ANNUAL SECURITY and FIRE SAFETY REPORT

Calendar Year 2013

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Report available at:

www.annamaria.edu/annualsecurityreport

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I. Forward from the Vice President for Student Success

The information in this report is being provided as part of Anna Maria College's commitment to safety and security on campus. Providing this information is a requirement of the Crime Awareness and Campus Security Act of 1990 and the Higher Education Opportunity Act's Campus Fire Safety Right to Know provision. This report will outline Anna Maria College's programs and policies relating to community safety. Students, faculty, staff and prospective community members are encouraged to read the report in its entirety. Questions or comments about this report may be addressed to Andrew Klein, aklein@annamaria.edu, 508-849-3313. Lieutenant Mark Savasta, Paxton Police Department, is available to answer any questions or address concerns about safety at AMC. Lieutenant Savasta is available at msavasta@annamaria.edu, 508-793-3133.

The mission of the Paxton Police at Anna Maria College is to enhance the safety and security of the AMC community. The Paxton Police Department strives to achieve this mission through preventive foot patrols, 24-hour accessibility, proactive problem-solving, positive conflict resolution, educational programs, and community engagement. All members of the Paxton Police Department shall show respect and compassion towards others and shall preserve the dignity and rights of each individual. Officers and staff shall model their interactions with others on *compassion, respect and civility*.

Public safety efforts and community safety programs are run by the Paxton Police Department in collaboration with Campus departments. The AMC direct liaison to the Paxton Police Department is Vice President for Student Success, Andrew Klein, aklein@annamaria.edu, 508-849-3313. The Paxton Police Department operations at AMC are supervised directly by Lieutenant Mark Savasta.

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II. Introduction/Preparation of Disclosure of Crime Statistics

The "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" was signed into law in November 1990. At the time it was known as the "Student's Right to Know and Campus Security Act." The law requires educational institutions participating in student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occurred on or near campus. On Aug. 14, 2008, the *Higher Education Opportunity Act* or *HEOA* (Public Law 110-315) reauthorized and expanded the *Higher Education Act of 1965*, as amended. *HEOA* amended the *Clery Act* and created additional safety- and security-related requirements for institutions. In compliance with the each of these Acts, the AMC Campus Life Office along with the Paxton Police, publishes and distributes this information each year as the "AMC Annual Security and Fire Safety Report". This fall, the "AMC Annual Security and Fire Safety Report" shall be posted on the Anna Maria College web site at www.annamaria.edu/annualsecurityreport and shall be available in printed format in the Paxton Police Office at AMC and the AMC Human Resource Office.

This report covers the Anna Maria College campus at 50 Sunset Lane, Paxton, Massachusetts.

The AMC Annual Security and Fire Safety Report is compiled by the Vice President for Student Success and Retention with the cooperation of the Paxton Police Department and the Residence Life Office. Campus crime, arrest, and referral statistics include those reported to the Paxton Police Department and designated campus officials.

Each year, an e-mail notification is made to all faculty members, staff and enrolled students that provides the web site to access this report. Copies of the report may be obtained at the Paxton Police Office at AMC, south end of Foundress Hall, and in the Human Resources Office, first floor of the Socquet House. Notification of the availability of this report is made within the application process for both students and employees.

III. HEOA Fire Safety Reporting

The Higher Education Opportunity Act provisions regarding fire safety reporting requires institutions with on-campus student housing to publish an annual fire safety report. This report must include for on campus housing the number of the following: fires, deaths due to fire, injuries due to fire, fire drills and fire-related property damage. The type of fire detection systems in each on campus housing building must be described. Policies regarding portable electrical appliances, smoking and open flames (such as candles), procedures for evacuation and policies regarding fire safety education and training programs are also included in this report. Anna Maria College combines the HEOA Fire Safety Report with the Security Report.

IV. Law Enforcement Authority and Interagency Relationships

The Paxton Police Office at AMC is located on the south end of Foundress Hall on the Paxton Campus of Anna Maria College. Paxton Police Officers are available 24 hours a day, 7 days a week, 365 days a year on the Paxton campus. They may be reached by calling 911 (emergency), 508-791-6600 (dispatch, recorded line), 508-849-3456 (campus office) or 508-494-9010 (on duty Officer cell phone). The Paxton Officers are combination of an armed and unarmed, warranted and non-warranted, patrol force. All Paxton Officers have authority to ask persons for identification and to determine whether individuals have lawful business at Anna Maria College. All Paxton Officers enforce Anna Maria College policy including motor vehicle regulations. Motor Vehicle Policy violations, such as tickets, are paid to the Anna Maria College Business Office and are not reported to any state agency. Paxton Police Officers can enforce Massachusetts General Law and any other rights under Chapter 41 Section 98. Paxton Police Officers are trained at the full time Massachusetts Police Academy sponsored by the Municipal Police Training Committee. Paxton Public Safety Officers are trained in emergency response, CPR and first aid.

The Paxton Police at Anna Maria College is part of the Paxton Police Department. The Paxton Police and Fire Departments work together to provide safety and security for the AMC community on the Paxton Campus. All criminal incidents are referred to the Paxton Police Department as they have primary jurisdiction on the Campus. When appropriate, Paxton Police Department works in conjunction with the State Police in Brookfield. All crime victims and witnesses are strongly encouraged to immediately report the crime to the on duty Paxton Police Officer. Prompt reporting will assure timely action, timely warning notices on-campus, and accurate crime statistics.

The Paxton Police Office operating at Anna Maria College is within the Paxton Police Department which is located in Paxton, Massachusetts. Today, the Paxton Police Office located at AMC is made up of a full time Lieutenant, two full time Sergeants, two full time Detectives, seven full time Police Officers, two full time Paxton Public Safety Officers, six part time Paxton Public Safety Officers, and student support staff (for parking enforcement). The Paxton Police Office at AMC, as a part of the Paxton Police Department, may utilize all of the Paxton Police Department personnel and resources.

The direct liaison for Anna Maria College to the Paxton Police Department is Vice President for Student Success and Retention, Andrew Klein. The VPSSR's office is located on the second floor of East Trinity Hall. The VPSSR may be reached at 508-849-3313. The Paxton Police Office at AMC is directly supervised by Lieutenant Mark Savasta. Lieutenant Savasta's office is located on the south end of Foundress Hall, 508-793-3133, or at the Paxton Public Safety Complex located at 576 Pleasant Street in Paxton, Massachusetts.

V. Reporting Criminal Incidents and Other Emergencies

A. General Reporting Procedure

Anyone with information regarding a possible crime or other emergency situation that poses a threat to the Campus community should call 911 immediately! To provide the safest campus environment possible, the College requires that employees and students promptly report all emergencies and criminal activities. Prompt (within 24 hours of becoming aware of the situation or immediately if life-threatening) reporting is vital in maintaining a secure community.

Emergency house phones are located at the entrances to each residence hall, the front of the Bishop Flanagan Campus Center and on the left side of the Fuller Activities Center. "911" may be dialed on these phones as well as the Paxton Police Officer on Duty at AMC number, 8-508-494-9010. Emergency number dialing instructions are posted by each phone. Calls to Paxton Police on Duty at AMC are received on the duty Officer's cell phone.

Upon receiving a report of a suspected crime or other emergency situation, the Paxton Police Officer shall investigate, or cause to be investigated, the incident in a timely manner. Should it appear that criminal activity is occurring or did occur; the Paxton Police Officer shall take appropriate action. If the matter concerns a campus disciplinary matter, the incident will be referred to the Dean of Student Conduct, the Vice President for Student Success and retention, for action.

While any member of the College community may assist another in the reporting of suspected criminal activity, the following are designated as persons on campus to whom to report suspected criminal activity:

Resource People for Reporting Suspected Criminal Activity &/or Possible Missing Student

Paxton Police Officer publicsafety@annamaria.edu	South Foundress Hall	508-494-9010
Paxton Police Lt. Savasta msavasta@annamaria.edu	South Foundress Hall	508-793-3133
Paxton Police Chief Desrosiers PoliceChief@townofpaxton.net	Public Safety Complex, Town of Paxton	508-755-1104, x3131
Director of Human Resources, **Lisa Driscoll (Title IX Coordinator)** ldriscoll@annamaria.edu	Human Resources Office, Socquet House first floor	508-849-3398
Vice President for Student Success and Retention, Andrew Klein (Title IX Deputy) aklein@annamaria.edu	East Trinity Hall, second floor	508-849-3313
Director of Residence Life, **Michelle Chapman** mchapman@annamaria.edu	111 St. Anne Hall, off front vestibule	508-849-3271
Any Residence Life staff member, including RAs		

B. Confidential Reporting Process & Exclusions

A victim of a crime may wish to report that crime without pursuing action within the College disciplinary system or the criminal justice system. The victim may report the crime to any of the designated crime report collectors in the above table and ask that the report be kept confidential. However, the College reserves the right to investigate and pursue resolution when it is deemed necessary to protect the interests of the College community. The purpose of the confidential report is to make every effort to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the entire campus. With such confidential reports, the College can keep a more accurate record of the number of incidents, the type and frequency of incidents and alert the community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

When the personnel of the AMC Health and Counseling Center or Campus Ministries (including Campus Priest and/or Deacon), acting in the counseling role of their respective offices, receive a report of a crime, they are not required to report that crime for inclusion into the annual disclosure of crime statistics. They are encouraged to, if and when they deem it appropriate, inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

C. Procedure for Reporting Missing Student Residing on Campus

If a person feels that an AMC student who resides in on-campus housing is missing, he/she should report the concern to Paxton Police immediately (dial 911 or 508-494-9010). Paxton Police will conduct an immediate investigation to attempt to locate the missing student. If Paxton Police determines that a student is missing and has been missing for more than 24-hours, they shall, no later than 24-hours after the student is determined to have been missing, notify the police department of the community where the missing student maintains a home of record and the person designated as

the student's emergency contact. If the missing student is under the age of 21, a missing person notice will be posted on the national police information network. If the missing student is under the age of 18 and is not an emancipated individual, Paxton Police will notify the student's parent or legal guardian immediately after determining that the student has been missing.

AMC students may complete the "missing student notification information" form in the Vice President for Student Success and Retention's office to register the name and contact information of a contact person to be notified within 24 hours of the report being received by Paxton Police. In addition to registering the name of a person as an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Paxton Police in the event the student is determined to be missing.

