Annual Safety & Security

2012 Report

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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
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A Message from the Director of Compliance & the Director of Public Safety

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), 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 for awareness of policies, procedures, crime information and resources.

If you have questions or comments about this report may be addressed to 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.

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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 reported crimes 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, an e-mail notification is sent to all enrolled students, staff and faculty members that provides the website to access this report. In addition, e-mail or print copies of this report may be obtained by contacting the Director of Compliance at chapmana@middlesex.mass.edu, the Human Resources Office in Bedford and the Campus Manager’s Office in Lowell. In addition, print copies will be available at the Public Safety Office in Lowell and Bedford. Prospective employees may obtain a copy by contacting the Human Resources Office. Notification of the availability of this report is made within the application process for students. This report is available on the College’s website at:
https://www.middlesex.mass.edu/disclosurestatements/campsecrpt.aspx

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 are collected or requested 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 including student organizations with off-campus housing facilities. The Bedford Campus map is on page 34 and the Lowell Campus map is on page for 35 for reference.
Public Safety
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 the written request. The MCC Public Safety officers maintain crime statistics to aid in the publication of this report.

Relationship with State and Local Police
Since MCC is a state-owned property, enforcement authority rests with the state police. MCC campus security officers routinely work with state police and or local police in investigation of criminal activity occurring on the campus property. The state police are called in by campus Public Safety officers in cases of criminal activity such as assault, automobile accidents, theft, violation of restraining orders, etc. Restraining orders are delivered to:

- On the Bedford Campus - Campus Manager's office - Building 10
- On the Lowell Campus - Campus Manager's office
- Restraining orders involving any students are delivered to the Dean of Students office
- Local police, while not empowered with enforcement authority on state property, are cooperative in providing emergency assistance when requested
Security of and Access to Campus Facilities

Campus grounds are open to the public for non-organized activities, i.e., 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. Organized uses, i.e., community events are scheduled through the Campus Manager. 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

No unauthorized persons are 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 make arrangements with the appropriate Campus Manager’s office. The Campus Manager 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.

Mechanical contractors and mechanical trade’s workers are accompanied by a college employee when it is necessary for them to be on campus during other than normal working hours.
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 in a timely manner. Campus Securities, 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
- 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.

**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 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 racial harassment are referred to Darcy Orellana, MCC Affirmative Action Officer for resolution which can include state or local police.
- Public Safety officers work with the state and local police as appropriate in reporting criminal incidents. The police then conduct their own investigation keeping college officials apprised of the status and dispensation of each case.
d. 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.

**General Response to Sexual Violence, Sexual Harassment & Domestic & Dating Violence & Stalking**

The College takes reports of sexual assault, sexual harassment, domestic violence and dating violence very seriously. Additional information regarding policies, procedures and resources can be found in section XI Sexual Violence, Domestic & Dating Violence & Stalking in this report.

1. Complaints of a sexual assault, sexual harassment, domestic or dating violence should be reported immediately to Public Safety, the Affirmative Action Officer, Darcy Orellana and/or the Title IX Coordinator & Director of Compliance, Alisa Chapman.

2. Sexual assault, as defined in the Federal Bureau of Investigation Uniform Crime Reporting System includes; forcible and non-forcible offenses, and is a criminal offense. Sexual assault in any form, including acquaintance rape, will not be tolerated. When an allegation of sexual assault is made, the College will inform the alleged victim of their right to pursue criminal prosecution under the Massachusetts criminal statutes. In addition, appropriate campus disciplinary action may be pursued.

3. All allegations of sexual assault will be handled with privacy and integrity and will be investigated. The College investigates and resolves these cases in accordance with the Affirmative Action Policy which is available in the Human Resources Office or at: www.middlesex.mass.edu/DiversityAndEquityAffairs.

4. Sexual misconduct of any kind, including harassment will not be tolerated. Aggressive and continuous attention is given to any reportable incident. Statistical data regarding the frequency and type of these offenses is maintained in accordance with federal law and available to students, parents or legal guardians upon request. Counseling is available to support the victim to ensure a safe academic environment.

**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. Anyone 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, confidential 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.

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

Public Safety reports can be referred criminally and/or to the Dean of Students’ office to for resolution in reports involving students and Human Resources for reports regarding employees.
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.

Community Safety Awareness- Sex Offender Information

Colleges’ Receipt of Sex Offender’s Final Classification
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 in the vicinity of 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 and Public Safety and managers in areas where vulnerable populations are served including the Library, BRIDGE, 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
Level 3 offender notices shall be posted by the Director of Public Safety or his/her designee 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 City Building 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.

