College program or activity.

Relationships Between Supervisors, Subordinates or Co-Workers

A consenting romantic and/or sexual relationship between a supervisor and subordinate or co-workers may interfere with or impair the performance of professional duties and responsibilities and/or create an appearance of bias or favoritism. Further, such relationships could implicate state ethics laws and/or result in claims of sexual harassment, discrimination or retaliation. Therefore, such workplace relationships are strongly discouraged.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with the governmental agencies set forth below. Filing a complaint under this Policy does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

United States Equal Employment Opportunity Commission ("EEOC")

One Congress Street
10th Floor Boston, MA 02114
(617) 565-3200

The Office For Civil Rights ("OCR")

U.S. Department of Education
John W. McCormack Post
Office and Courthouse, Room 222
Boston, MA 02109
(617) 223-9662

Massachusetts Commission Against Discrimination ("MCAD")

Boston Office:

One Ashburton Place
Rm. 601
Boston, MA 02108
(617) 994-6000

Worcester Office:

Worcester City Hall
484 Main St., Rm. 320
Worcester, MA 01608
(508) 799-8010

Springfield Office:

436 Dwight St., Rm. 220
Springfield, MA 01103
(413) 739-2145

New Bedford Office:

800 Purchase St., Rm. 501
New Bedford, MA 02740
(508) 990-2390

Campus Crime Statistics

As required by Federal law, Middlesex Community College's yearly crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes by Clery and the FBI for use in the Uniform Crime Reporting (UCR) system. Each year, the Director of Compliance and Director of Public Safety request crime information in order to compile the prior calendar years' statistics from local and State police, Campus Security, Student Affairs and Campus Security authorities. The report includes statistics for the previous three years concerning reported crimes that occurred on campus or locations within or immediately adjacent to and accessible from campus (as defined earlier in this report). In addition, these statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor or drug law violations and illegal possession of weapons.

Definitions of each offense can be found at <http://www.ed.gov/admins/lead/safety/campus.html> in the Handbook for Campus Crime Reporting, U.S. Department of Education Office. Campus crimes statistics for MCC as well as other colleges and universities can be accessed through the Department of Education website at: <http://ope.ed.gov/security/index.aspx> and the Violence Against Women Reauthorization Act.

Definitions

Homicide: The willful killing of one human being by another.

Manslaughter: Killing of another person through gross negligence.

Robbery: 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 putting the victim in fear.

Aggravated Assault: Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Arson: 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.

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

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

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.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; and/or any other person against an adult or youth victim who is protected from the person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Examples: Attempting to cause or causing physical harm, putting another in fear of imminent physical harm, causing another to engage involuntarily in sexual relations by force, threat or duress.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined by the victim with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her own safety or the safety of others and/or suffer substantial emotional distress.

Course of conduct is defined as two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through 3rd parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Burglary: Unlawful entry of a structure to commit a felony or a theft. Examples: forcible entry, non-forcible entry, and attempted forcible entry.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle, truck, bus, other vehicles.

Weapons Violation: 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.

Alcohol Violation: 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. Examples: the manufacture, sale, transporting, furnishing, possessing of alcohol, operating a still, furnishing liquor to a minor, underage possession, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance or attempt to commit any of the above.

Drug/Narcotic Violation: 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. Examples: opium, cocaine, morphine, heroin, codeine, marijuana, synthetic narcotics (Demerol, methadone) and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Unfounded Crimes

The Clery Act requires the reporting of unfounded crimes statistics, effective in the 2014 report. Unfounded crimes are those crimes that occurred on-campus, in on-campus student housing facilities (not applicable to MCC), on or in non-campus property or buildings, and on public property. Unfounded crimes are reported for all crimes (not limited to Clery Act Crimes) that occurred on each campus or non-campus property and include all criminal offenses, hate crimes, arrests or disciplinary action referrals for weapons, drug or liquor law violations, and domestic violence, dating violence, or stalking incidents.