VI. Timely Warning, Emergency Response and Evacuation Procedures

When a situation arises on or off campus that, in the judgment of the Paxton Police Lieutenant in Charge or designee, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, there will be a campus wide "timely warning" issued (unless the notification will compromise efforts to contain the emergency). In such emergencies, the campus uses an electronic messaging system (voice mail, text message and/or email messaging notification system) which reaches all AMC community members who have provided their contact information and are signed on for Connect-Ed. This mass notification system is tested each fall and spring semesters. The community is reminded of the system and its functions prior to each test. Follow up information is provided as needed on the AMC web page and/or by regular email distribution method.

Also used to communicate in emergencies are other appropriate method(s) which can include any of the following: posting on the campus web site, campus wide email, voice mail and/or flyers placed in student and employee mailboxes. Notices may also be posted in visible locations in residence halls, the Bishop Flanagan Campus Center and key classroom locations. In some situations, door to door notification may be done.

All AMC community members are expected to heed all emergency warnings and to follow the instructions of Paxton Police and responding emergency personnel. The assessment and evaluation of the current emergency plan and capability is done through regularly scheduled drills, exercises and appropriate follow-through activities. Residence hall evacuation procedures are posted in the residence halls and are drilled at least once each semester.

Any person with information warranting a timely warning should report the circumstances to Paxton Police by phone: 911 or 508-494-9010.

VII. Monitoring of and Notification of Criminal Activity

The Paxton Police Officers maintain a daily log of activity on the Paxton Campus. The daily log is available for public viewing during regular College office hours. This log may be housed at the Paxton Public Safety Complex located at 576 Pleasant Street in Paxton, Massachusetts. Copies are available within two business days of the written request. The Paxton Public Safety Office records and maintains crime statistics for publication in the Annual Safety/Security Report each year.

The Paxton Police Office at AMC is part of the Paxton Police Department. When a crime is committed on campus, the Paxton Police Department conducts an investigation and takes the appropriate action. When an AMC student is involved in an off-campus offense, Paxton Police may conduct the investigation and/or assist with the investigation in cooperation with other local, state or federal law enforcement. Paxton Police Officers routinely work and communicate with the Vice President for Student Success and Retention, on any serious incidents occurring on-campus, in Paxton, or in surrounding towns. AMC operates no off-campus housing or off-campus student organization facilities. AMC's Student Code of Conduct outlines under what circumstances action may be taken for a possible violation of the Student Code of Conduct that occurs off-campus.

VIII. Access to and Maintenance of Campus Facilities

Most campus facilities, other than student residence halls, are accessible to members of the campus community, their guests and visitors during the day, at night and on weekends depending on scheduled events and time of the year.

Buildings are secured at night. The campus grounds and buildings, including the residence halls, are patrolled on foot and by vehicle by the Paxton Police Officer(s) on duty.

A. Access to Residence Halls

All exterior doors to student residence halls are locked at all times. An electronic computerized card access system monitors all entrance doors. Emergency exit doors are alarmed to indicate unauthorized use. The computerized identification card (ID) at Anna Maria College is maintained by the Student Affairs Office, Residence Life Office, and/or the Vice President for Student Success and Retention. Each card may be programmed to allow access to a specific hall or group of halls. Resident students are encouraged to report the loss/theft of an ID card immediately to Paxton Police, Residence Life Office, Student Affairs Office, or Vice President for Student Success and Retention so the card may be deactivated and a temporary or new card may be issued.

Resident students hosting guest(s) must sign in the guest at the Residence Life Office. Guests must have and present when asked valid state or federally issued picture identification. All guests in the residence halls must be visiting a specific resident. Guests must obtain a temporary vehicle pass from Residence Life or Paxton Police if staying overnight.

B. Maintenance and Security of Campus Facilities

The Lieutenant of the Paxton Police Office at AMC with the Director of the Physical Plant reviews the campus regularly to identify and correct safety and security hazards. Paxton Police Officers maintain vigilance while on patrol to ensure hazards are reported and, if needed, contained until corrected. Community members are encouraged to report any hazards or on-the-job injuries immediately to Paxton Police, the Vice President for Student Success and Retention, the Director of Residence Life, the Director of the Physical Plant, and/or the Director of Human Resources. The Physical Plant maintains on-call personnel that may be contacted to respond to any maintenance emergency. They are contacted through Paxton Police.

IX. Crime Prevention and Awareness Programs

Paxton Police works to prevent crime on campus by engaging in community policing, visible foot patrol, education and collaboration with other offices. Crime awareness information and safety recommendations are located in the AMC Student Handbook and New Employee Handbook and on the AMC web site. When time is of the essence, educational information is disseminated to students and employees through security alerts posted prominently throughout campus and through email. Other crime prevention actions include:

- **Fire Alarm Systems** are available campus wide and monitored by Houston Monitoring Company. Drills are conducted on a regular basis to familiarize students with proper fire alarm procedure. Residence Hall drills occur once each semester.
- **Safe Return Program** allows students to contact Paxton Police for a taxi to be called for their safe return to campus. The cab fare is charged to the student's account if he/she does not have the money available at that time. This program is used by students on an "as needed" basis.
- **Walking Escort** (on-campus) is provided seven days a week, 24 hours a day. This program is used by students on an "as needed" basis.
- **Rape Aggression Self Defense (RAD)** training class is offered each semester free of charge. The RAD training is conducted by certified RAD instructors from the Paxton Police Department and AMC Residence Life.
- **Prevention Presentations** are provided for the campus through collaboration with the Residence Life Office, Health Services Office and Counseling Center**.** These programs included hall programs sponsored by RAs; information tables in the Campus Center with handouts; and a presentation on Campus Safety to the Student Government Association.
- **Emergency Campus Telephones** are located throughout the campus.
- **Parking Lot Security** is maintained with well-lit parking lots and frequent patrol. Some lots have enhanced security with recording (not monitored) camera system.
- **Patrol Officers** periodically conduct a security check of the area where students are working, studying and/or residing.

- **Summer Orientation and Registration (SOAR) Program** presentations are done for parents and students on safety on campus. In 2013, there were three SOAR days in June and July, and two week long orientation programs in July when over 400 incoming students, family members and friends attended the Paxton Police safety presentation.
- **New Student Orientation** presentations on fire safety and campus safety are done during two week long July Orientations as well as at the January and August Orientations.
- **New Employee Orientation** has written material that is made available which contains safety information.
- **RA Training** each January and August includes training sessions on how to report a crime or other incident; how to get help in an emergency situation; and what programs are available for the RAs to bring into the residence halls. RAs are trained in CPR and basic first aid each semester.
- **Facilities Survey** is done monthly to identify safety and security issues on the campus. A comprehensive fire alarm survey including a test of existing sprinkler systems is conducted yearly by an outside vendor.

X. Emergency Medical Resources

All Paxton Police Officers are trained and certified in basic First Aid, CPR and AED. Police Officers are certified first responders. Automatic External Defibrillators (AEDs) are available in the Fuller Activities Center and the Bishop Flanagan Campus Center in publically accessible boxes. First Aid Kits are mounted in publically accessible locations in most classroom buildings.

During a medical emergency, it is standard procedure to transport sick or injured persons to Worcester hospitals by Paxton's ambulance services, if such transport is deemed necessary. During office hours, the Director of Health Services will respond to campus emergencies in addition to Paxton Police Officers. For non-emergency injuries or illnesses, Student Health Services is available. The Health Services Office is located at the end of the Trinity Hall complex adjacent to East Trinity Hall. The Student Health Center is staffed during posted office hours. The staff consists of the Director of Health Services who is a nurse practitioner, a consulting physician and support staff. The Director of Health Services is available to Paxton Police Officers for after-hours consultation and can report to campus (if deemed appropriate) when available.

Mental health emergencies may be addressed by Paxton Public Safety Officers. The Director of Health Services will respond to campus mental health emergencies during office hours in addition to Paxton Public Safety Officers and is available to Paxton Public Safety Officers for after-hours consultations. When needed, the Paxton emergency services will be called to assist in transporting the person to the appropriate facility.

XI. Weapons Policy

The possession or concealment of any type of firearm or other dangerous weapon, including but not limited to, stiletto, dagger, dirk knife, any knife having a double-edged blade or a switch blade, or any knife having an automatic spring release device by which the blade is released from handle, having a blade of over one and one-half inches, or a sling shot, blackjack, metallic buckles or knuckles or any substance which could be put to the same use, is strictly prohibited on the Anna Maria College campus and at any Anna Maria College sponsored event(s). Violators of the above will be subject to legal and/or campus disciplinary action.

Toy guns, other toy weapons, and items generally considered weapons such as swords, axes and knives, paint ball guns, BB guns, cap pistols, laser targeting devices, martial arts weapons, pepper spray and explosives are also not permitted on the campus or at any AMC sponsored event(s). Violators of the above will be referred to the Vice President for Student Success and Retention and will be subject to disciplinary action. Visitors in violation of AMC policy regarding weapons shall be subject to being banned from AMC property.

XII. Hate Crimes

Hate crime will not be tolerated at Anna Maria College. Hate crimes adversely affect all aspects of campus life. All community members are expected to report possible hate crimes to the Paxton Police Department.

No hate crimes were reported at Anna Maria College in 2013.

The Office of Multicultural Affairs helps to provide education about preventing and responding to hate crimes. Programming throughout the academic year occurs in conjunction with the Residence Life Office, Activities Office and academic offices.

XIII. Hazing

In 1985, the Commonwealth of Massachusetts passed a law prohibiting the act of hazing. In this law, hazing is defined as follows:

> The term "hazing" 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 weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

In response to this legislation, and as required by law, Anna Maria College has adopted the following policy regarding hazing:

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

A complete statement of this law can be found in the Vice President for Student Success and Retention's Office.

XIV. Alcohol and Drug Policy

Policy

The Anna Maria College Alcohol and Drug Policy is designed to promote mature, responsible behavior when alcohol is consumed and to eliminate illegal drug use in order to protect the health of our students and to encourage the respect of the rights of other students and the college. AMC values personal responsibility within its community. In that perspective, the College expects that students who consume alcoholic beverages will do so in accordance with existing laws and the policies of the College. Illegal drugs and/or the abuse or misuse of prescription medicines are not tolerated at AMC. This includes possession and/or use of drug paraphernalia.

All policies and regulations regarding the consumption and/or sale of alcoholic beverages on the Anna Maria College campus shall be in strict conformity to the appropriate Massachusetts General laws, Federal law, and the Town of Paxton bylaws, as well as College expectations. The current law of Massachusetts pertaining to alcoholic beverages can be found in the Massachusetts General Law, Chapter 138, section 34, 34A, 34B, and 34C.