College Officials’ Meeting with a Finally Classified Offender
Level 2 and Level 3
If the offender is a student and is classified a Level 2 or Level 3 offender, the student must meet with the Dean of Students, Director of Human Resources and the Director of Public Safety or their designees.

If the offender is an employee and is a Level 2 or Level 3 offender, the employee must meet with the Dean of Students, Director of Human Resources and the Director of Public Safety or their designees.

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 who 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.

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 also 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.
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, and Public Safety Emergencies & Environmental Emergencies. Emergency conditions either affect an individual, a small group or the entire college. In the case they affect the entire College they typically involve the evacuation of the Campuses.

Campus Evacuation
There are many reasons a Campus may have to be evacuated. The most common reason for evacuation is due to a fire alarm activation. Other reasons for evacuating a campus could be a bomb threat, environmental condition or a physical threat. When you are asked to evacuate the facility by Public Safety personnel 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.
4. Faculty should turn off all gas and electrical appliances. The lights should be left on, the corridor door closed and left unlocked.
5. Upon exiting the building move well away from the building. This will prevent a "log jam" of people at the entranceway and allow the fire department swift access.
6. Re-entry: The College public safety personnel shall notify you when it is safe to return to the building.

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

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

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 and rises to the level of a required widespread communication. The Emergency Management Team 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, however, is voluntary on behalf of the individuals, who are provided with constant opportunities to opt into the information system. If the individual, however, chooses 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. 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 Director of Public Safety, Daniel Martin at martind@middlesex.mass.edu, 781-280-3751, or Cataldo Building, room 211.
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 MCC Health Services. Complete confidentiality will be maintained. Also, 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.

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, driving accidents has 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 and Health Services for students and employees who have alcohol and/or drug related problems and who need help, confidential support services, and counseling.

In acknowledgement of its role in the larger community, Middlesex hosts weekly meetings of Narcotics Anonymous, 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)

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
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

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, shall mean any conduct or method of initiations into any student organization, which willfully or recklessly endangers the physical or mental health of any student or any 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 of forced 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 section.

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. Whoever fails to report such a crime shall be punished by a fine of not more than one thousand dollars.
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.

On November 21, 2013, smoking will be 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.

Prior to November 21, 2013, the law allows for smoking in an outdoor space, provided that the outdoor space is physically separated. Smoking is prohibited outdoors within fifty (50) feet of any building doorway or, if necessary because of architectural characteristics, within a specifically designated area abutting a building. All smoking materials must be disposed of in appropriate receptacles. Compliance with this policy is mandatory.

All members of the MCC community are expected to respect the rights of others, and the rules of the College. Violations of this policy may be reported to campus security and managers. Sanctions may be applied for violations of this policy, including but not limited to disciplinary action.
Sexual Violence, Domestic & Dating Violence & Stalking

Middlesex Community College deplores sexual harassment and sexual violence wherever it might occur - whether it involves faculty, staff, students, or any other member of the MCC community. Any form of violence, intimidation, abuse, or harassment based on gender or sexual preference is contrary to the ideals of MCC and may jeopardize a community member's ability to learn, work, or otherwise participate in the life of the College. It is also against the law.

The College is committed to providing a working and learning environment that is free from all forms of abuse, harassment or coercive conduct. This information seeks to protect the rights of all members of the College community to be treated with respect and dignity. The College investigates and resolves these matters in accordance with the Affirmative Action Policy which can be found at: www.middlesex.mass.edu/DiversityAndEquityAffairs. Sanctions imposed through this process include, but are not limited to, suspension, dismissal or termination from employment.

Sexual Violence

Definition of Sexual Violence: Rape & Sexual Assault

Rape: is also a legal term that is defined in Massachusetts by three elements: penetration of any orifice by any object; force or threat of force; and against the will of the victim or without consent. Consent is informed, freely and actively given mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. The same criminal laws and penalties apply in cases of acquaintance rape as in cases of stranger rape.

Other Forms of Sexual Assault: assaults that do not involve penetration also are unlawful and a violation of College policy. Sexual assault may include, for example, the unwanted touching of another person’s body or clothing.

Consent may never be given by minors (in Massachusetts, those not yet 16 years of age), mentally disabled persons, and those who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary) or those who are unconscious, unaware or otherwise physically helpless. Consent cannot be given in situations involving coercion, threats, intimidation or physical force.