Bedford Campus: 0 unfounded crimes reported for 2018

Lowell Campus: 0 unfounded crimes reported for 2018

Hate Crimes

A Hate Crime is when a crime is committed and the victim of the crime was intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

Definitions

Examples of crimes include those listed above “Definitions” and the following:

Larceny-theft:

- Pocket Picking: Theft of articles from another person’s physical possession by stealth where the victim usually does not become immediately aware of theft.
- Purse Snatching: Grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- Shoplifting: Theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.
- Theft from Building: Theft from within a building which is either open to the general public or where the offender has legal access.
- Theft from Coin Operated Machine or Device: Theft from a machine or device that is operated or activated by the use of coins.
- Theft from Motor Vehicle: Theft of articles from a motor vehicle, whether locked or unlocked.
- Theft of Motor Vehicle Parts or Accessories: Theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.
- All other larceny: All thefts which do not fit any of the definitions of the specific subcategories of Larceny/theft listed above.

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 or 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.

Factors considered when determining bias:

- Oral comments, written statements or gestures;
- Drawings, markings, symbols or graffiti;
- Occurrence of several incidents in the same area;
- Incident occurred on a holiday or a date of particular significance;
- Previous involvement in a similar Hate Crime; and
- Community perception that incident was bias motivated.

Campus Security Authorities

A Campus Security Authority has the responsibility on campus to report specific criminal activity. The College has appointed the following staff as Campus Security Authorities. These staff members are expected to forward crime information to the Director of Compliance and/or the Director of Public Safety upon receipt of the information. These staff member are notified of their responsibility and are trained. For the most up-to-date list, please contact the Director of Compliance and/or the Director of Public Safety.

Public Affairs	Executive Director of Public Affairs
Director of Public Safety	Campus Safety Officers (Bedford & Lowell)
All Staff in Public Safety	Director of Compliance/Title IX Coordinator
Administration & Facilities	
Chief Administrative Officer	Director of Facilities
Director of Administrative Services	Environmental Health & Safety Officer
Building Desk Attendants- Lowell	Executive Director of Human Resources
Assistant Directors of Human Resources	Affirmative Action Officer
Director, Charter School	
Enrollment Management	
Dean of Enrollment Services	Registrar
Director of Enrollment Communication & Support	Assistant Registrar
Academic & Student Affairs	
Dean of Business, Legal Studies & Public Service	Dean of Students
Dean of Humanities & Social Sciences	Associate Dean of Students, Student Support Services
Dean of Nursing & Allied Health	Assistant Dean of Students, International, Multicultural Affairs
Dean of STEM	Assistant Dean of Students, Leadership & Engagement
Dean of Social Sciences and Interdisciplinary Studies Online/Evening/Weekend Education	Director of Academic Centers for Enrichment
Dean of Arts, Humanities & World Languages	Assistant Director of Academic Centers for Enrichment
Director of Advising	Evening Enrollment Coordinators
Transfer Counselors	Director of TRIO PSA
Academic Advisors	Learning Specialist, TRIO PSA
Career Counselors	Director of TRIO SSP
Coordinator of Disability Support Services- Bedford	TRIO SSP Advisor
Coordinator of Disability Support Services- Lowell	Coordinator, Veteran's Center
Director of Leadership Development & Student Activities	Multicultural Specialist
Coordinator of Wellness Programming	Learning Engagement Specialist
Sports Coordinator	Advisors to Student Clubs & Organizations

Campus Crime Statistics

MIDDLESEX COMMUNITY COLLEGE- BEDFORD CAMPUS

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). *The College is a non-residential institution.

OFFENSES	2016			2017			2018		
	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	1	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	1	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Domestic Violence	1	0	0	0	0	0	1	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapon Law Violation	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0
REFERRALS									
Weapon Law Violation	1	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0

HATE CRIMES	2016			2017			2018		
	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	1: (RE)	0	0	1: (Re) 1: (S)	0	0	1: (S)	0	0
Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity									

MIDDLESEX COMMUNITY COLLEGE- LOWELL CAMPUS

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). *The College is a non-residential institution.

OFFENSES	2016			2017			2018		
	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	0	1	0	0	1	0
Aggravated Assault	0	0	0	0	2	0	0	0	0
Burglary	2	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Domestic Violence	0	1	0	1	1	0	0	2	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapon Law Violation	0	0	0	0	0	0	0	0	0
Drug Law Violation	1	0	0	1	0	0	0	0	0
Alcohol Law Violation	2	0	0	0	0	0	0	0	0
REFERRALS									
Weapon Law Violation	0	0	0	1	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0

HATE CRIMES	2016			2017			2018		
	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus	On-Campus	Public Property	Non-Campus
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0

End of Report