For the purpose of the College Conduct Code, the following are the major policy points:

1. Consumption, possession, purchase, or being in control of alcoholic beverages by anyone less than twenty-one (21) years of age is not allowed.
2. Provision, distribution, sale, or transportation of alcoholic beverages to/for anyone less than twenty-one (21) years of age is prohibited. This includes providing a place for minors to consume alcohol.
3. On College property, alcohol may be kept and/or consumed by those twenty-one years of age or older in designated areas only.
    a. Designated areas include, but may not be limited to, a residence hall room where at least one assigned resident of the room is twenty-one (21) years of age or older and areas on campus where and when the College liquor license is in effect.
    b. In the residence halls, if no resident assigned to the room is twenty-one (21) years of age or older, there is to be no alcohol, shot glasses, alcohol containers (including empty), and/or alcohol paraphernalia in that room.
    c. In the residence halls, the limit for alcohol possession per twenty-one (21) years of age or older resident assigned to the specific room is: one (1) liter of wine, two (2) pints of spirits, and fifteen

(15) standard size cans/bottles of beer or malt beverages (including wine coolers, Zima, hard lemonade, etc.). Smaller containers (such as pints of spirits or liters of wine) cannot be combined to be purchased in larger containers.

4. Those who are apparently in violation of the Alcohol and Drug Policy will be asked to remove all alcohol and drugs from their possession. This can include a search of and then emptying alcohol/drugs from the refrigerator, closet, under beds, backpacks, bureaus, desks, ceilings, and/or other hiding or storage places as deemed appropriate for the situation.
5. Open containers of alcohol are not permitted outside of designated areas.
    a. "Open container" for the purpose of the Conduct Code is defined as a can or bottle not having the original factory seal in place as well as glasses, cups, water bottles and other non-sealed containers.
    b. Open containers are not allowed in the public areas of the residence halls (for example hallways, lounges, laundry rooms, computer labs, and bathrooms) at any time.
    c. Paxton Public Safety and/or any AMC staff member may check open containers for alcohol.
6. Large containers of alcohol including, but not limited, to malt beverages in containers over 12 ounces, kegs, beer balls, boxes, and handles, are not allowed (with the exception a sponsored event under the Campus liquor license). Such containers shall be confiscated and forfeited, including taps (with or without keg present). Also not allowed are: common sources of alcohol such as spiked punch; Jell-O shots; grain alcohol; and alcohol beverages with caffeine added.
7. Possession or use of drinking paraphernalia, hosting or participating in drinking games, and/or engaging in behaviors promoting binge drinking are prohibited.
8. A person is responsible for his/her behavior. Having consumed alcohol or drugs does not excuse behavior. Behavior which is disruptive, harmful to self or others, and/or which leads to the destruction of property will result in appropriate disciplinary action.
9. Operating a motor vehicle under the influence of alcohol or illegal drugs is against State law and is not permitted on campus.
10. Illegal drugs and/or the abuse or misuse of prescription medicines are not tolerated at AMC. This includes possession and/or use of drug paraphernalia. Marijuana is an illegal drug and is not tolerated at AMC.
11. Evidence of drug policy violations and actions showing sufficient grounds for full disciplinary actions include but are not limited to: the presence of a controlled substance/illegal drug; drug paraphernalia; smoke or odors (in the case of marijuana). All students present at the time of the violation and, if in the residence hall, all residents of the room (present or not) may be held responsible for the infraction.

Alcohol and Drug Education

Abuse of and/or addiction to alcohol and other drugs has serious physical, mental, emotional, and social consequences. An overdose of alcohol or illicit drugs can cause psychosis, convulsions, coma or death. Regular use of alcohol or drugs can lead to a real physical and/or psychological need for the substance so that daily activities come to revolve around getting more of the substance. The regular use of alcohol or drugs interferes with academic achievement and it often disrupts or destroys relationships because dependency leads to placing the need for alcohol or drugs above the need for relationships. Continued use of alcohol or drugs can be very expensive and may cause users to turn to crime to pay for their habit. Long term abuse of alcohol or other drugs can lead to organic damage, mental illness, malnutrition and death. As the result of long term abuse of alcohol, the individual often gives up on goals and plans, quits growing as a person, and turns to more alcohol or drugs as a solution.

Abuse of and/or addiction to alcohol and other drugs occurs on all college campuses. Anna Maria College recognizes that this situation exists and is taking steps to address the problem on this campus. Anna Maria College has resources available to assist students who wish help around issues of alcohol and/or drug use. The Counseling Center and the Health Center personnel are available to talk with students about concerns and can refer students to appropriate off campus agencies for assistance if needed. If you have any questions about your own or someone else's drug and/or alcohol use, please utilize these confidential services.

Possible Sanctions

Violations of State or Federal laws or town of Paxton by-laws can result in arrest, citation and/or criminal prosecution by police. At AMC, violations of the Alcohol and Drug Policy will result at minimum in disciplinary action.

Each discipline situation is unique and will be heard upon its own merits. Sanctioning for violations is based upon the severity of the violation(s), the sanctioning used in the past for similar violation(s), the disciplinary history of the student including all prior offenses and current disciplinary status, and the impact of the violation(s) on the community. There are standards which are used when sanctions for violations are being considered. The following are examples of the sanctions that may be given for the basic violation described. Understand that this is just a guideline for students so that they may see possible consequences for choices they might make. This list is not all inclusive nor is it to be taken as absolute; it is meant as a general guide only.

Violations involving alcohol (span of time between first and second is not affected by the student turning 21, or, in other words the record is not "cleaned" when the student turns 21.):

1. First violation, underage student in possession of alcohol, alcohol present under 15 bottles/cans "malt" beverage or 2 pints of hard alcohol or 1 liter of wine:
    a. Community Service (5 hours)
    b. Educational Component – Classes (could have cost associated)
    c. Fine: $50, increase to $150 if failure to complete community service. Billed: $75/$200
    d. Parental, advisor, and coach notification possible
    e. Confiscation of alcohol and all paraphernalia.
2. Second violation within approximately 100 days, underage student in possession of alcohol, alcohol present under 15 bottles/cans "malt" beverage or 2 pints of hard alcohol or 1 liter of wine
    a. All sanctions in point 1 above at increased levels
    b. Disciplinary Probation– See "DP"
    c. Counseling evaluation on campus
    d. Parental, advisor, and coach notification possible
3. First violation, underage student in possession of alcohol, alcohol present greater than 15 "malt" beverages or 2 pints hard alcohol or 1 liter of wine; or common source; or drinking games/paraphernalia regardless of quantity of alcohol present.
    a. Possible suspension from residence halls: minimum 5 days
    b. Possible Disciplinary Probation – See "DP" (probable when drinking games/paraphernalia are present)
    c. Counseling evaluation on campus
    d. Community Service (10 hours)
    e. Fine: $75 (increase to $225 without community service). Billed: $100/$275.
    f. Educational Component – Classes (could have cost associated)
    g. Confiscation of alcohol and all paraphernalia.
    h. Parental, advisor, and coach notification possible
4. Second violation within approximately 100 days, underage student in possession of alcohol, alcohol present greater than 15 "malt" beverages or 2 pints hard alcohol or 1 liter of wine; or common source; or drinking games/paraphernalia regardless of quantity of alcohol present.
    a. Possible Behavior Contract – See "BC"
    b. Suspension from the residence halls: minimum of 10 days
    c. All sanctions in point 3 above at increased levels
5. Of age student, alcohol present less than double the allowed limit with no underage persons present, or open container public area.
    a. Fine: $50. Billed: $75
    b. Confiscation of all alcohol and all paraphernalia.
6. Of age student, alcohol present more than double allowed quantity or common source or drinking games or paraphernalia or under aged person(s) drinking/in possession/culpable,
    a. Disciplinary Probation – See "DP" to possible Behavior Contract – See "BC"
    b. Community Service (10 hours)
    c. Educational Component – Classes (could have cost associated)
    d. $50, increase to $200 if failure to complete community service. Bill $75/$225
    e. Confiscation alcohol and all paraphernalia.
7. Second violation within approximately 100 days by of age person (even if first violation was when under 21)
    a. Disciplinary Probation – See "DP" to possible Behavior Contract – See "BC"

Violations involving drugs: There is a "zero tolerance" policy regarding all drug (marijuana included) violations. Drug violations can involve immediate suspension from the College. Violations involving drugs will at minimum

result in a Behavior Contract, possibly being restricted to campus for classes only, and possible involvement by the Paxton Police Department. A second drug violation will most probably result in suspension or expulsion from the College.

Overview of Basic Disciplinary Probation (DP) – Generally minimum of 100 days, maximum of 150 days

1. Not in halls during breaks/ outside the contract period if resident student
2. Banned from residence halls if commuting student
3. Possibly not in good disciplinary standing: cannot represent the College
    - No varsity sports
    - No office of club / organization /class
    - No SGA executive board member
    - No Admissions work
    - No Study Abroad
    - No RA position
    - No Summer Hall residency
4. Possible suspension / ban from halls and / or social events
5. Counseling Evaluation / Support Recommended
6. Increase Fines (if appropriate)
7. Parental Notification (if appropriate)
8. Coach / Advisor (club, org, SGA) notification (if appropriate)
9. Increased educational component

Overview of Basic Behavior Contract (BC) – Generally minimum of 151 days – maximum 2 calendar years (average being 1 calendar year)

1. All of Disciplinary Probation *plus*
2. Not in good disciplinary standing; cannot represent the College (see DP for list)
3. Suspension from residence halls (if resident student, minimum of 10 days; if commuter banned for duration of BC)
4. Possible suspension from halls on weekends for additional time
5. Restriction of Activities on Campus
6. Counseling Evaluation Required (possibly outsourced) where appropriate
7. Random Room Checks (if resident student)

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XV. Sexual Violence Awareness Programs and Policies

General Information

Students have the right to an education environment free from sexual violence including sex discrimination, sexual assault, domestic violence, dating violence, sexual harassment and/or stalking. There are Federal laws supporting this right. Title VII of the Civil Rights Act of 1964 prohibits sexual harassment. Title IX of the Education Amendments of 1972 (referred to as "Title IX") prohibits discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. In order to meet its obligations under Federal law, AMC enforces its Sexual Harassment Policy and its Sexual Assault Awareness Policy. The Title IX Coordinator at AMC is the Director of Human Resources, Lisa Driscoll, 508-849-3398, ldriscoll@annamaria.edu.