If you have been raped or sexually assaulted:

1. Get to a safe place.
2. Don't wash, eat, drink, douche, clean, use the bathroom, or change clothes. By doing any of these things you may be washing away or weakening evidence. If you do change clothes, be sure to save what you were wearing in a paper bag.
3. Call a friend or someone you trust.
4. Get medical attention immediately. The primary purpose of a medical examination following a rape/sexual assault is to check for physical injury, the presence of sexually transmitted
diseases or pregnancy. The secondary purpose of a medical examination is to preserve evidence and aid in the police investigation and legal proceedings. It is important to get medical attention within 72 hours of a rape/sexual assault. If more than 72 hours have passed since the assault, it is still strongly recommended that you have a medical examination to test for pregnancy, sexually transmitted diseases and/or to treat external or internal injuries.

5. Contact Counseling Services or 24-hour support (Center for Hope and Healing-Lowell) 1-800-542-5212 OR 24-hour Domestic & Sexual Violence support (Bridges) 603-883-3044. Interpreters are available in 140 languages through the Language Line. Bridges website is: http://www.bridgesnh.org/.

6. Decide whether you want to report the assault to the police or other authorities. MCC staff will assist students in notifying these authorities if requested. The College employs counselors to assist survivors with decisions and to provide support when needed.

7. Believe in yourself. Your behavior did not cause the rape.

8. Take time to recover and seek counseling.

Sexual Violence Resources
Center for Hope and Healing– Lowell: 1-800-542-5212
North Shore Rape Crisis Center– Lynn: 1-800-922-8772
YWCA of Greater Lawrence: 1-877-509-9922
Boston Area Rape Crisis Center: 1-800-841-8371
Llámanos Spanish Language Helpline: 1-800-223-5001

Statement on Retaliation
It is unlawful and against College Policy to retaliate against a student, employee or any other person in the College for filing a complaint of sexual harassment, sexual violence, domestic or dating violence and stalking or for cooperating in an investigation of sexual harassment, sexual violence, domestic or dating violence and stalking. Incidents of retaliation will be handled through the Student Code of Conduct for students and in accordance with Human Resources for employees and could result in, but are not limited to, suspension or termination.

The Campus Sexual Assault Victims’ Bill of Rights
The Campus Sexual Assault Victims’ Bill of Rights was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights.

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic situations
Domestic & Dating Violence & Stalking

The College investigates and resolves these matters in accordance with the Affirmative Action Policy which can be found at: www.middlesex.mass.edu/DiversityAndEquityAffairs. Sanctions imposed through this process include, but are not limited to, suspension, dismissal or termination from employment. The following definitions are provided by the Violence Women Reauthorization Act of 2013 and in accordance with Massachusetts State law.

Definition of Domestic & Dating Violence & Stalking

**Domestic Violence:** crimes of violence committed against a person by another person who are or were married to one another; are or were residing together in the same household; are or were related by blood or marriage; have a child together; or are or have been in a substantive dating or engagement relationship, which shall be adjudged by of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

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; and where the existence of such a relationship shall be determined based on (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

**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.

If you are a victim of Domestic or Dating Violence or Stalking:

1. Get to a safe place.
2. Call a friend or someone you trust.
3. Get medical attention immediately to treat external or internal injuries.
4. Contact Counseling Services or **24-hour sexual violence support (Center for Hope and Healing-Lowell) 1-800-542-5212** or 24-hour Domestic & Sexual Violence support (Bridges) **603-883-3044** or http://www.bridgesnh.org/. Interpreters are available in 140 languages through the Language Line. *Erase your texts messages, web browser, Facebook messenger, etc. if you have been asking/seeking help or counseling.*
5. Decide whether you want to report the assault to the police or other authorities. MCC staff will assist students in notifying these authorities if requested. The College employs counselors to assist survivors with decisions and to provide support when needed.


7. Take time to recover and seek counseling.

**Domestic & Dating Violence & Abuse Resources**

Bridges Domestic & Sexual Violence support


603-883-3044

Alternative House—Lowell

[http://www.alternative-house.org/](http://www.alternative-house.org/)

1-888-291-6228

REACH Beyond Domestic Violence


1-800-899-4000

Child-At Risk Hotline:

1-800-792-5200

Disabled Persons Protection Commission:

1-800-426-9009

Elder Abuse Hotline:

1-800-922-2275

**Educational & Informative Programs**

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.
Sexual Harassment

Sexual harassment of a student, an employee or any other person in the College is unlawful, unacceptable, impermissible and intolerable.

Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: the inappropriate introduction of sexual activities or comments into the work or learning environment. Often, sexual harassment involves relationships of unequal power and contains elements of coercion, as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behaviors have a harmful effect a person’s ability to study or work in the academic setting.

For general purposes, sexual harassment may be described as unwelcome advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance and creating an intimidating, hostile, or demeaning employment or educational environment. Examples of conduct which may, depending on the circumstances, constitute sexual harassment, include:

- repeated offensive sexual flirtation, advances or propositions;
- continued or repeated verbal abuse or innuendo of a sexual nature;
- uninvited physical contact such as touching, hugging, patting or pinching;
- display of sexually suggestive objects or pictures, jokes or remarks of a sexual nature in front of people who find them offensive;
- making obscene gestures or suggestions or insulting sounds, indecent exposure;
- the demand of sexual favors accompanied by an implied or overt threat concerning an individual’s employment or student status or promises of preferential treatment.

In addition to sexual harassment being unlawful, it is also unlawful to retaliate against a student, employee or any other person in the College for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

A student, employee or any other person in the College who is found to have engaged in sexual harassment is subject to discipline up to and including, termination of employment or expulsion. All disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements and/or personnel policies.

When students or employees believe their rights have been breached under this policy, the grievance process under the Affirmative Action Policy is a mechanism for resolution unless it is
a student grade appeal (See Grievance Procedure section in the Student Handbook). The Affirmative Action Policy is available in Human Resources, on the college website (www.middlesex.mass.edu/DiversityAndEquityAffairs), from Darcy Orellana, Affirmative Action Officer, at 781-280-3559, Bedford Campus, Enrollment Center Building, Room 107, orellanad@middlesex.mass.edu or Alisa Chapman, Director of Compliance/Title IX Coordinator, at 781-280-3620, chapmana@middlesex.mass.edu, Bedford Campus, Cataldo Administration Building. All inquiries and complaints concerning discrimination prohibited by the Affirmative Action Policy should be directed to Alisa Chapman or Darcy Orellana.

The Massachusetts Commission Against Discrimination (MCAD) is responsible for investigating and handling complaints of sexual harassment filed in the Commonwealth. The closest MCAD office is located at 1 Ashburton Place, Boston, MA 02108-1518, and can be reached at 617-994-6000.

At the federal level, for employment situations, the Equal Employment Opportunity Commission (EEOC) is charged with investigating and handling complaints of sexual harassment filed under Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Educational Amendments. The EEOC is located at the J.F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, or call 1-800-669-4000 TYY: 800-669-6820. In keeping with these regulations, a concerted effort will be made to protect employees, students and others from sexual harassment as defined. For the purposes of filing federal-level charges of discrimination under Title IX of the 1972 Education Amendments, Section 504 of the 1973 Rehabilitation Act or Title VI of the 1964 Civil Rights Act, not involving employment, students may contact the Federal Office for Civil Rights, U.S. Department of Education, 8th floor, 5 Post Office Square, Boston, MA 02109-3921, or call 617-289-0111, TDD: 877-521-2172.

The final authority and ultimate responsibility for the prevention of sexual harassment will rest with the President of the College. The President or his/her designee will take reasonable measures to prevent sexual harassment and will act positively to investigate alleged harassment and to effect a remedy when an allegation is determined to be valid, whether or not a formal grievance has been filed. However, the Director of Compliance/Title IX Coordinator will have the responsibility for the overall development, administration and monitoring of all programs, policies, procedures and regulations related to sexual harassment.

The College’s policies and procedures on sexual harassment shall be distributed to all College community members. In addition to formal procedures, the College shall ensure that appropriate opportunities are available to students and employees to obtain counseling concerning their rights under the law and effective means of informally resolving grievances.
Campus Crime Statistics

As required by Federal law, Middlesex Community College 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. 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

**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 offense- forcible**: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. Examples: rape, sodomy, sexual assault with an object, or fondling.

**Sex offense- non-forcible**: Unlawful, non-forcible sexual intercourse. Examples: incest and statutory rape.

**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).

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. Examples of crimes: murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson, larceny-theft, simple assault, intimidation and/or destruction, damage or vandalism of property.

Categories of bias:
- Race
- Ethnicity/National Origin
- Gender
- Sexual Orientation
- Disability
- Religion
- Gender Identity

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. Community members may report crimes for investigation or report crimes on a voluntary, confidential basis for inclusion in the Annual Safety and Security Report. These people, determined by MCC and required by the Clery Act, have significant responsibility for student and campus activities. This also includes Public Safety and security officials.

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 members are notified of their responsibility and attend an annual training.

<table>
<thead>
<tr>
<th>Public Affairs</th>
<th>Director of Compliance/Title IX Coordinator</th>
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</thead>
<tbody>
<tr>
<td>Director of Public Safety</td>
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<tr>
<td>Category</td>
<td>Positions</td>
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<td>---------------------------------------------------------------------------</td>
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<tr>
<td><strong>All Staff in Public Safety</strong></td>
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<tr>
<td><strong>Administration &amp; Finance</strong></td>
<td></td>
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<tr>
<td>Bedford Campus Manager</td>
<td>Lowell Campus Manager</td>
</tr>
<tr>
<td>Environmental Health &amp; Safety Officer</td>
<td>Director of Administrative Services</td>
</tr>
<tr>
<td>Building Desk Attendants- Lowell</td>
<td>Director of Human Resources</td>
</tr>
<tr>
<td>Assistant Director of Human Resources</td>
<td>Assistant Director of Human Resources/Affirmative Action Officer</td>
</tr>
<tr>
<td><strong>Director, Charter School</strong></td>
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<tr>
<td><strong>Enrollment Management, Research &amp; Planning</strong></td>
<td></td>
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<tr>
<td>Dean of Enrollment Management</td>
<td>Associate Dean for Academic, Career &amp; Transfer Counseling</td>
</tr>
<tr>
<td>Director of Enrollment Communication &amp; Support</td>
<td>Registrar</td>
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<tr>
<td><strong>Academic &amp; Student Affairs</strong></td>
<td></td>
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<tr>
<td>Associate Provost</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>Dean of Business, Education &amp; Public Service</td>
<td>Associate Dean of Students, Disability Services</td>
</tr>
<tr>
<td>Dean of Humanities &amp; Social Sciences</td>
<td>Assistant Dean of Students, Multicultural &amp; Veterans</td>
</tr>
<tr>
<td>Dean of Health &amp; STEM</td>
<td>Assistant Dean of Students, Student Activities</td>
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<tr>
<td><strong>TRIO PSA Staff</strong></td>
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<tr>
<td><strong>Disability Support Services Staff</strong></td>
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<tr>
<td><strong>Club and Organization Advisors</strong></td>
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</table>

*Please note that faculty and/or staff may be added to this list depending on their responsibilities and student responsibility. For an up-to-date list, please contact the Director of Compliance and/or the Director of Public Safety.*
Campus Crime Statistics

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. This information includes, but is not limited to, reports of criminal activity, arrests, and disciplinary referrals.

Bedford Campus

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On-Campus Property*</th>
<th>On Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>2010</td>
<td>0</td>
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<td>2011</td>
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<tr>
<td>Negligent Manslaughter</td>
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<td>2012</td>
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<tr>
<td>Sex Offenses, Forcible</td>
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<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<td>Burglary</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<td>Arson</td>
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<tr>
<td>Arrest- Liquor Law Violation</td>
<td>2010</td>
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</table>
Please note: Middlesex Community College does not own, use or lease any on-or-off-campus residence halls and therefore does not report on this category under locations.

### Bedford Campus- Hate Crimes

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On-Campus Property*</th>
<th>On Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
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<tr>
<td>Negligent Manslaughter</td>
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<tr>
<td>Sex Offenses, Forcible</td>
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<td>Sex Offenses, Non-Forcible</td>
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<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<td>2012</td>
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<td>Simple Assault</td>
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<td></td>
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<td>Burglary</td>
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Please note: Middlesex Community College does not own, use or lease any on-or-off-campus residence halls and therefore does not report on this category under locations.

**Lowell Campus**

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<tr>
<th>Offense</th>
<th>Year</th>
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<p>|                               | 2012  | 0                   | 0                             |</p>
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</table>

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*In the 2011 Annual Safety and Security Report, a burglary was reported on public property. After further review of the incident and crime reporting guidelines in *The Handbook for Campus Safety and Security Reporting*, MCC has determined that the incident was a larceny and therefore is not a reportable crime for the Annual Safety and Security Report.

### Lowell Campus- Hate Crimes

<table>
<thead>
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<th>Offense</th>
<th>Year</th>
<th>On-Campus Property*</th>
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<td>Destruction/Damage/Vandalism of Property</td>
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