The Paxton Police Department works closely with the Office of Residence Life and the AMC Health Services Office to promote awareness about rape and sexual assault, domestic violence, dating violence, stalking, and sexual harassment. Pathways for Change (www.centralmasspfc.org) is one resource used for campus education. Pathways for Change has a 24-hour hotline at 800-870-5905. Daybreak provides a 24-hour hotline to support victims of domestic violence at 508-755-9030. Materials on sexual violence may be found at the Paxton Police Department, Paxton Police Office at AMC, Health Services Office, and Residence Life Office.

Rape is defined in the general laws of Massachusetts as follows: "Whoever has sexual intercourse with a person and compels such person to submit by force or against their will or compels such person to submit by threat of bodily injury. If the act occurs while the victim is unconscious, asleep or otherwise unable to communicate unwillingness, it is still considered rape."

Students accused of sexual violence are subject to college disciplinary action, whether or not formal criminal charges are filed. The AMC Student Code of Conduct is available in its entirety in the AMC Student Handbook. The Code of Conduct outlines the disciplinary process of the College. Other Campus policies regarding sexual assault may be found in the AMC Student Handbook and the Employee Handbook.

In incidents involving sexual violence, the accuser and the accused are entitled to the opportunity to have others present during disciplinary proceedings as outlined in the AMC Student Handbook; both are informed of the outcome; both have the right to appeal the disciplinary decision. If the alleged victim is deceased as a result of the crime or offense, AMC will provide the results of the Conduct Code meeting to the victim's next of kin, if so requested. A student found responsible of sexual violence under the Code of Student Conduct is subject to suspension, dismissal or expulsion from the residence halls and/or from Anna Maria College.

Steps to take when you are sexually assaulted:

Go to a safe place.

Get medical treatment as soon as possible.

At the area hospitals you will receive a gynecological exam, if necessary, to check for internal injuries. Lab tests will also be performed for the purpose of collecting evidence in the event that you decide to take legal action against your assailant. Be aware that, even if the hospital calls local authorities, you are not obligated to speak with them. On campus, the Health Center can assist you in receiving the appropriate medical help. When the Health Center is closed, the nurse is available for emergencies and may be accessed through the duty RA or Paxton Police.

Preserve all physical evidence.

Physical evidence is often critical to an investigation. For this reason, you should not urinate, wash, douche or shower prior to an examination. You should not eat, drink, smoke or brush your teeth. If you change clothes, put all the clothing you were wearing at the time of the attack in a paper bag, not plastic. If the attack happened in your room or apartment, do not clean or straighten up until all the evidence has been collected. However, if you have done any of these things, do not let it stop you from seeking medical treatment and/or from reporting the assault.

Tell someone.

You are urged to contact the Paxton Police (911 or 508-791-6600), the Paxton Police Officer on campus (508-494-9010), the Residence Life Staff (RA on duty 508-527-9120), or any campus official as soon as possible. A counselor will assist you and to work closely with you to ensure that the appropriate medical care and counseling is made available. The counselor will assist you in notifying and/or reporting to the appropriate law enforcement authorities, if you so choose. The counselor will help you with your choices. *College staff will work with you in whatever way reasonably possible to make you feel comfortable and safe.* Such assistance may include housing relocations, change in course schedules, escort services, etc.

Report the assault to police authorities.

College policy dictates that college officials who are informed of a sexual assault urge the victim to file a report to Paxton Police, regardless of where the offense took place. The Campus Counselor or other trusted staff member will help you to make the report to the police if you wish help. Paxton Police have trained sexual assault investigators available. Reporting a sexual assault to the campus and municipal police may not commit you to further legal action. However, the earlier you report an assault the more helpful it will be to police investigating the crime and to prosecute the case successfully. It also helps preserve your options for the future.

Talk with a professional counselor.

Counseling and other victim support service referrals are available at the Campus Health Center. Incidents reported to designated on-campus counselors may be kept confidential, except as required by law.

On and Off-Campus Resources:

Paxton Police Emergency 911
Paxton Dispatch (Police, Ambulance, Fire) 508-791-6600 (recorded line)
Paxton Police Officer on Campus 508-494-9010
AMC Health and Counseling Service (free, confidential) 508-849-3315 (after hours call Paxton Police to access hospital services)
AMC Campus Chaplain or Deacon, (confidential), 508-849-3280

AMC Title IX Coordinator, 508-849-3398
Pathways for Change: Ending the silence…ending sexual violence (24 hour hotline, confidential, free) 800-870-5905
Daybreak: Breaking the cycle of domestic violence (24 hour hotline, confidential, free) 508-755-9030
Victim Rights Law Center (confidential, free) 877-758-8132

XVI. Sex Discrimination, Sexual Harassment, Sexual Assault & Sexual Violence: Title IX Policy

Overview

Rooted in the Roman Catholic tradition of higher education, Anna Maria College is maintained and operated in conformity with the values of the Judeo-Christian tradition and in keeping with the ideals of its foundresses, the Sisters of Saint Anne. The College is committed to nurturing the development of a sense of respect of oneself and for others, as well as a sense of responsibility to society and the world. To stay true to the mission of the College, the environment at AMC must be free of sexual misconduct including: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual discrimination, gender-based harassment, domestic violence, dating violence, and stalking.

AMC recognizes that sexual misconduct is a serious concern on college campuses everywhere. To address this concern, AMC provides educational and preventative programs; services for individuals who have been impacted by sexual misconduct; and accessible, prompt, and equitable methods of investigation and resolution of complaints, including cooperating with Paxton Police when the sexual misconduct rises to the level of a crime.

This Policy is written in a manner as to be easy to understand and accessible to students and employees while fulfilling legal obligations. If you have any questions regarding this Policy, please do not hesitate to contact the Title IX Coordinator, Lisa Driscoll, Director of Human Resources, 508-849-3398, ldriscoll@annamaria.edu; the Title IX Deputy, Andrew Klein, Vice President for Student Success, 508-849-3313, aklein@annamaria.edu; Paxton Police Lieutenant Mark Savasta, 508-494-9010, msavasta@annamaria.edu

Scope of Policy

This policy applies to both students and employees of the College and extends to sexual misconduct in all its forms and to retaliation by or against any employee, student, contractor, guest, visitor, or other person within the jurisdiction of the College.

College jurisdiction shall be limited to the conduct which occurs on College property, at/during College sponsored events at any location, or anywhere when the conduct adversely affects a member(s) of the College community in the pursuit of his/her education and/or the fulfillment of the College's mission.

Individual and Community Responsibility

Each individual of the College Community is personally responsible for:

- ensuring that his/her conduct is free from sexual misconduct;
- reporting any instance of sexual misconduct to the appropriate official in a timely manner;
- cooperating in any investigation of alleged sexual misconduct by providing any information he/she possesses concerning the matter being investigated unless such action violates his/her rights as protected by law;
- actively participating in the College's efforts to prevent and eliminate sexual misconduct;
- maintaining a working/learning/living environment free from sexual misconduct; and
- ensuring that his/her actions support an environment in which an employee/student who files a sexual misconduct claim or cooperates in an investigation may do so without fear of retaliation or reprisal.

Reporting and Confidential Reporting in Brief

All members of the AMC community are encouraged to report sexual misconduct and/or reach out to receive support and services when having experienced sexual misconduct without fear of retaliation or retribution. The College will make every effort to maintain the privacy of parties reporting sexual misconduct by restricting information to those with

a legitimate need to know. Those reporting sexual misconduct should be aware that maintaining privacy is not the same as maintaining complete confidentiality. The complete reporting protocol is found on page 22 of this document.

Confidential Reports

As sexual misconduct can take many forms, there are many avenues to report and address it. There may be times that a person wishes to discuss his/her experience with sexual misconduct or seek services due to an experience in strict confidence. **Confidential reports** may be made on campus (during office hours) to the AMC Health and Counseling Center, Trinity Hall Annex, 508-849-3315, and to the Campus Priest or Deacon, Foundress Hall lower level by the Madore Chapel, 508-849-3280. Available 24-hours a day is the off campus free and confidential hotline at Pathways for Change, 800-870-5905. The AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change personnel will provide support and assistance to a person and, with very few exceptions required by law, are not obligated to report any information about the sexual misconduct to the Police, Title IX Coordinator, or Conduct Code Administrator. Reports made to the AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change are confidential and will not automatically trigger further action by the College.

Non-Confidential Reports

Incidents of any form of sexual misconduct should be reported to the Paxton Police, 508-494-9010 and the Title IX Coordinator, Lisa Driscoll, 508-849-3398, or the Title IX Deputy and Andrew Klein, 508-849-3313.

A more detailed discussion of reporting options can be found under the Reporting Policy and Protocol Section on page 24 of this Policy.

Employees Who Receive Reports

All AMC employees, including students employed by the College, are required to make a report in a timely manner to their supervisors when told of, or when they become aware of, possible sexual misconduct. The supervisor, in turn, will report the incident to the Title IX Coordinator and/or Paxton Police. AMC deems supervisors, managers, coaches and executives as responsible persons for the purposes of Title IX compliance.

Guidance on taking action regarding an incident of sexual misconduct

Go to a safe place. Tell someone you trust.

You are urged to contact the Paxton Police (911 or 508-791-6600), the Paxton Police on campus (508-494-9010) as soon as possible after an incident of sexual misconduct. Paxton Police has trained sexual violence investigators who are available to assist you with evidence collection and preservation, seeking medical assistance, obtaining resources, and safety issues.

Advocates or counselors are available to assist you whether or not you make a report to the Police. These counselors and advocates provide confidential and free support. During office hours, an AMC counselor, 508-849-3315, will be available to assist you and to work closely with you to ensure that you have access to medical support, legal options, and campus interim options. After office hours, a counselor is available at Pathways for Change's 24-hour free and confidential hotline, 800-870-5905. Either an AMC or a Pathways for Change counselor will help you navigate your choices.

College staff will work with you in whatever way reasonably possible to make you feel comfortable and safe. Such assistance may include housing relocations, change in course schedules, escort services, etc. You do not have to make a formal report to access such services.

More information on reporting sexual misconduct is available later in this Policy.

Get medical treatment as soon as possible: SANE nurse/evidence collection

On campus, the Health Center can assist you in receiving the appropriate medical help. When the Health Center is closed, Paxton Police may be contacted to gain access to emergency medical services. You may also contact Pathways for Change, a confidential, free, 24-hour hotline. Pathways will provide a counselor to accompany you to the hospital.

Evidence collection is very important should a victim wish to press criminal charges immediately or at a future date. The Sexual Assault Nurse Examiner (SANE) program provides coordinated and expert forensic services to victims of sexual crime. Available 24-hours per day through Worcester hospital emergency rooms, SANE nurses are highly trained in medical-legal examinations and forensic evidence collection. SANE nurses provide invaluable care to victims of sexual assault and rape in the critical hours following the crime. SANE examinations are available at no cost to the victim. When possible, bring a full change of clothing, including shoes, to the emergency room for use after a medical examination.

Be aware that, even if the hospital calls local authorities, you are not obligated to speak to them. It is not necessary to file a police report to receive SANE services. The evidence collected through the forensic examination will be kept for a specific period of time in case criminal charges are filed in the future.

Preserve all physical evidence.

In the event that sexual assault or sexual violence occurred, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. (The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option for the future.) Survivors should not smoke, bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they were, bring all the original clothing to the hospital in a paper bag. (Plastic bags damage evidence). If the attack happened in the victim's room or apartment, do not clean or straighten up until all the evidence has been collected. However, if you have done any of these things, do not let it stop you from seeking medical treatment and/or from reporting the incident of sexual violence.

Report the assault to police.

Paxton Police have trained sexual violence investigators available. Reporting an incident of sexual violence to Paxton Police may not commit you to further legal action. However, the earlier you report an incident of sexual violence, the more helpful it will be to police investigating the crime and to the prosecutor in prosecuting the case successfully. It also helps preserve your options for the future. You do not have to report an incident of sexual violence to Paxton Police to receive support services and interim measures.

Talk with a professional counselor: a good place to begin.

Counseling, medical support, and other victim support service referrals are available at the AMC Health and Counseling Center, 508-849-3315, Trinity Annex. Reports made to the AMC Health and Counseling Center are confidential and the services are free to AMC students. When the Health and Counseling Center is not open, you may contact Paxton Police, 911 or 508-494-9010, to gain access to emergency medical services. Incidents reported to designated on-campus counselors may be kept confidential, except as required by law.

A counselor is always available offering crisis intervention, counseling, referrals, support (including at the hospital) and information through Pathways for Change, 800-870-5905. This community resource is confidential and free of charge.

On Campus Resources:

Paxton Police (24 hour) 911 or 508-494-9010 West end of Foundress Hall.

AMC Health & Counseling Service (a good place to begin; confidential reports may be made here) Linda Aronson, Director, Trinity Annex (off East end), 508-849-3315, laronson@annamaria.edu *After hours, call Pathways for Change at 800-870-5905 to make a confidential report and for access to hospital services.*

AMC Campus Ministry (confidential reports may be made here) Fr. Manuel Clavijo, Foundress Hall lower level, 508-849-3280, mclavijo@annamaria.edu Deacon Jack Franchi, Foundress Hall lower level, 508-849-3399, jfranchi@annamaria.edu

Title IX Coordinator Lisa Driscoll, Director of Human Resources, Socquet House 1st floor, 508-849-3398, ldriscoll@annamaria.edu

Title IX Deputy Andrew Klein, Vice President for Student Success, Trinity East 2nd floor, 508-849-3313, aklein@annamaria.edu

On Campus Living Adjustments:

- AMC Residence Life Michelle Chapman, Director, St. Anne Hall Vestibule, 508-849-3271, mchapman@annamaria.edu
- Academic Adjustments: Student Success Center Dennis Vanasse, Director, Trinity East 1st floor, 508-849-3372, dvanasse@annamaria.edu

Off-Campus Resources

Counseling/Advocacy services: these local, state, and national services provide confidential support 24-hours a day

- Pathways for Change (a good place to start) A Counselor is always available offering crisis intervention, counseling, referrals, support (including at the hospital) and information. 800- 870-5905
- Daybreak Domestic Violence Services. YWCA of Central MA: 508-755-9030
- UMass Memorial University Campus Emergency Mental Health 508-856-3562
- Violence Recovery Program (LGBT Services, located in Boston):800-834-3242 office hours & 877-785-2020 Safelink after office hours
- National Domestic Violence Hotline 800-799-SAFE (7233)
- National Sexual Assault Hotline 800-656-HOPE (4673)
- Stalking Hotline 800-394-2255
- Samaritans (Suicide Prevention) 877-870-4673
- GLBT Helpline 888-340-4528

Medical services: these hospital emergency rooms have SANE nursing to provide **confidential**, compassionate, comprehensive, expert forensic nursing care to survivors of sexual assault at no charge.

- UMass Memorial Hospital ER 508-334-6481
- UMass Memorial University Campus ER 508-334-3511
- St. Vincent Hospital ER 508-363-6025

Law Enforcement

· Paxton Police 911 or 508-494-9010

Court Advocacy: confidential services

- Daybreak / SAFEPLAN (assistance with restraining orders) 508- 831-2168
- Victim Witness Program (advocate from DA's office) 508- 755-8601

Legal Assistance: confidential services

- Community Legal Aid 508-752-3722
- Victim Rights Law Center 617- 399-6720
- Massachusetts Justice Project (legal advice and referrals) 508-831-9888
- Violence Recovery Program (LGBT Advocacy) 800-834-3242

State & National Resources

- State resources
  - www.mass211.org
- National resources
  - www.211us.org
  - www.NotAlone.gov

Interim measures: safety on campus after an incident of sexual misconduct

When immediate interim measures to ensure his/her safety and well-being are requested by a person who has experienced sexual misconduct, they will be provided by the College as those measures are reasonable and available.

For Students: A student does not have to file a formal report with the Police or under the Student Code of Conduct to obtain interim measures. Interim measures may include, but are not limited to, changes in class schedule or class location; changes in living arrangements; issuing a no-contact order; obtaining counseling or health services; and/or modifying test schedules or other class requirements temporarily. Requests for interim measures are best made to the Health and Counseling Center (confidential reporting may be made here), but may also be made to Paxton Police or Title IX Deputy. Students may directly ask faculty and/or appropriate staff for interim measures but should be aware that the employee must then make a report about the alleged sexual misconduct to the Title IX Coordinator.

For employees: Requests for interim measures may be made to the Title IX Coordinator. When reasonable and available, interim measures may include, but are not limited to, no-contact orders, a change in work schedule, a change in office and/or escort to/from vehicle.

Definitions

Sexual Misconduct: General

"Sexual misconduct" is a broad term encompassing any sexual or gender-based behaviors that are not tolerated by the AMC community. Sexual misconduct can take many forms: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual misconduct, sexual discrimination, gender-based harassment, domestic violence, dating violence, and stalking.

Sexual misconduct may be committed by anyone, regardless of gender identity. It may occur between people of the same or different sex or gender. You can be subjected to sexual misconduct by anyone in your life: friend, supervisor, roommate, intimate partner, ex-boy/girlfriend, classmate, acquaintance, teammate, colleague, professor, or stranger. Misconduct can range in severity from inappropriate humor to physical assault; from a one-time belittling remark about your gender-identity to repeated sexual harassment creating a hostile environment where your academic or job performance is harmed. The misconduct can be experienced person-to-person; by seeing written notes, photographs, or drawings; by receiving phone calls or text messages; or over the internet. No matter the form, no matter the severity, no matter the perpetrator: **sexual misconduct will not be tolerated at AMC**.

You do not have to be the person at whom the unwelcome sexual conduct is directed to experience sexual misconduct. If the unwelcome sexual conduct creates an intimidating, hostile, or offensive working, living, or academic environment for you or interferes with your work or academic performance, then it could be a violation of this Policy.

The definitions of the most common forms of sexual misconduct behaviors are below. The College reserves the right to classify as "sexual misconduct" behaviors that are not explicitly listed below but, based upon a "reasonable person" standard, would be considered to be such conduct.

<u>While we have attempted to define and give examples of forms of sexual misconduct, we recognize that this list cannot cover every experience that one may have. If you feel that you have been the victim of or have witnessed sexual misconduct that is not listed below, you are strongly encouraged to report it and/or seek services due to it. Don't wait until the behavior has risen to a level that you can "fit" into a definition: seek out support and help as soon as possible.</u>

Sexual Misconduct Definitions and Examples

1. **Gender-based or Sexual Harassment:** Gender-based or sexual harassment is a form of sex discrimination and is prohibited by State and Federal laws. Gender-based or sexual harassment includes any unwelcomed conduct of a sexual or gender-based nature when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, work, or educational activities; or 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 effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, demeaning, or offensive academic, work, or living environment.

   Sexual or gender-based harassment is a broad term that includes many forms of misconduct from unwelcomed comments to sexual assault. More severe or violent forms of gender-based or sexual harassment are defined separately below. They include domestic violence, dating violence, sexual exploitation, stalking, and intimidation.

Sexual or gender-based harassment does not occur only during voluntary social activities. It can occur in the workplace or anywhere in the academic environment: classroom, Success Center, library, Study Abroad trip, or employee offices. Sexual or gender-based harassment is behavior which is not welcomed by the student/employee, is personally offensive to him or her, and/or undermines morale and/or interferes with the ability of the employee/student to work/learn effectively.

Sexual or gender-based harassment may create a hostile environment when it is sufficiently serious and objectively offensive as to deny or limit a person's ability to participate in or benefit from the academic, social, and/or work environment at AMC. Not all sexual or gender-based harassment will create a hostile environment.

While it is not possible to list all of the circumstances that may constitute sexual or gender-based harassment, depending upon the totality of the facts, including the severity of the conduct and its pervasiveness, following is a list of unwelcomed situations that could constitute sexual or gender-based harassment:

- abusive conduct directed towards one sex;
- use of sexually degrading words or images;
- name calling and/or insults based on gender nonconformance;
- telling sexual stories or jokes or making sexual comments;
- gossip, with sexual overtones (e.g. talking about a person's sex life), which makes for unpleasant educational conditions and undermines the integrity of educational relations;
- unwanted teasing, remarks, comments or questions with sexual innuendoes or in reference to a person's gender, sexual orientation, or sexual activities;
- verbal comments of a sexual nature about an individual's appearance or sexual terms used to describe an individual;
- comments, jokes, or threats directed at a person because of his/her sexual orientation, gender-orientation, or gender-expression;
- videotaping or photographing someone or people without consent
- posting or distributing sexually suggestive objects, pictures, cartoons, or other materials;
- unwanted sexually-oriented letters or notes;
- sending unwanted offensive or discriminatory messages or materials through the use of electronic communications (e.g. email, social media, voice mail, text messages, instant message or fax) which contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation or gender-identity;
- unwelcome and/or repeated invitations (for lunch, dinner, drinks, dates, sexual favors, sexual relations);
- demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment/student status or promises of preferential treatment;
- staring at parts of a person's body, leering, ogling, winking, or making suggestive gestures;
- suggestive sounds or noises, including wolf whistles, kissing sounds, or howling;
- unwanted, inappropriate references to a person as "hunk," "doll," "babe," "honey," "stud," or "sweetie;"
- unwanted sexual gestures, including sexual hand gestures or body movements, touching or rubbing oneself sexually in the presence of another person, throwing kisses, or licking lips;
- unwanted physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching, or repeated brushing up against one's body;
- deliberate and unwanted bumping, leaning over, cornering, mauling or grabbing;
- indecent exposure or sexual exhibitionism;
- peeping or other voyeurism;
- assaults, molestations, or coerced sexual acts;
- sexual assault or rape;
- attempting to force someone to engage in sexual relations; and/or
- condoning any behavior that would be considered sexual or gender-based harassment.

2. **Sexual Assault (non-consensual sexual intercourse and/or non-consensual sexual contact):** Any form of sexual intercourse (anal, oral, or vaginal), however slight, with any object without consent is sexual assault.

Intercourse means: vaginal penetration (however slight) by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact).

Any intentional sexual touching, however slight, with any object without a person's consent is sexual assault. Intentional sexual contact includes contact with the breasts, buttocks, groin, or touching another with any of these body parts, or making another person touch any of these body parts or any intentional bodily contact in a sexual manner.

3. **Rape:** Rape is defined in the general laws of Massachusetts as follows: "Whoever has sexual intercourse with a person and compels such person to submit by force or against their will or compels such person to submit by force or against their will or compels such person to submit by threat of bodily injury. If the act occurs while the victim is unconscious, asleep or otherwise unable to communicate willingness, it is still considered rape."

4. **Sexual Exploitation:** Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or to benefit or advantage anyone other than the one being exploited. Sexually-based stalking or bullying may also be forms of sexual exploitation. Examples of sexual exploitation include, but are not limited to:
    - prostituting another person;
    - non-consensual video or audio taping of sexual activity;
    - non-consensual distribution of images or information of another's sexual activity, intimate body parts or nakedness with the intent to or having the effect of embarrassing an individual who is the subject to such images or information;
    - going beyond the boundaries of consent (i.e. allowing others to watch you have consensual sex without telling your sexual partner that they are watching);
    - engaging in non-consensual voyeurism;
    - knowingly transmitting an STI or HIV to another without having disclosed your STI or HIV status; or
    - exposing one's genitals in non-consensual circumstances, or inducing such exposure in another person.

5. **Domestic Violence:** a pattern of coercive and controlling behaviors and tactics used by one person over another to gain power and control. In domestic violence situations, the involved persons can be intimate partners or former intimate partners; those who are or have been in a substantive dating or engagement relationship; those residing in the same household; and/or family members. The abusive behaviors can involve one or more of the following:
    - physical harm;
    - direct or implied threat of physical harm or causing a situation where fear of physical harm is present;
    - economic abuse:
    - emotional abuse creating apprehension of physical harm to self, loved ones or pets or damage to property; and/or
    - repeated communication, anonymously or directly, made with the intent to intimidate, control, terrify, harass, or threaten.

6. **Relationship (Dating) Violence**: abuse or violence between those in a dating relationship involving one or more of the following:
    - physical harm;
    - direct or implied threat of physical harm or causing a situation where fear of physical harm is present;
    - emotional abuse creating apprehension of physical harm to self, loved ones or pets or damage to property; and/or
    - repeated communication, anonymously or directly, made with the intent to intimidate, control, terrify, harass, or threaten.

7. **Stalking**: a pattern of behavior over a period of time directed at a specific person that would cause a reasonable person to feel fear.

    Stalking can rise to the level of a crime. Massachusetts law defines stalking as 1) willfully and maliciously engaging in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial

emotional distress and 2) making a threat with the intent to place the person in imminent fear of death or bodily injury.

Stalking behaviors may include:

- non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on Web sites, written letters, gifts, or any other communications that are undesired and/or place the specific person in fear;
- following, pursuing, waiting for, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by the specific person;
- surveillance and other types of observation, whether by physical proximity or electronic means (including peeping, staring, use of spyware on the specific person's computer, stealing/using of passwords to gain access to emails or voicemails, monitory by GPS or other application;
- trespassing;
- vandalism;
- non-consensual touching;
- direct physical and/or verbal threats against the specific person, his/her loved ones, and/or pets;
- gathering of information about the specific person from family, friends, co-workers, and/or classmates;
- manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the specific person; and/or
- lying to others about the specific person (defamation or slander).

Other Definitions

1. **Consent**: Consent is informed, freely and actively given, and requires clear communication between all persons involved in the sexual encounter. Lack of consent is a critical factor in any incident of sexual misconduct. If you have sexual activity with someone you know to be, or should know to be, mentally or physical incapacitated (for instance by alcohol or drug use, unconsciousness, or blackout), you are in violation of this policy. Use of alcohol or drugs will never function to excuse behavior that violates this policy.
    - Consent is active, not passive.
    - Silence, in and of itself, cannot be interpreted as consent.
    - Consent can be communicated verbally or by actions. In whatever way consent is communicated, it must be mutually understandable.
    - Consent can be withdrawn at any time.
    - It is the responsibility of the initiator of sexual contact to make sure he or she fully understands what the person(s) with whom they are involved want(s) or do(es) not want sexually.
    - Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
    - Previous relationships or consent does not imply consent to future sexual acts.
    - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
    - Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.
    - Effective consent cannot be given by minors (in Massachusetts, persons under 16 years of age are considered "minors" in this context), individuals with a mental disability, or persons incapacitated as a result of drugs and/or alcohol.

2. **Use of alcohol and other drugs**: The recreational and/or social use of alcohol or other drugs never makes someone at fault for being sexually assaulted. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. The use of alcohol and other drugs do not always create incapacitation. The standard of "a reasonable person" will be used for determining if one should have known that the impact of the alcohol or drug made the other person unable to give consent.

    Sometimes a person is reluctant to report instances of sexual misconduct when other policy violations, such as underage drinking, may be involved. To encourage reporting, any other policy violations may be addressed (if necessary) separately from the sexual misconduct allegation.

3. **Incapacitation:** Incapacitation is a state where one cannot make a rational, reasonable decision because he or she lacks the ability to give knowing consent or to understand the "who, what, when, where, why, or how" of his or her sexual interaction. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the ingesting of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one or more of these or any drugs to another person for the purpose of inducing incapacity is a violation of this policy.

4. **Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

5. **Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that he or she does not want sex, wants to stop an encounter, or does not want to proceed past a certain point of interaction, continued pressure beyond that point can be coercive.

Reporting Policy and Protocol

Overview

It is the responsibility of each and every member of the Anna Maria College community to foster an inclusive environment and to take a stand against sexual misconduct. To that end, Anna Maria College expects all members of the community to report any incident of sexual misconduct, including: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual misconduct, sexual discrimination, gender-based harassment, domestic violence, dating violence, and/or stalking, immediately, whether experienced first-hand or directed against someone else. It is only through each community member speaking out that the College can act to investigate and work to eliminate sexual misconduct.

There is no time limit on reporting an incident of sexual misconduct. The individual experiencing or witnessing the sexual misconduct should be aware that the longer the period of time between the event and the report, the more difficult it will be for an investigation to be successfully concluded. Even if an individual may not wish to file a report immediately upon experiencing sexual misconduct, he/she is strongly encouraged to make a confidential report as soon as possible. By speaking in a confidential setting with a member of the AMC Health and Counseling Center, Campus Priest, Campus Deacon or a volunteer on a community hotline such as Pathways for Change or Daybreak, an individual may receive support and advocacy even without filing a report.

While the community at large bears the responsibility to speak out against sexual misconduct, staff with managerial or supervisory authority (including student Residence Life and Orientation staff), faculty members, and administrators are required, when they have reasonable cause to believe or personal knowledge of sexual misconduct occurring to: 1) notify the victim(s) of the existence of this Policy and 2) to report the issue in a timely manner to the Title IX Coordinator, the Director of Human Resources, Lisa Driscoll, Socquet House, 508-849-3398, ldriscoll@annamaria.edu, or to Deputy Title IX Coordinator, the Vice President for Student Success & Retention, Andrew Klein, Trinity East 2nd floor, 508-849-3313, aklein@annamaria.edu. Any member of the College community who has a question about his or her responsibilities under this policy should contact the Title IX Coordinator or the Deputy Title IX Coordinator.

Reporting Incidents

Students, faculty, and staff who wish to report an incident of sexual misconduct are strongly encouraged to contact Paxton Police, 911 or 508-494-9010. Paxton Police are available 24-hours a day, 7 days a week. Paxton Police have trained sexual violence investigators who are available to assist victims during what can be a very emotional and stressful time. The Paxton Police Department provides Anna Maria College with our Public Safety Services and works closely with the Office of Residential Life, the AMC Health and Counseling Center to support victims of and to promote awareness about sexual misconduct.

The decision to report a sexual assault or sexual violence to the Paxton Police or to file a complaint is entirely the victim's choice. Reporting to the Paxton Police or filing a complaint is not necessary for a victim to receive counseling or other supportive services.

A student and/or employee may choose to report an incident of sexual misconduct to both the Paxton Police for criminal pursuit and to the College for action under the Student Code of Conduct and/or College policies. Because the standards for finding a violation of criminal law are different from the standards in this Policy, criminal investigations or reports are not determinative of whether or not a violation under this Policy has occurred. The filing of a criminal report will not delay the College acting on the report under this Policy.

Paxton Police can assist anyone reporting sexual misconduct to:

- receive medical services (including access to a SANE nurse at local hospital emergency room, regardless of a formal report being filed);
- get information about filing a criminal complaint or other legal action without actually filing a formal complaint;
- make a criminal complaint (including securing possible evidence);
- file a restraining order;
- make a Code of Conduct complaint;
- receive support services (on and/or off campus resources regardless of a formal report being filed); and
- access interim measures such as getting an on campus "no contact" order, changing residence hall room, academic accommodations, and other interim measures (regardless of a formal report being filed).

Reports of sexual misconduct may also be reported by students, faculty and staff to the following:

Title	Name	Contact Information
Title IX Coordinator, Director of Human Resources	Lisa Driscoll	Socquet House, first floor, Box H, 508-849-3398, ldriscoll@annamaria.edu
Title IX Deputy, Vice President of Student Success	Andrew Klein	Trinity East, second floor, Box F, 508-849-333, aklein@annamaria.edu

The Title IX Coordinator, Title IX or Deputy can assist a student reporting sexual misconduct to:

- receive medical services (including access to a SANE nurse at local hospital emergency room regardless of a formal report being filed);
- receive support services (on and/or off campus resources regardless of a formal report being filed);
- understand and have questions answered about this Policy;
- make a Code of Conduct complaint;
- contact Paxton Police to file a criminal complaint, obtain a restraining order, or discus legal options without filing a formal report;
- access interim measures such as getting an on campus "no contact" order, changing residence hall room, academic accommodations, and other interim measures (regardless of a formal report being filed); and/or
- file an anonymous report.

Employee as Victim Reporting

An employee is encouraged to report possible sexual misconduct of which he/she is a victim which occurs on campus, at an AMC sponsored event, may negatively impact his/her ability to successfully do his/her job, and/or which involves an AMC community member. If an employee prefers to discuss a possible sexual misconduct problem with his or her supervisor, the employee may always do so, but employees do not have to go through the regular chain of supervision when reporting sexual misconduct and may go directly to Paxton Police, 911 or 508-494-9010, or to the Title IX Coordinator, Director of Human Resources, Lisa Driscoll, 508-849-3398.

Employees may talk in confidence with the employee resource LifeScope by calling 800-828-6025, the 24-hour hotline available to AMC employees. Employees may also use the confidential, 24-hour hotlines available to the general community such as Pathways for Change, 800-870-5905, and Daybreak, 508-755-9030.

Anonymous Reporting

A student or employee may wish to make a report about sexual misconduct but may want to keep his/her name from the report. Anonymous reports will result in an investigation of the alleged behavior by the College as the College is obligated by law to take action. If the complainant requests anonymity or asks that the complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for anonymity or request not to pursue the investigation, however, the College's ability not to investigate as requested may be limited by its legal obligations. The Title IX Coordinator, Lisa Driscoll, is responsible for evaluating requests for anonymity and/or taking no action and weighing the request against the College's legal responsibility to investigate and/or take action.

When the Title IX Coordinator or the Deputy Title IX Coordinator is made aware of an incident involving sexual misconduct, the Coordinator involved will ensure that an anonymous incident report is made to the Paxton Police to comply with campus safety laws (known as the "Clery Report"). The name of the reporting party and/or possible victim will not be disclosed or in any way connected to the report. The report contains the following data about the incident (as available from the original report): date, time, location (as specific as possible without revealing the identity of the alleged victim) and type of sexual misconduct reported.

Confidential Reporting, Students

There may be times that a student wishes to discuss his/her experience with sexual misconduct or seek services due to an experience in strict confidence. Confidential reports may be made on campus (during office hours) to the AMC Health and Counseling Center, Trinity Hall Annex, 508-849-3315, and to the Campus Priest or Deacon, Foundress Hall lower level by the Madore Chapel, 508-849-3280. Available 24-hours a day is the off campus free and confidential hotline at Pathways for Change, 800-870-5905.

The AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change personnel will provide support and assistance to a student and, with very few exceptions required by law, are not obligated to report any information about the sexual misconduct to the Police, Title IX Coordinator, or Conduct Code Administrator. Reports made by students to the AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change are confidential and will not automatically trigger further action by the College.

Sharing at Educational Event

The College and/or community will at times sponsor educational events around preventing and/or recognizing sexual misconduct. Some of these events, such as "take back the night rallies" or "Denim Day", can encourage participants to share personal experiences with the group and/or with the facilitators/organizers. If a student or employee chooses to share an experience with sexual misconduct in this manner, it is not considered a report to the College. The College is not obligated by law to take action due to such a sharing.

Title IX Compliance Team

The Title IX Compliance team includes administrators from Athletics, Student Affairs, Student Success & Retention, Human Resources, and the Paxton Police. The team will meet regularly and as needed to review adherence to policy and policy training.

The Title IX Coordinator, Lisa Driscoll, Director of Human Resources, has the responsibility for the overall development, administration, and monitoring of all programs, policies, procedures, and regulations related to Title IX and sexual misconduct. The Title IX Deputy, Andrew Klein, Vice President of Success & Retention, in addition to assisting the Title IX Coordinator, has the responsibility for the development, administration, and monitoring of all educational programs, policies, procedures and regulations related to sexual misconduct experienced by or perpetrated by students.

Listed below are the members of the Title IX Compliance Team who have primary responsibility for Title IX compliance and with whom complaints regarding sexual misconduct may also be filed:

Title	Name	Contact Information
Title IX Coordinator, Director of Human Resources	Lisa Driscoll	Socquet House, first floor, Box H, 508-849-3398, ldriscoll@annamaria.edu
Title IX Deputy, Vice President of Student Success	Andrew Klein	Trinity East, second floor, Box F, 508-849-333, aklein@annamaria.edu
Director of Residence Life	Michelle Chapman	St. Anne Hall front Vestibule, Box 8, 508-849-3271, mchapman@annamaria.edu
Athletic Director	Laura Habacker	AMCat Center, Box A, 508-849-3447, lhabacker@annamaria.edu
Paxton Police Lieutenant	Mark Savasta	Foundress Hall West, Box 1, 508-494-9010, msavasta@annamaria.edu

Reporting Sexual Misconduct: Summary

Chart showing to whom you may make which type of report:

	Full Report & Investigation	Anonymous Report	Confidential Report
Tell Paxton Police	Yes		
Tell AMC staff, including student staff, administrator, faculty member	Yes (Paxton Police will be called)	Yes (Paxton Police will be given report with identifying data removed unless full investigation required by law)	
Tell AMC Health and Counseling Center			Yes
Tell AMC Priest or Deacon (in their professional capacity)			Yes
Call off campus confidential hotline (i.e. Pathways for Change, Daybreak, Victim Rights Law Center, etc.)			Yes
Go to Emergency Room of Hospital (SANE nurse available)			Yes

Chart explaining what actions each report can initiate:

	Full Report	Anonymous Report	Confidential Report
Receive support services (counseling, advocacy)	Yes	Yes	Yes
Receive medical assistance	Yes	Yes	Yes
Ask for and receive interim measures such as change housing, class or work schedule, receive no contact order, access academic supports	Yes	Yes	Yes
Make criminal complaint	Yes	No	No
Make Conduct Code Complaint	Yes	Yes (but College's ability to act on the complaint may be limited)	No
College must investigate complaint	Yes	Yes (but College's ability to act on the complaint may be limited)	No
Complaint part of crime data (no personal information included)	Yes	Yes	No
Timely warning must be issued if situation merits	Yes	Yes	No
Name of alleged victim possibly disclosed to alleged perpetrator during investigation	Yes	No (unless circumstances warrant College taking action by law)	No investigation, name not disclosed
Can request investigation be stopped/no further action taken	Yes (but College reserves right to continue investigation under certain circumstances)	Yes (but College reserves right to continue investigation under certain circumstances)	No investigation

Investigation Procedures and Protocols

When a report is filed, it will be promptly investigated in a fair and expeditious manner and in such a way as to maintain privacy to the extent practicable under the circumstances. For reports involving students, the investigation will be conducted under the procedures outlined in the Student Code of Conduct. For reports involving employees, the investigation will be conducted under the procedures outlined in the Employee Handbook.

Reports of sexual misconduct filed under the Student Code of Conduct will be investigated by Andrew Klein, Vice President of Student Success and Retention, Trinity East, 508-849-3313, aklein@annamaria.edu. This investigation will be fair, thorough, and done in a prompt fashion. The investigation may include interviews with the employee/student making the complaint, with witnesses, and with the person accused of sexual misconduct. The investigation will be conducted in such a way as to maintain privacy to the extent practicable under the circumstances. The basis for reaching a decision of responsibility will be based on the "preponderance of evidence" standard.

Decision

If the College finds that the allegations in the complaint have been established by the investigation, the College will initiate discipline of the charged individual. Such action may range from counseling to termination from employment or student status. Discipline will be appropriate to the offense and employees involved, and may include discharge, subject to the College's at-will employment policy.1

The College will notify the complainant and the respondent of the disposition of the investigation at the same time using AMC email as allowed by law.

Appeal

The appeal process is outlined for students in the Student Code of Conduct.

Retaliation

Retaliation against an individual for filing a complaint of sexual harassment or against any individual for cooperating in an investigation of a gender or sexual misconduct complaint is prohibited by this policy and, in many cases, by State and Federal law. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. This includes action taken against a bystander who intervened or attempted to intervene to stop the sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against a person because of that person's complaint or participation or inciting others to retaliate on one's behalf.

Relations with Subordinate Employees and Students

In keeping with the College's interest in prohibiting unethical conduct, the College prohibits faculty members or supervisors from engaging in romantic or sexual relations with individuals over whom they exercise evaluative or supervisory authority, including students employed in any capacity by the College.

The College also considers inappropriate, and therefore prohibits, any relationship of a romantic or sexual nature between a faculty or staff member and a student, even when no such evaluative or supervisory relationship exists.2

False Accusation

The College recognizes that false accusations of sexual misconduct can have serious effects on innocent persons. If, after an investigation has been completed, a person has accused another of sexual misconduct based on frivolous, reckless, or bad-faith complaints leading to a false accusation, the employee/student will be subject to appropriate sanctions, up to and including student suspension/dismissal and employee discharge.

Policy Dissemination

The College's policies and complaint procedures are well publicized to students and employees. These policies and procedures are documented for students in the Student Handbook located on the College web site. For employees, they are referenced in the Employee Guidelines and found on the employee intranet. The College will distribute a copy of

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[1] Contract employees will be subject to discipline in accordance with the terms of the employee's employment agreement. . Allegations against a faculty member will be handled in accordance with the Faculty Handbook.

[2] Specific information including preexisting relationships is covered in the College's Code of Ethics Policy and has been issued.

the Sexual Misconduct (Title IX) Policy to current employees and students on an annual basis through AMC email. New employees will receive a copy of the policy during employee orientation in the Human Resources office.

Legal References

In setting forth publicly the College's goal of promoting an educational and work environment that is free of sexual harassment in all of its forms, this policy is neither designed nor intended to limit the College's authority to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definition of sexual misconduct.

With respect to statements, discussions, or written materials used in the classroom, any reports of sexual misconduct will be considered in the context of the curriculum. Nothing in this policy is meant to in any way prohibit or abridge the use of particular textbooks or curricular materials.

Sexual harassment is expressly forbidden by federal and state regulations and action by the federal government has established that such behaviors are actionable under the provisions of Title VII of the 1964 Civil Rights Act and the Civil Rights Act of 1991, the provision of Title IX of the 1972 Educational Amendments and under Massachusetts General Law, chapter 151B, Sections 3A, 4(1), and 16A. Consistent with its commitment to a safe and healthy environment, Anna Maria College complies with all applicable Federal and State laws. These include Title IV of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 (Title IX), the Family Educational Rights and Privacy Act of 1974 (FERPA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act and VAWA amendment), Massachusetts General Laws Chapter 151B section 3A, and their implementing regulations and related guidance. Sexual misconduct, as defined in this policy, constitutes forms of sex discrimination prohibited by Title IX.

State and Federal Agencies

Using the College's complaint process does not prohibit an employee or student from filing a complaint with state or federal agencies with appropriate jurisdiction. Each of these agencies has a deadline for filing claims (EEOC 300 days; MCAD – 300 days; OCR – 180 days).

The Massachusetts Commission Against Discrimination ("MCAD"), located at One Ashburton Place, Room 601, Boston, MA 02108, and 436 Dwight Street, Suite 220, Springfield, MA 01103, is responsible for enforcing the Massachusetts sexual harassment law, and the U.S. Equal Employment Opportunity Commission ("EEOC") is responsible for enforcing the federal law prohibiting sexual harassment. The EEOC is located at JFK Federal Office Building, Government Center, Room 475, Boston, MA 02203. They may be contacted at the above addresses. The Office of Civil Rights (OCR) may also be contacted at U.S. Department of Education, 33 Arch Street, Suite 900, Boston, MA 02110

XVII. Campus Sex Crimes Prevention Act/Sex Offenders Registry Information

The Federal Campus Sex Crimes Prevention act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The Act also requires registered sex offenders to provide to appropriate state officials notice of each institution of higher education at which the offender is employed, carries on a vocation, or is a student.

The public may request information about sec offenders in Massachusetts at the Massachusetts Sex Offenders Registry Board (SORB), 978-0740-6400 or at http://sorb.chs.state.ma.us/ or at the Paxton Police Department, 508-755-1104.

Information contained in the Sex Offenders Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one half years in the house of corrections or by a fine of not more than $1000 or by both such fine and imprisonment.

XVIII. Campus Crime Statistics

Definitions of each offense may 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 of Postsecondary Education, 2011. Campus Crime

Statistics for AMC and other colleges and universities may be searched through the Department of Education web site found online at http://ope.ed.gov/security/index.aspx.

OFFENSE	YEAR	ON CAMPUS PROPERTY	RESIDENTIAL FACILITIES*	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Negligent Manslaughter	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Sex Offenses, Forcible	2011	1	1	0	0
	2012	2	2	0	0
	2013	3	3	0	1
Sex Offenses, Non-Forcible	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Domestic Violence	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Dating Violence	2011	1	1	0	0
	2012	2	2	0	0
	2013	4	3	0	0
Stalking	2011	0	0	0	0
	2012	0	0	0	0
	2013	1	0	0	0
Robbery	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Aggravated Assault	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	1
Burglary	2011	0	0	0	0
	2012	5	0	0	0
	2013	1	1	0	0
Motor Vehicle Theft	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Arson	2011	0	0	0	0
	2012	0	0	0	0
	2013	1	1	0	0
Liquor Law Arrests	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2011**	119	119	0	0
	2012	64	64	0	0
	2013	48	48	0	0
Drug Law Arrests	2011	0	0	0	0
	2012	2	2	0	0
	2013	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2011	1	1	0	0
	2012	8	8	0	0
	2013	7	5	0	0
Illegal Weapons	2011	0	0	0	0

Possession Arrests	2012	0	0	0	0
	2013	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0

**Crimes reported in the "residential facilities" column are included in the "on-campus" category.*
***Campus population in 2009 grew from 480 to 610 students with over half being freshmen. 2010 staffing increase combined with a more even population helped reduce incidents.2011 brought the first "suite style" building on line causing fewer incidents but more students involved per incident.*

XIX. Fire Safety

A. General Fire Safety

Paxton Police Department works closely with the Paxton Fire Department to keep the campus safe from fire hazards. Each College building has a monitored alarm system activated by manual pull stations and smoke detection units. A yearly professional inspection of the fire safety system is performed. Anyone having concerns about fire safety equipment or a possible fire hazard on campus is urged to immediately call Paxton Police, 508-494-9010.

B. In Case of Fire

- Activate the closest fire alarm pull station.
- Leave the building closing the door(s) behind you. Go to an area of safety.
- Report the fire by calling "911."
- Only attempt to extinguish the fire using a fire extinguisher if you can do so without risk to yourself.

C. To Report a Past Fire:

A "past" fire would be a situation where a fire probably has occurred but is now out. An example would be finding burned materials in a trash can. To report a "past" fire, you may contact any of the following:

Resource People for Reporting a "Past" Fire

Paxton Police Officer publicsafety@annamaria.edu	South Foundress Hall	508-494-9010
Paxton Police Lt. Savasta msavasta@annamaria.edu	South Foundress Hall	508-793-3133
Paxton Police Chief Desrosiers PoliceChief@townofpaxton.net	Public Safety Complex, Town of Paxton	508-755-1104, x3131
Director of Human Resources, Lisa Driscoll (Title IX Coordinator) ldriscoll@annamaria.edu	Human Resources Office, Socquet House first floor	508-849-3398
Vice President for Student Success and Retention, Andrew Klein (Title IX Deputy) dklein@annamaria.edu	East Trinity Hall, second floor	508-849-3387
Director of Residence Life, Michelle Chapman mchapman@annamaria.edu	111 St. Anne Hall, off front vestibule	508-849-3271
Any Residence Life staff member, including RAs		

D. Public Fire Log:

A chronological record of all fires reported on campus is maintained by the Paxton Public Safety Office. It may be viewed during regular office hours Monday – Friday. The log may be maintained in the Paxton Public Safety Complex located at 576 Pleasant Street in Paxton, Massachusetts.

E. Residence Hall Fire Safety

1. Education in the Halls: Working with Residence Life, Paxton Police conducts educational sessions with students and the RA and professional staff around fire safety issues. The educational video, "How Fast It Burned" is used to educate the residence life staff about fires in the residence halls.
2. Fire Drills: Regular fire alarm drills (supervised scheduled evacuation practices) are held to make sure students and staff will know how to react to an alarm. Residence Hall fire drills are held each spring and fall. Fire drills in 2013 were held in January and September in Madonna, Coghlin/Alumni, St. Anne, and South halls.
3. Residence Hall Fire Safety Policy: Anna Maria College has policies regarding fire safety and evacuation. The following policy is taken from the Guidelines to Residence Hall Living. The Guidelines may be found in the AMC Undergraduate Student Handbook on the AMC web site:

The College expects that students will respect the security of the building, be knowledgeable of the proper use of all fire and other safety apparatus and refrain from creating fire or other safety hazards. Screens are not to be removed from windows. Students will assist in the securing of the building by reporting any propped or disabled exit doors and missing screens to the residence life staff. Smoke and heat detectors are a vital part of the fire safety system. Students are not to tamper with this equipment in any manner or attempt to block the proper working of the detectors. Students are expected to report any disabled fire safety equipment to the staff immediately. Tampering with fire safety equipment carries a severe penalty. The Residence Life Staff will conduct random room inspections throughout the year to ensure that smoke detectors are functioning properly and other health and safety requirements are being met.

- Students are expected to respond immediately to the building fire alarm by evacuating the building in an orderly and timely manner. Students are expected to respond to room smoke detector alarms in a timely manner. Activation of and/or causing the activation of a fire alarm under false pretenses is cause for immediate suspension from the residence halls. Random room inspections occur as part of the procedure in response to a fire alarm.

- All ceilings, room doors, fire doors, stairwells and hallways in the residence halls must be kept free of loose flammable materials. Hallways and stairwells must be kept clear of obstructions. There must be a clear egress in each student room to the doorway and the door must open to at least a ninety-degree angle.

- Except in case of emergency, entering upon, crossing or using rooftops or stairwell roofs and/or using windows as a means of ingress or egress is strictly prohibited.

- There is no smoking in any residence hall, including student rooms. Smoking is not permitted outside within 30 feet of any window or door of the residence halls.

- For safety reasons, the following items are not permitted in the residence halls: a. Explosive devices (including, but not limited to, fireworks and compressed gas canisters), b. Firearms and other weapons (including, but not limited to, all types of guns, toy guns, paint ball guns, BB guns, cap pistols, laser targeting devices, slingshots, martial arts weapons, knives, pepper spray and other weapons), c. Launching devices & fuels (including propane, charcoal, charcoal lighter fluid), d. Incense, e. Candles, f. Oil lamps, g. Live/natural trees or greens except those nursery grown with root systems in containers, h. Halogen lamps, i. Microwave oven over 700 W and more than one per room, j. Any high intensity electrical appliance (such as electric space heaters, air conditioners, toasters, toaster ovens and hot plates. All electric appliances must be U.L. approved and have, if applicable, self-contained, thermostatically controlled heating units.), k. Lofts (including beds placed on cinder blocks), l. extension cords that are not surge-protected, m. cinder blocks.

4. Fire Safety Equipment in the Residence Halls: All residence halls have fire alarm monitoring, ABC fire extinguishers and smoke detectors in public areas/hallways which are wired into the building fire alarm system. When the fire alarm in the building is activated, multiple horns sound on all floors and strobe lights flash to indicate the alarm. The location of the alarm is seen on the main fire panel located in Madonna Hall. All residence hall rooms have individual smoke detectors which sound locally. These are electrically powered with battery backup. St. Anne Hall has a heat activated sprinkler system. Evacuation plans and placards are being developed for all halls for posting in rooms and public areas. South Hall has evacuation plans posted in the hallways. Room and stairwell doors are rated to meet fire code for residence halls.
5. Fires in the residence halls in 2013: there was one fire reported in the residence halls. "Fire" is defined as "any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner."