



**2023 Annual Security Report for Northern Essex Community College  
Haverhill and Lawrence  
(Reporting Statistics for 2020, 2021, and 2022)**



**This information is provided in compliance with State and Federal Law and the Clery Act specifically. This report, covering the calendar year 2022, published in October 2023, is available on the Northern Essex Community College website at [www.necc.mass.edu/clery](http://www.necc.mass.edu/clery).**

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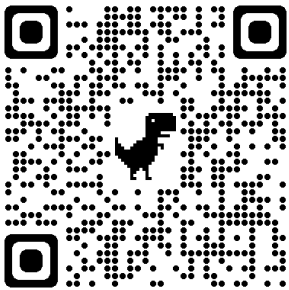
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## **Message from Northern Essex Community College Public Safety Department**

The Northern Essex Community College Department of Public Safety is committed to the safety of the students, faculty, staff, and visitors who come to our campus. The Department's main mission is to protect the community, but we also see ourselves as educators and ambassadors for the College. We do so by providing proactive patrols, basic medical assistance, general information, and assistance. In addition, we are a communication conduit to local emergency responders for major incidents on campus. We are also concerned with protecting the property and assets of the College that enable Northern Essex Community College to offer rich and productive learning experiences.

As with any community, we depend on members of the campus community to remain vigilant, report any concerns, and make personal safety and the safety of those around you a priority. With your help, and your prompt reporting of any suspicious activity, we can make a difference in reducing the opportunity for crime on campus.

Please scan the QR code to visit our Public Safety webpages.



Enjoy your time here at Northern Essex Community College and stay safe.

## **The Campus Security Act/Jeanne Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. The United States Department of Education enforces the Act.

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation. (<https://clerycenter.org>)

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three calendar years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms.
- The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have "significant responsibility for student and campus activities;" otherwise known as a Campus Security Authority (CSA).
- Provide "timely warning" notices of those crimes that have occurred and "pose an ongoing threat to students and employees;"
- Disclose in a public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department;" and
- Disclose any agreements with state and/or local law enforcement.

## **Preparation of the Annual Disclosure of Crime Statistics**

The Northern Essex Community College (NECC) Department of Public Safety (DPS) prepares this report annually to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the Division of Student Life, Athletics, the Title IX coordinator, and other Campus Security Authorities. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrests, and referral statistics include those reported to the Northern Essex Community College Department of Public Safety, designated campus officials (including but not limited to judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies for buildings owned and or controlled by NECC, as well as public property within and immediately adjacent to campus. The Counseling Center staff informs their clients of the procedures to report crime to the Department of Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client.

Each year, an email notification is made to all enrolled students, faculty, and staff that provides the website to access this report. Copies of the report may also be obtained at the Department of Public Safety located at 100 Elliott Street C110 Haverhill, MA 01830 or by calling 978-556-3333.

## **Separate Campuses**

All policy statements contained in this report apply to all NECC campuses, unless otherwise indicated.

## **Northern Essex Community College Department of Public Safety Arrest Authority and Working Relationships**

The Northern Essex Community College Department of Public Safety provides law enforcement and contract security services to the NECC campuses in Haverhill and Lawrence. All security officers are licensed by the Massachusetts government. Northern Essex Community College Department of Public Safety personnel have training relative to their protocol, tactics, and procedures for critical incidents.

Northern Essex Community College police officers are certified pursuant to MGL Chapter 6e, and complete annual in-service training as required by the Municipal Police Training Committee. They are empowered under the State of Massachusetts General Laws. As such NECC police officers have the authority to enforce Massachusetts State and Local laws, NECC policies, AND are authorized to make arrests on NECC owned, leased, or controlled property. NECC police jurisdiction includes property owned, leased, or under the control of, NECC. These police officers do not have concurrent jurisdiction on city streets running through or adjacent to any campuses. NECC contract security officers do not have the authority to enforce State and Local laws, however they do have the authority to enforce NECC policy.

The Department of Public Safety maintains a working relationship with the cities of Haverhill and Lawrence Police Departments, as well as the Massachusetts State Police. The officers of these departments communicate regularly on the scene when incidents occur in and around the campuses. The Department of Public Safety personnel work with the staff at Haverhill, Lawrence and Massachusetts State Police Departments when incidents arise that require joint investigative efforts and resources, and crime related reports and information are exchanged. The Northern Essex Community College Department of Public Safety has a Memorandum of Understanding with the Haverhill and Lawrence Police Departments pertaining to sexual assaults.

NECC's student organizations currently do not operate off-campus locations, including off-campus housing facilities. Therefore, the Northern Essex Community College Department of Public Safety does not currently monitor or record criminal activity by students of organizations officially recognized by the institution at non-campus locations through local police agencies. However, NECC students may live privately off campus in neighborhoods surrounding the college as well as in the greater Merrimack Valley region. The respective local police departments have jurisdiction in all areas off campus.

### **Reporting Procedures**

#### **Incident Reporting**

Students, staff, faculty, and visitors of either the Haverhill or Lawrence campus are encouraged to report accurately and immediately any suspicious or criminal activity to the Department of Public Safety at 978-556-3333 or extension 3333 from a campus phone. If an emergency occurs, contact 9-1-1 immediately, and then contact the Department of Public Safety.

#### **Response to Calls**

The Northern Essex Community College Department of Public Safety's procedure for responding to calls includes a response to all calls for assistance, including emergency calls. When necessary the Department of Public Safety works closely with the full range of city and local emergency responders to assure a complete and timely response to all emergency calls. Crimes against persons and personal injury crimes receive priority response over any other call.

In response to a non-emergency, the call-taker will take the following action: either dispatch a public safety officer or ask the victim to report to the Department of Public Safety desk to file an incident report. The Haverhill security desk is located at C112. The Lawrence security desk is located at 414 Common St. Both locations have security personnel 24/7.

For each event or incident, Public Safety officers will respond and, if necessary, will use the resources of local, state, and federal law enforcement agencies to provide support and assistance. Northern Essex Community College Department of Public Safety encourages accurate and prompt reporting of all crimes to the Department of Public Safety and the appropriate police agencies, when the victim of a crime elects to make such a report.

Members of the community are helpful when they immediately report crimes or emergencies to the Northern Essex Community College Department of Public Safety or a Campus Security Authority (listed below) for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary.

### **Campus Security Authorities**

Federal Law requires the College to disclose statistics concerning the occurrence of certain crimes reported to campus security authorities (CSAs). CSAs include any member of the Department of Public Safety, including contract security officers, College officials who have significant responsibility for student and campus activities, and others identified below as individuals or organizations to whom or which students and employees should report criminal offenses.

Northern Essex Community College's CSAs include the following, but is not limited to:

- Dean of Students
- Student Conduct Administrator
- Title IX Coordinator
- Director of Athletics and all coaches, trainers, both head coaches and assistant coaches
- Department of Public Safety Staff
- Contract Security Officers
- Advisors of Student Clubs and Organizations
- Student Activities Coordinator

All CSAs should encourage any person who reports a crime or other incident involving campus security to notify the Department of Public Safety immediately. Any CSA who receives a report of an incident involving a crime or campus security matter must contact the Department of Public Safety immediately and inform the Department of Public Safety of the incident consistent with the confidentiality considerations discussed in this report.

### **Daily Crime Log**

The Department of Public Safety maintains a Daily Crime Log, which provides the community with information about crime on the Haverhill and Lawrence campuses. The Daily Crime Log is available for review 24 hours a day, 7 days a week, at the Department of Public Safety Desk in Haverhill located in the C building room C112, and the security desk in Lawrence, located in the lobby of the Dr. Ibrahim El-Hefni Allied Health and Technology Center at 414 Common St.

### **Voluntary Confidential Reporting**

Anyone who is the victim of, or the witness to, a crime is encouraged to report the incident as soon as possible. Only professional and pastoral counselors can keep reports confidential. Professional and pastoral counselors are encouraged to inform their clients, when they deem it appropriate, to report crimes to primary CSAs. However, the Department of Public Safety does not have a voluntary confidential reporting procedure and therefore professional and pastoral counselors cannot notify their clients of that type of reporting option at NECC.



## Confidentiality Considerations

A Campus Security Authority (CSA) is not required to disclose confidential information concerning an incident, such as information that would identify a victim of a crime who wishes to remain confidential. However, CSAs are required to inform the Department of Public Safety of the existence of all known incidents, including confidential incidents. This is to ensure the capture of proper statistics and, where appropriate, be included in the College's annual security report.

If a reporting party does not consent to the disclosure to the Department of Public Safety, CSAs are expected to inform the Department of Public Safety of the complainant's wish for confidentiality and to report the incident for **statistical purposes only**. CSAs must report an incident without disclosing identifying information concerning the reporting party unless the reporting party consents to disclosure of his or her identity.

The College urges all community members to report any criminal incident to the Department of Public Safety. In the event an individual chooses not to report a crime, the College urges the person at least to disclose the occurrence of the incident to a CSA to be counted, as appropriate, in the College's Annual Security Report (ASR).

## Pastoral and Professional Counselors

As allowed by the Clery Act, pastoral and professional counselors who receive confidential reports are not required to report these crimes to the Department of Public Safety for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning.

It should be noted that if a pastoral or professional counselor serves another function at NECC, such as an advisor to a student organization, then they are required to report crimes to the Department of Public Safety for inclusion in the annual disclosure of crime statistics.

**Pastoral Counselor:** a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor:** a person whose official responsibilities include providing mental health counseling to members of the NECC community and who is functioning within the scope of his or her license or certification. Contact the Northern Essex Community College Counsellor at 978-556-3730 or by email at [counseling@necc.mass.edu](mailto:counseling@necc.mass.edu).

## Incident Information

Incidents may occur on campus that do not appear to involve an immediate threat to the health and safety of students or employees, but due to their significance, may justify community notification. Incidents may include but are not limited to follow up to an emergency notification, a significant incident on or off campus, severe weather warning, or a major infrastructure failure.

## Timely Warning Notification\*

If a situation arises involving an incident identified as a "Clery Act" crime within NECC's Clery Geography that constitutes an immediate or continuing threat to members of the NECC community, Public Safety will contact the Chief Financial and Operating Officer who will contact the President and the Provost (the Crisis Management Team) to discuss a timely warning. A campus wide "timely warning" will be issued in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. The College disseminates warnings through the college campus emergency mass notification system.



NECC issues timely warning notices whenever a Clery crime is considered to pose a serious or continuing threat to the NECC community. Significant criminal incidents that might elicit a timely warning include, but are not limited to, crimes of violence or patterns of property crimes. Timely warnings may be issued when the crime is deemed to pose a serious or on-going threat to the NECC community for the following crime classifications: aggravated assault, major incidents of arson, burglary, murder/non-negligent manslaughter, motor vehicle theft, robbery, and sex offense.

\*As noted earlier, NECC is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

## Notification Process

The Crisis Management Team will determine if a timely warning is necessary. The alerts are generally written and distributed to the NECC community by the Director of Public Safety/Chief of Police or designee. Students, faculty, and staff will be contacted by text message and/or email sent through the NECC Emergency Notification System to communicate timely warnings (see chart below).

NECC staff, faculty and students are automatically enrolled into the database during their onboarding or enrollment process. However, anyone not directly associated with NECC, such as vendors and outside partners, must sign up on their own at <https://www.necc.mass.edu/public-safety/necc-alert/>. Once enrolled, it is up to the individual to update their information: NECC employees can do this through the HRCMS system and students through the Self-Service Banner in the portal.

Crime Alerts contain a brief description of the incident; the date, time, and location of the incident; and precautions to take. The amount and type of information presented in the warning will vary depending on the circumstances of the crime. Where possible, a warning will not include information that could jeopardize a criminal investigation.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

The intent of a timely warning is to provide information to enable members of the community to protect themselves.

## Northern Essex Community College Timely Warning Methods

System	Primary Message Creator	Backup Message Creator	Authority for Approving and Sending Messages	Primary Message Sender	Backup Message Sender
<b>NECC messaging system (Text/Email)</b>	Public Safety Director or Designee	Clery Compliance Officer	Crisis Management Team	Clery Compliance Officer	Public Safety Director or Designee
<b>Blast Email</b>	Public Safety Director or Designee	Clery Compliance Officer	Crisis Management Team	Clery Compliance Officer	Public Safety Director or Designee

## Emergency Response and Evacuation Procedures

If a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Northern Essex Community College Department of Public Safety security officers followed by emergency responders. The two entities typically respond and work together to manage the incident. Depending on the nature of the incident, other NECC departments and other local, state, or federal agencies could also be involved in responding to the incident.

## Emergency Notification Warning

The College has implemented an Emergency Notification System to enhance the College's ability to reach all students, faculty, and staff with time-sensitive information during unforeseen events or emergencies. The system uses e-mail, and text messaging to allow the College to provide pertinent information and details on appropriate responses during critical situations. NECC staff, faculty and students are automatically enrolled into the database during their onboarding or enrollment process. However, anyone not directly associated with NECC, such as vendors and outside partners, must sign up on their own at <https://www.necc.mass.edu/public-safety/necc-alert/>. Once enrolled, it is up to the individual to update their information: NECC employees can do this through the HRCMS system and students through the Self-Service Banner in the portal.

NECC Public Safety supervisory personnel, in consultation with College administrators as appropriate, will determine whether there is a significant emergency that requires notification through the Emergency Notification System. The Public Safety Director/Chief of Police or their designee will determine the content of the message and identify the segment(s) of the community to be notified with the Chief Financial and Operating Officer. If the situation warrants immediate action and the Public Safety Director/Chief of Police or their designee is not available, the Clery Compliance Officer will assume this role. In all cases, NECC Public Safety is responsible for initiating the Emergency Notification System and sending the message. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk.

In the interest of safety for the members of our community, the College will without delay and considering the safety of the community, determine the content of the notification unless, in the professional judgment of responsible authorities, the notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Some, or all the below listed dissemination methods may be used. The Marketing and Communications office shall be responsible for follow up and dissemination of information to the larger community, including via the College's website ([www.necc.mass.edu](http://www.necc.mass.edu)) and social media accounts.

### Northern Essex Community College Emergency Notification Methods

System	Primary Message Creator	Backup Message Creator	Authority for Approving and Sending Messages	Primary Message Sender	Backup Message Sender
<b>PRIMARY</b>					
<b>NECC Messaging system</b>	Public Safety Director or Designee	Clery Compliance Officer	Public Safety	Clery Compliance Officer	Public Safety Director or Designee
<b>Blast Email</b>	Public Safety Director or Designee	Clery Compliance Officer	Public Safety	Clery Compliance Officer	Public Safety Director or Designee
<b>SECONDARY</b>					
<b>Local Media</b>	Chief Marketing Officer	Director of Public Relations	Crisis Management Team	Chief Marketing Officer	Director of Public Relations
<b>Social Media</b>	Chief Marketing Officer	Director of Public Relations	Crisis Management Team	Chief Marketing Officer	Director of Public Relations

## Community Actions

Community members, upon receiving a notice of an alert, should seek additional information and take actions to protect themselves and to alert others. Members of the larger NECC community can receive information about emergencies on campus through the local media and the NECC website, [www.necc.mass.edu](http://www.necc.mass.edu).

NECC will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. If there is an immediate threat to the health or safety of members of the NECC community follow up information will be provided to the community using some or all the methods of communication listed on the chart.

Generally, it is difficult to provide a set of instructions applicable to all community members. Individual necessary actions will depend on factors such as the type and one's proximity to the emergency. Whenever possible the college will use a standard approach for emergency messaging. In the event of an emergency, you may receive one of the following messages.

**LOCKDOWN:** called when there is a threat or hazard inside the building. From domestic violence incidents, to intruders, to an active shooter, Lockdown uses room security to protect students and staff from an immediate threat.

Lockdown procedures are as follows:

- Prepare ahead of time, know if the door locks to your classroom or other area
- Does the door open in or out?
- Is there an easy way to secure the door if there is no lock?
  - Tie a belt around the door closer
  - Use a door stop to jam the door
  - Are there other resources to barricade the door?
- Locks, lights, out of sight
  - lock the door
  - turn out the lights
  - move away from windows or glass where you can be seen
- Close shades if possible
- Maintain silence, silence phone ringers
- Barricade the door with heavy objects
- Prepare to evade or defend
- Do not open the door until you get an all-clear message from the school or law enforcement

**EVACUATE:** There are many reasons why a campus, or a specific building on the campus may need to be evacuated. The most common reasons for evacuation are due to a fire alarm activation, a bomb threat, a physical threat, or environmental conditions. When you are asked to evacuate your facility, either by public safety alerts, law enforcement personnel, or when the fire alarm sounds, the following guidance should be followed:

- Know the locations of your building's primary and alternate exits well in advance of an emergency. When you are asked to evacuate, STAY CALM!
- **When possible**, gather important personal belongings, such as glasses, prescription medication, keys, etc.
- Make sure other people in your immediate area are aware of the need to evacuate.
- Provide assistance to those who may need it, such as those with disabilities and small children.
- Close doors, but do not lock them, if possible.
- Immediately leave your facility through the nearest door with an EXIT sign.
- DO NOT use elevators. Proceed to the nearest safe stairway.
- Upon exiting, move well away from the building.
- Remain outside until authorized to re-enter by appropriate authorities.

**SHELTER-in-Place:** The term Shelter-in-Place means to seek immediate shelter and remain there during an emergency, rather than evacuate the area. Some reasons for a shelter-in-place include a hazardous materials incident, tornado warnings, and active threats. Each of these incidents will have slight differences in response. Once the decision to shelter-in-place has been made, the following guidance is recommended:

- Proceed to a room that can be locked, barricaded, or physically secured in some way. Close and lock all windows and doors. Turn off the lights. If you are in a room that cannot be locked, determine if there is a nearby location that can be reached safely and secured.
- Silence your cell phone and turn off any source of noise that could indicate your location.
- Hide under a desk, in a closet, or in a corner. Get down on the floor, if possible, and try to ensure nobody is visible from outside the room.
- ***Without jeopardizing your safety***, one person within the room should call 911 and advise the dispatcher what is taking place, your location, and how many people are in the room. If you cannot speak, leave the line open and allow the dispatcher to listen.
- Prepare a defense plan. **Fight only as a last resort.**
- Remain in place until law enforcement arrives. Remain calm and follow **all** instructions given to you by police officers.

## Emergency Response Drills

The College conducts an emergency response drill/exercise each year and tests the emergency notification system(s) on campus.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College must follow its emergency notification procedures. The College that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the College must provide adequate follow-up information to the community as needed.

## Security of and Access to Campus Facilities

### Campus Alarms

Campus facilities are alarmed to detect fire and smoke. All fire and smoke alarms register with a central operator. The Haverhill and Lawrence Fire Department, depending on the campus, receives notice of all fire and smoke alarms. When notified by alarm or other method, Northern Essex Community College Department of Public Safety officers will respond and assist local first responders.

### Access to Academic and Administrative Buildings

The NECC campuses are part of the cities of Lawrence and Haverhill and, as such, are open to the public. The academic and administrative buildings are open to the public, at a minimum, during business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of these buildings, and individual classrooms/offices within these buildings, is controlled by card access, all of which have varied levels of access. Most academic and administrative buildings do not have Northern Essex Community College Public Safety Department personnel assigned to them. However, Northern Essex Community College Public Safety Department personnel patrol the academic and administrative buildings on a regular basis. Unauthorized persons are not allowed into campus buildings during non-business hours without prior permission or unless accompanied by an authorized person. College staff or students needing access to buildings during non-business hours are required to contact the Department of Public Safety at 978-556-3333.

Policies and procedures for admission into these academic or administrative facilities are established by NECC and enforced by the Northern Essex Community College Department of Public Safety.

Northern Essex Community College Department of Public Safety personnel conduct routine patrols of all campus buildings in both Haverhill and Lawrence to evaluate and monitor security related matters.

## **Access to Buildings for Maintenance and Repair**

Regular maintenance, alterations, and repairs of NECC facilities are performed by the College's Facilities Department and outside contractors retained by the College. The College's Facilities Department is responsible for the structural, mechanical, and electrical maintenance of all College buildings. Typical services provided by the Facilities Department, which interacts with the Department of Public Safety to provide safety and security to the College community, include:

- Electricity and lighting
- Elevators
- Custodial services
- Doors and locks
- Heat
- Window and door glass

The campus is maintained in a manner to minimize hazardous conditions. However, whenever unpredictable failures occur or additional maintenance work is required beyond normally scheduled maintenance, community members may report problems to the Department of Public Safety Desk (extension 3333 from any campus phone and 978-556-3333 from any non-campus or cell phone). This is a 24 hour a day, year-round system that ensures requests are logged in a timely manner.

## **Alcohol and Drug Policies**

NECC campuses and activities are not sanctuaries from federal, state, and local laws. NECC prohibits the unlawful use, possession, sale, distribution, or manufacture of illicit drugs and/or alcohol by any student and visitor of the College while on College property, while performing any work for the College on or off the premises, or while otherwise participating in any College activities on or off the campus. Students found in violation of the College alcohol policy or engaging in misconduct related to the abuse of alcohol, whether on or off campus, will be subject to disciplinary action under the Student Code of Conduct as well as to prosecution. NECC enforces the Massachusetts underage drinking law and state and federal drug laws.

NECC neither permits nor condones the possession, use, or sale of illegal drugs and narcotics. Violators are subject to College disciplinary procedures, as well as to criminal prosecution under state and federal laws. Dealing in narcotics or illegal drugs anywhere on campus will result in disciplinary action by the College. Conviction for drug-related offenses in any jurisdiction may affect a student's eligibility for federal, state, or College financial aid.

The College falls within federal and state Drug-Free School Zone laws. Violations of drug and liquor laws are reported under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and under Massachusetts law.

## **Standards of Conduct**

The unlawful possession, use, or distribution of illegal drugs or alcohol by any student or employee on College property or in conjunction with any College activity is prohibited.

## **Disciplinary Sanctions**

The College will impose disciplinary sanctions on students and employees who violate College standards of conduct. In addition, students or employees who violate public law are subject to criminal prosecution. Conviction may result in fines, imprisonment, and revocation or loss of eligibility to receive federal funding (such as grants and financial assistance) and other privileges. College-imposed discipline may include sanctions up to and including expulsion of a student or termination of an employee, in addition to referral for criminal prosecution. Disciplinary sanctions may include required participation in a treatment, counseling, or other approved rehabilitation program.

## **Marijuana Laws in Massachusetts**

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

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

### **Description of Health Risks**

Serious health and personal risks are associated with the use of illegal drugs and abuse of alcohol. They may include temporary or permanent physical or mental impairment, injury, or death. Use and abuse of such substances may also give rise to conduct which causes injury, death, or damage to the user/abuser or to the person or property of others, resulting in criminal or civil prosecution and liability. Use and abuse of such substances may also lead to unsafe and/or nonconsensual sex, unwanted pregnancy, and may cause defects, injury, or death in unborn children. Consequences also include temporary or permanent loss of educational or employment opportunities.

Additional resources are available for all members of the NECC community in Counseling Services located in Behrakis Student Center (SC Building) room: SC-212 B (Haverhill) and John R. Dimitry (L) Building room: L-115 (Lawrence).

### **Drug and Alcohol Counseling, Treatment or Rehabilitation Programs**

Ongoing health education programs are offered at the College that may include speakers, and informative programs on the health risks involved with alcohol and substance abuse.

Additionally, students are encouraged to voluntarily avail themselves of treatment for a substance use disorder. Counseling Services maintain written materials on drug and alcohol addiction and abuse. Counseling services are available to help students with substance and alcohol abuse and to aid with referrals to outside agencies and programs. Appointments can be made by calling the Counseling Services located in Behrakis Student Center (SC Building) room: SC-212 B (Haverhill) and John R. Dimitry (L) Building room: L-115 (Lawrence). Counseling services maintain strict confidentiality of records and the counseling relationship is not shared with anyone inside or outside the College unless a written release to do so is provided by the student or the life of the student or another person is in imminent danger. They can be reached by calling 978-556-3730 or emailing [counseling@necc.mass.edu](mailto:counseling@necc.mass.edu).

## **Drug and Alcohol Treatment Centers**

The following is a list of a few of the treatment centers nearest to our campuses.

### **Haverhill**

- Holy Family Hospital at Merrimack Valley Center for Recovery & Wellness at Haverhill  
140 Lincoln Avenue  
Haverhill, MA. 01830  
978-521-8617 or 978-521-8162
- Whittier Pavilion Adult/Geriatric Inpatient/Outpatient  
76 Summer Street  
Haverhill, MA. 01830  
978-373-8222
- Narcotics Anonymous: Northeast Veterans Outreach Center  
10 Reed Street  
Haverhill, MA. 01832  
978-372-3626

### **Lawrence**

- Cleanslate Outpatient Addiction Medicine  
360 Merrimack St #9  
Lawrence, MA  
978-802-7331
- Lawrence Comprehensive Treatment Center  
10 Embankment St  
Lawrence, MA 01841  
978-620-9745
- Women's View-Psychological Center  
582 Haverhill St  
Lawrence, MA 01841  
508-213-9259
- Column Health Lawrence  
290 Merrimack St Suite 106  
Lawrence, MA 01843  
339-368-7696

## **Firearms and Other Weapons**

It is the policy of NECC that no one is permitted to carry a firearm on the grounds or in a college building. The pertinent legislation, Chapter 269, section 10 of the Massachusetts General Laws states in part:

(j) Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any



pistol, revolver, rifle, or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.

Employees must report any suspected violation of this Policy/Law to the respective campus (Haverhill or Lawrence) Public Safety Office, or the College Vice President of Administration and Finance.

A law enforcement officer present as a student and wishing to carry a firearm shall obtain such written authorization. This form is available in the Office of the Vice President of Administration and Finance.

The possession of weapons of any kind, including replicas, is strictly prohibited on campus. This includes, but is not limited to, firearms, all chemical sprays, knives, explosives, other weapons, or dangerous chemicals. The College will impose disciplinary sanctions on students and employees who violate College regulations and standards of conduct regarding weapons. Violations of weapons laws are reported under federal and state law.

Carrying an illegal weapon is a felony punishable by up to five years in state prison. Students or employees who violate public law are subject to criminal prosecution and College sanctions. A conviction for unlawfully carrying a firearm without a license in Massachusetts mandates a one-year jail sentence.

## **Crime Statistics**

### **Reportable Crimes**

The following crimes are reported as part of this report. The following definitions are from the federal Uniform Crime Reporting ("UCR") Handbook and are used to report these statistics.

- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safe-cracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding).
- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.

- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.
- **Weapons Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.
- **Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned acts. (Driving under the influence is NOT included in the statistics.)
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin and Disability. For *Clery Act* purposes, Hate Crimes include any of the following offenses that are motivated by bias.
  - Murder and Non-negligent Manslaughter
  - Sexual Assault
  - Robbery
  - Aggravated Assault
  - Burglary
  - Motor Vehicle Theft
  - Arson
  - Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
  - Simple Assault: is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
  - Intimidation: is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
  - Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **Violence Against Women Act Offenses (VAWA):** The Clery Act has four defined VAWA offenses for which crime statistics must be collected: dating violence, domestic violence, sexual assault, and stalking. *Extensive information regarding these crimes can be found beginning on page 26 of this report.*
- **Sex Offenses:** The Clery Act has four defined sex offenses for which crime statistics must be collected: rape, fondling, incest, and statutory rape. *Extensive information regarding these crimes can be found beginning on the following page.*

- **Rape:** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling:** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** is sexual intercourse with a person who is under the statutory age of consent.

## Statistics for Referred Violations

The Clery Act includes statistics for weapons, drug, and liquor law violations as described above that are referred for disciplinary action. Clery defines “referred for disciplinary action” as the referral of any person to any official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction. All referrals for students are managed by the Office of Student Conduct. All referrals for employees are managed by Human Resources.

Location definitions from the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act:

- **On-Campus:** (1) Any building or property which is owned or controlled by an institution within the same reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor).
- **Non-Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Reported crime statistics do not include crimes that occur in privately owned homes or businesses on or adjacent to NECC.

## Violence Against Women Act

NECC prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, NECC issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to an NECC official.

## Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**

- i. A Felony or misdemeanor crime of violence committed—
  - A) By a current or former spouse or intimate partner of the victim;
  - B) By a person with whom the victim shares a child in common;
  - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- ii. For the purposes of complying with the requirements of this section and §668.41 of the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition—
  - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - B) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41 of the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

- **Stalking:**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

- For the purposes of this definition—
  - *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
  - *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- For the purposes of complying with the requirements of this section and §668.41 of the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## **Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Commonwealth of Massachusetts does not have crimes defined as “**dating violence**” or “**domestic violence**” but Massachusetts General Laws, Chapter 209A §1 prohibits the crime of “**abuse**.”

- **Abuse** is defined as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”
  - Family or household members are defined as “persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.
  - The broader MGL 209A, §1 is inclusive of all types of domestic violence including family, household members, and intimate partners. However, if charging “Domestic Assault and Battery”, C265 §13M, it only applies to those persons who meet the “intimate partner” definition. All other domestic violence situations would be charged with a simple A&B, A&B DW, or whatever is appropriate given the circumstance.  
(reference: <https://www.mass.gov/files/2017-08/2017-domestic-violence-law-enforcement-guidelines.pdf>)
- **Sexual Assault** – There is no crime called “sexual assault” in Massachusetts; however, there are related crimes of “indecent assault and battery,” “rape,” and “assault with intent to commit rape.”
- **Indecent Assault and Battery** is a crime under G.L. c. 265:
  - § 13B Indecent assault and battery on a child under the age of fourteen;
  - § 13B1/2 Commission of indecent assault and battery on a child under the age of fourteen during commission of certain other offenses or by mandated reporters;
  - § 13B3/4 Commission of indecent assault and battery on a child under the age of fourteen by certain previously convicted offenders;
  - § 13F Indecent assault and battery on a person with an intellectual disability; and 13 H Indecent assault and battery on a person fourteen or older.
  - The term “indecent assault and battery” is not defined by statute.

- **Rape** is a crime under G.L. c. 265:
  - § 22 Rape, generally: "Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury...";
  - § 22A Rape of a child: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury...";
  - § 22B Rape of a child during commission of certain offenses or by use of force: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury and...";
  - § 22C Rape of a child through use of force by certain previously convicted offenders: "Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury, and has been previously convicted of or adjudicated delinquent or as a youthful offender for...";
  - § 23 Rape and abuse of child: "Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age...";
  - § 23A Rape and abuse of child aggravated by age difference between defendant and victim or when committed by mandated reporters: "Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and..."; and
  - § 23B Rape and abuse of a child by certain previously convicted offenders: "Whoever unlawfully has sexual intercourse or unnatural sexual intercourse and abuses a child under 16 years of age and has been previously convicted of or adjudicated delinquent or as a youthful offender for...".

Assault with intent to commit rape is a crime under G.L. c. 265, § 24. **"Assault with intent to commit rape"** is not defined by statute.

- **Stalking** is a crime under Massachusetts General Laws, Chapter 265 § 43(A). Stalking is defined as: "Whoever (1) willfully and maliciously engages 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) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.
  - For the purposes of obtaining a harassment prevention order under Massachusetts General Laws, Chapter 258E, harassment is defined as (i) 3 or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse or damage to property and that does in fact cause fear, intimidation, abuse or damage to property; or (ii) an act that: (A) by force, threat or duress causes another to involuntarily engage in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.

- **Consent** the state of Massachusetts **does not** legally define consent. However, the following is a general definition for educational purposes. Consent is a voluntary affirmative agreement to engage in sexual activity proposed by another and requires mutually understandable and communicated words and/or actions demonstrating agreement by both parties to participate in all sexual activities. Appropriate sexual behavior requires consent from all involved parties. Consent must be freely informed without physical force, threats, intimidation behavior, duress, or coercion. Silence, a lack of resistance, previous sexual relationships, or experiences, and/or a current relationship may not, in themselves, be taken to imply consent. The initiator, or the person who wants to engage in the specific sexual activity, must obtain consent from the partner(s) for each sexual act; both parties may be initiators at different points of sexual activity; a person's initiation of a sexual act constitutes consent to that act; but not necessarily to subsequent acts. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated in mutually understandable words and/ or actions; sexual activity must cease immediately. Note: Intoxicated persons do not have the ability to give consent.

## **Campus Sex Crimes Prevention Act**

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 NECC community may access information regarding sexual offenders by contacting the Haverhill (978) 373-1212 or Lawrence (978) 794-5900 Police Departments or by contacting the Massachusetts Executive Office of Public Safety (617) 727-7775. Access the sexual offender webpage through the following link: [www.mass.gov/eopss/agencies/sorb](http://www.mass.gov/eopss/agencies/sorb).

## **Improper Use of Sex Offender Registry Information**

Information contained in the Sex Offender 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 correction or by a fine of not more than \$1,000 or by both such fine and imprisonment.

## **Sexual Assault**

Sexual assault is a crime punishable by both civil and criminal legal action. The student conduct process is administered through the Title IX office. NECC also encourages victims to prosecute alleged perpetrators to the fullest extent of the law. There are several avenues for assistance if a person becomes the victim of a sex offense which are described below.

Victims of sexual assault tend to feel a variety of conflicting emotions: rage, fear, depression, relief to have survived, numbness and exhaustion, to name just a few. Two vital points to remember are that the assault was not your fault and there is help available.

Northern Essex Community College's Department of Public Safety trains every police officer on protecting the rights of victims and witnesses of crimes. Referral information is accessible at all times regarding area services available for general counseling, medical attention, emergency housing or financial assistance. Responsiveness to the needs of crime victims is a priority for the Department of Public Safety.

## **Sexual Assault Education and Prevention**

NECC students receive information about the prevention of sexual assaults, date rape and acquaintance rape through various programs including information about prevention at Student Orientation. Information is also available through the Department of Public Safety and NECC Counseling Services.



The College also brings in outside organizations such as the Lawrence YWCA, which provide interactive educational programs.

#### IF A SEXUAL ASSAULT HAPPENS TO YOU:

- Go to a safe location.
  - Contact the local police for immediate assistance and information. 978-556-3333 for Northern Essex Community College Public Safety Department or 9-1-1.
- Go the closest hospital Emergency Room. A qualified physician or nurse will examine you for injuries and collect physical evidence that could be used in criminal proceedings if you decide to prosecute. Hospital nurses have been trained and are certified to aid victims of sexual assaults.
- The preservation of evidence is important for the proof of a criminal offense. If possible, do not change your clothes, shower, or eat or drink between the rape and the trip to the emergency room. Bring a change of clothes with you because the police will need the clothes you were wearing for evidence.
- The physical exam is provided at no cost to you.
- Having a physical exam does not mean that law enforcement must be notified, or the offender prosecuted.
- Even if you do not wish to prosecute, it is important that you have a physical exam after the attack. Besides bruises or other physical injuries, the perpetrator might have passed on a sexually transmitted disease that requires treatment.
- You may seek counseling from NECC Counseling office. The NECC Mental Health Clinician can be reached at 978-556-3732.

#### **Title IX**

Individuals may also report a sex offense to NECC's Title IX coordinator. State and Federal Law, including Title IX of the Education Amendments of 1972 prohibits all sex discrimination and Title IX Sexual Harassment in all College operations, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The College takes all allegations of Sexual Misconduct seriously and is committed to providing an environment that is free of sexual misconduct. The Title IX Coordinator's functions and responsibilities include:

- Coordinate Title IX efforts including the development, implementation, and monitoring of appropriate disclosures, policies, procedures and practices designed to comply with federal and state legislation, regulation, and case law requiring the prompt and equitable resolution of all complaints pursuant to Title IX;
- Develop, implement and coordinate campus and/or school-based strategic efforts aimed at the prevention of sexual violence and other forms of sex discrimination;
- Develop and disseminate educational materials, including brochures, posters, and web-based materials that inform members of the College community of Title IX rights, responsibilities and resources both within and external to the College;
- Oversee prompt, effective, and equitable intake, investigation, processing, issuing of findings of fact or management of hearing process, and timely resolution of all Title IX Sexual Harassment matters, or cases otherwise involving sex discrimination made known to responsible employees and/or reported or filed by students, faculty, employees, third parties, or by members of the broader community;
- Provide appropriate notice of an investigation; determine the extent of an investigation; oversee investigation efforts; ensure provision of initial remedial actions; assure compliance with timelines; deliver appropriate notice of charge, notice of investigation, notice of outcome, duty to warn, and remedies, and provide a repository for and source of institutional record-keeping;
- Provide guidance and assistance to alleged victims of Prohibited Conduct, including referral to support resources, notice of right to file internal grievances, notice of the right to grieve to the US Department of Education Office for Civil Rights, and notice of the right to report incidents to law enforcement.

In accordance with the requirements of Title IX, NECC has appointed Liz Trelegan as the Title IX Coordinator. She can be reached at 978-556-3927, or by email at [etrlagan@necc.mass.edu](mailto:etrlagan@necc.mass.edu). Her office is located on the Haverhill Campus in B-219. The institution's sexual harassment policy can be found in the Policy on Affirmative Action, Equal Opportunity, & Diversity, which can be found here: [Know Your Title IX](#)

## **Reporting Sexual Misconduct, Domestic/Dating Violence, and Stalking**

NECC understands that incidents of sexual harassment, domestic/dating violence, and stalking are sensitive in nature and can be emotional for all parties involved and will be handled with the utmost care and sensitivity. While we encourage students, who are victims of sexual harassment, domestic/dating violence, and stalking to file a complaint and seek immediate medical treatment, it is at the sole decision of the victim if and when they choose to seek medical treatment. The preservation of evidence is important for the proof of a criminal offense and/or may be helpful in obtaining a protection order. Public Safety staff members are available 24/7 for victims who wish to have immediate support.

## **Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

### **The Importance of Preserving Evidence**

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at a local area hospital offering physical evidence recovery kit collection/access to forensic nurse examiners/sexual assault nurse practitioners. In Massachusetts, evidence may be collected even if you chose not to make a report to law enforcement.<sup>1</sup>

**Anonymous Reporting** is the decision by a victim not to report a sexual assault, or to file an anonymous report with law enforcement, which may occur for a variety of reasons. Pursuant to MGL c112, § 12A½, regardless of the victim's decision to report the assault to law enforcement, when a victim seeks medical treatment, the hospital is required to report the assault to the law enforcement entity of the jurisdiction using a Provider Sexual Crime Report (PSCR) **without reference to the patient's name or address**. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.

In cases of sexual assault, dating violence or domestic violence, victims should elect to have a forensic examination done at a local hospital from a specially trained Sexual Assault Nurse Examiner (SANE) nurse. There are SANE nurses on call at the Lawrence General Hospital (978-683-4000 ext. 2500) 1 General St Lawrence, MA 01841, Lowell General Hospital (978-937-6000) 295 Varnum Ave Lowell, MA 01854, and in the Boston area, Boston Medical Center (617.638.8000) One Medical Center Place Boston, MA 02118. Choosing to obtain a forensic examination does not require the victim to file a police report. Having a forensic examination conducted does help to preserve evidence should the victim choose to file a police report later. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of sexually transmitted diseases, and/or pregnancy if the victim is a female.

Victims of sexual assault, domestic violence, stalking and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of document, if they have any, that would be useful NECC adjudicators/investigators or police.

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<sup>1</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Northern Essex Community College Department of Public Safety or other law enforcement to preserve evidence in the event the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### **How and to Whom the Alleged Offense Should be Reported**

Please be advised all Responsible Employees of NECC who are made aware of an incident of sexual misconduct are required by Federal Law to file a report regarding the incident and individuals involved with the Title IX Coordinator, unless they are exempt from the reporting obligation as defined under Title IX and Clery because they are professional or pastoral counselors. These reports will include the names of the victim and the accused, along with all relevant facts regarding the incident. A Responsible Employee includes any College employee: who has the authority to take action to redress these offenses; who has been given the duty of reporting to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.

The Title IX Coordinator is required by federal law to provide an **unidentifiable** statistical report regarding sexual misconduct to the Department of Public Safety. This is in accordance with the Clery Act. The **only information** that is shared is that an incident of sexual misconduct has taken place, the type of sexual misconduct, and the general location of the incident (e.g., on or off campus). To file a report of sexual misconduct, domestic/dating violence, and stalking students may contact any of the following departments:

- Title IX Coordinator  
Elizabeth Trelegan  
978-556-3928 / [etrelegan@necc.mass.edu](mailto:etrelegan@necc.mass.edu)  
Haverhill Campus, B-219
- Deputy Title IX Coordinator  
Patricia Gauron  
978-556-3937 / [pgauron@necc.mass.edu](mailto:pgauron@necc.mass.edu)  
Haverhill Campus, B-219
- NECC Public Safety  
978-556-3333 or 3333 from any campus phone / [publicsafety@necc.mass.edu](mailto:publicsafety@necc.mass.edu)  
Haverhill Campus, C-112  
Lawrence Campus, 414 Common St lobby

Students and staff may also report to the local police departments of their campus: Haverhill (978) 373-1212, Lawrence (978) 794-5900. If there is an emergency on any campus dial 9-1-1. If a student wishes to be assisted in this process, he or she may contact any of the NECC department numbers listed above for assistance.

### **Additional Campus Resources**

#### **Licensed Mental Health Counselors**

NECC has a licensed mental health counselor, whose official responsibilities include providing confidential psychological counseling and crisis counseling to members of the NECC's community, and who function within the scope of their license or certification.

- Gabriel Garcia - (978) 738-7381 [ggarcia@necc.mass.edu](mailto:ggarcia@necc.mass.edu)

## Local Crisis Centers

- Women and Families' Resource Center - YWCA Haverhill: 978-373-4041
- Women and Families' Resource Center - YWCA Lawrence: 978-685-2480
- YWCA Sexual Assault Hotline: 1-877-509-9922
- YWCA Domestic Violence Hotline: 1-844-372-9922
- Jeanne Geiger Crisis Center: 978-388-1888 (Serving Amesbury, Newburyport, Salisbury, Groveland, Georgetown and Rowley, MA)

## Domestic Violence Hotline

- Greater Lawrence YWCA: 1-844-372-9922

## 24-Hour Hotlines

- Get Help Now: Crisis Text Line - Text "START" to 741-741
- MA Department of Public Health Addiction Help Line: 1-800-327-5050
- National Suicide Prevention Lifeline: 1-800-273-8255
- The Trevor Project support for LGBTQ Youth: 1-866-488-7386 or text "START" to 678-678
- Psychiatric Crisis Team, Lahey Behavioral Health: 1-978-620-1250
- Massachusetts SafeLink Crisis Hotline: 1-877-785-2020/ 877-521-2601 (TTY)
- National Domestic Violence Hotline: 1-800-799-7233 or text "START" to 88788
- National Sexual Assault Hotline: 1-800-656-4673

## Campus Resources

- Counseling and Psychological Center: 978-556-3730
  - After Hours: 978-360-8334
- Student Social Services: 978-556-3471
- Public Safety: 978-556-3333
- Dean of Students: 978-556-3818
- Center for Accessibility Resources and Services: 978-556-3654
- Deaf and Hard of Hearing Services: 978-241-7045 (VP/V)
- Title IX Coordinator 978-556-3928

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"><li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li><li>2. Institution will assess immediate safety needs of complainant</li><li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li><li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li><li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li><li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li><li>7. Institution will provide a "No trespass" directive to accused party if deemed appropriate</li><li>8. Institution will provide written instructions on how to apply for Protective Order</li></ol>

	<ol style="list-style-type: none"> <li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution</li> <li>10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" directive to accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" directive to accused party if deemed appropriate</li> </ol>

As the students at the College are viewed as adults, guardians and/or parents will not be notified when a student is involved in a claim of sexual misconduct. Students are encouraged to speak with their guardian and/or parent when they are involved in a matter of sexual misconduct. Should a guardian or parent wish to speak with the Title IX Coordinator or any other employee regarding a matter of sexual

misconduct, a FERPA waiver will need to be fully executed prior to any conversation. Students have the right to execute or withdraw a FERPA waiver at any time. Click [here](#) for a FERPA waiver form. Should a student be found responsible for violation of this policy and is separated from the college, suspended, or expelled guardians and/or parents are generally notified at that time.

In addition, the Northern Essex Community College Department of Public Safety will make every effort to protect the confidentiality of the victims. While police reports are not publicly available, daily crime logs are available 24/7. However, they will be redacted to ensure the victim remains confidential. The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of a domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

### **Accommodations and Protective Measures Available for Victims of Sexual Violence, Dating Violence, Domestic Violence and Stalking**

A person who is subjected to all listed above shall:

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

### **No Contact Orders**

No Contact Orders may be issued immediately once the crime has been reported.

## Orders of Protection

Students and staff may work with the **Northern Essex Community College Public Safety Department** on how to obtain a restraining order, or an order can be obtained through the local court where the crime is, or was, being committed.

### Restraining Orders

The Abuse Prevention Law, Massachusetts General Laws 209A, was enacted to help keep domestic partners and people involved in dating relationships from being abused. The law permits a court to issue a protection order requiring that an abuser cease abusive conduct on the threat of incarceration. The police are responsible for enforcing the violation of the restraining order. Protection offered under the Abuse Prevention Law only applies to "family or household members" which are defined by M.G.L. c209A s.1 as people who are or were:

- Married;
- Living together;
- Related by blood or marriage;
- Parents of a common child regardless of whether they have ever been married or lived together; or
- Involved in a substantial dating or engagement relationship

If an individual decides to file a complaint for a restraining order or has questions regarding a restraining order, **contact the Northern Essex Community College Department of Public Safety at 978-556-3333** for assistance during the following process.

To obtain a restraining order, a victim is required to file an Application for a Complaint for Protection from Abuse at the local court (this is a civil complaint, not criminal). Afterwards, the victim will speak to a judge or clerk to explain what happened and why a protective order is necessary. The judge will then decide whether to grant a Temporary Order, which is valid for ten (10) business days. If the Temporary Order is granted, the party will be given a copy of the order and a summons to return to court within ten (10) business days for a hearing on whether to extend the order. The accused will also be sent a summons to appear and the police will attempt to serve the order upon that person. The hearing will allow both the victim and the accused an opportunity to tell what happened.

A person applying for a restraining order is allowed to bring any witnesses or evidence that might tend to support the request. If the accused does not appear, the hearing will proceed and may result in the order being extended. The victim must appear at this hearing or the order will automatically be vacated.

If you need immediate protection from your abuser contact the Northern Essex Community College Department of Public Safety at 978-556-3333, or if off-campus, call 9-1-1. If you believe you are in danger in your relationship, or in a situation involving a domestic/dating partner, consider ways to leave your present situation safely. The police will assist you in obtaining an emergency restraining order valid until the next court business day. Once the order has been issued you will be given a copy and the police will attempt to serve a copy to the accused.

Violation of an Abuse Prevention Order is a crime. If a person subject to an order violates it, call the police immediately. If you are on campus or are in the immediate area call 978-556-3333. If you are off campus call 9-1-1. Explain to the police that the subject of the order has violated it and that you need help right away. If the subject has left the scene, try to provide the direction of flight and a physical clothing description. If the police are unable to locate the subject, the Northern Essex Community College Department of Public Safety will assist you in going to court where you may file an application for a criminal complaint.



Remember to keep the order on you at all times. Inform family, friends, neighbors, and roommates that you have a restraining order. Do not hesitate to call the police immediately if the accused violates the order.

If you are leaving an abusive relationship, remember that doing so can be very difficult and dangerous. Make sure you have a safety plan in place, including identifying ahead of time a safe place to go during an emergency. Bring along your important documents (driver's license, checkbooks, custody documents, etc.), and tell a friend. Let someone you trust help you take the first step.

## **Harassment Orders**

All members of the NECC community have the right to be free from being harassed and or placed in fear. The law provides victims of harassment the ability to obtain relief from the courts even in the absence of a personal relationship to the harassing party. Massachusetts General Laws Chapter 258E, fills a critical gap in the law to protect victims of criminal harassment, stalking, or sexual assault from being harassed repeatedly regardless of their relationship with the perpetrator by allowing the court to issue orders of protection from harassment. If you are a victim of harassment, contact the Northern Essex Community College Department of Public Safety immediately at 978-556-3333 for assistance if the harassment is occurring when you are on-campus. Alternatively, you should call the police agency having jurisdiction over your location if the harassment occurs while you are off campus. The procedure for filing for a Harassment Prevention Order is the same as filing for a restraining order described above.

## **Complaint Procedure**

### **Application of Policy**

The complaint procedure is intended to provide a mechanism to investigate, and where possible resolve, complaints of alleged violations of this policy against employees and students. The procedures outlined below are intended to ensure that the college will conduct an impartial, fair, effective, and efficient investigation of all allegations of discrimination without fear of retaliation. The complaint procedure is available to any employee or student who believes he/she has been discriminated against based on a protected classification or retaliation. A complaint filed in another forum does not preclude a student or employee from filing a complaint under this policy. Further, a complaint filed in another forum, including a criminal or civil complaint, shall not delay an investigation of a complaint filed under this policy.

### **Confidentiality of Process**

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

### **Complainant Requests Confidentiality**

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

## **Anonymous Report**

Any individual may file an anonymous report concerning any Prohibited Conduct or Title IX Sexual Harassment referenced under this Policy. An individual may report the incident without disclosing his/her name, identifying the respondent, or requesting any action. An anonymous report may be filed with the Affirmative Action Officer or, in the case of an allegation of Title IX Sexual Harassment, the Title IX Coordinator. Depending on the level of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited (e.g., offering supportive measures to a Complainant of Title IX Sexual Harassment).

## **Off Campus Behavior**

The College reserves the right to investigate alleged Prohibited Conduct under this Policy occurring off-campus when such conduct adversely affects the College Community, poses a threat of harm to the College Community; interferes with the College's pursuit of its educational objectives and mission, and/or if a student or employee is charged with a serious violation of state or federal law. This includes, education programs or activities, locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the conduct occurs. In addition, it includes any building owned or controlled by a student organization that is officially recognized by the College.

## **Interim Action and Emergency Removal**

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

In the case of a Title IX Sexual Harassment claim, the College must base its decision to institute interim action (e.g., emergency removal) on the following factors: (1) It undertakes an individualized safety and risk analysis, (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Sexual Harassment justifies removal, and (3) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. A respondent subject to emergency removal from the Title IX Coordinator may appeal the decision per the Appeal procedure below in Step 4 of the Title IX Sexual Harassment Complaint Process. The College shall make reasonable efforts to minimize disruption in the professional or educational experience of all affected parties. The College, Complainant, and Respondent will take reasonable efforts to preserve all relevant materials to a complaint, including communications (e.g., email and voice) and documents.

## **Joint Investigation**

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

employee, a joint investigation may be conducted by the Affirmative Action Officer (or Title IX Coordinator if a Title IX Sexual Harassment is alleged) and the employee's supervisor. Based on the findings of their joint investigation, the employee may be subject to disciplinary action for violations of this Policy and/or for inappropriate and unprofessional conduct.

### **Collateral Rights of Employees**

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

### **Complaints of Sex Discrimination, Sexual Harassment or Sexual Violence**

The Title IX Coordinator shall have the responsibility for administering this policy relative to complaints of sex discrimination, sexual harassment, and sexual violence.

### **Title IX Sexual Harassment Complaint Process**

#### **Formal Complaint Requirement**

This Title IX Sexual Harassment Complaint Process shall be available for allegations involving a Formal Complaint of Title IX Sexual Harassment. The College may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances. A party may raise concerns to the Title IX Coordinator (or designee) as to any consolidation; however, the College retains the right to proceed with any consolidation in its sole discretion.

#### **Jurisdiction of the College**

By simultaneous written notice to the parties, the College *must* dismiss any Formal Complaint with regard to that conduct for purposes of Title IX Sexual Harassment, if the conduct alleged:

- Would not constitute Title IX Sexual Harassment as defined, even if proven;
- Did not occur in the College's education program or activity; or
- Did not occur against a person in the United States.

The College *may* dismiss any Formal Complaint for the purposes of Title IX Sexual Harassment if:

- A Complainant withdraws the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

In the case that a Formal Complaint is precluded from review under the Title IX Sexual Harassment Complaint Procedure for jurisdiction purposes, the College reserves the right to address such other complaints under the Complaint Process

#### **Step 1 – Investigation**

Upon receipt of a Formal Complaint (preferably in the format of Appendix C of the [\*Policy on Affirmative Action, Equal Opportunity, and Diversity\*](#)), the Title IX Coordinator (or designee) must promptly contact the Complainant confidentially to discuss the availability of supportive measures and resources, consider the Complainant's wishes with respect to these supportive measures, and explain to the Complainant the Title IX Sexual Harassment Complaint Process. If a student is involved, the Title IX Coordinator shall notify the Provost or Dean of Students.

Within five (5) days of receiving a Formal Complaint, the Title IX Coordinator will notify the Respondent in writing of the Formal Complaint (see Appendix D of the *Policy on Affirmative Action, Equal Opportunity, and Diversity*), provide the Respondent with a copy thereof and discuss supportive measures. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Respondent shall have five (5) days from receipt of notice to submit to the Title IX Coordinator a written response to the Formal Complaint.

Where practicable, within fifteen (15) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Title IX Coordinator shall conduct an investigation and issue all evidence gathered to the parties (and Advisors) for review and written response within ten (10) days upon their receipt. Upon receipt of said parties' written response(s), or the date they were due if none were submitted, the Title IX Coordinator will have ten (10) days to complete and send an investigative report that fairly summarizes the relevant evidence to each party (and Advisor) for their review and written response within ten (10) days upon their receipt. Within ten (10) days of receipt, the Title IX Coordinator shall review the responses (if any) and prepare and submit the final investigative report including all relevant evidence (and including a section denoting all evidence submitted that was found by the Title IX Coordinator not to be relevant) to the Decision Maker; simultaneously, the Title IX Coordinator shall notice all parties of a hearing date that shall take place no later than ten (10) days later. Any request by a party to extend a deadline established under this Procedure shall be presented in writing to the Title IX Coordinator.

## **Step 2 – Hearing**

The Title IX Coordinator (or designee) will be responsible for coordinating the hearing process. The Decision Maker shall be responsible for conducting the hearing. The duties of the Title IX Coordinator will include: scheduling the hearing; notifying the parties, advisors, and witnesses of the hearing; ensuring that the trained Decision Maker is provided with appropriate materials including a copy of the final investigative report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Title IX Coordinator will also act as liaison between the parties and the Decision Maker on procedural matters. A hearing is conducted in private. If a Respondent or Complainant has a good faith belief that the individual selected as the Decision Maker has a specific bias or conflict of interest, they may file a request with the Title IX Coordinator (or in instances where the Title IX Coordinator is serving as the Decision Maker, the request shall be directed to the individual selected as the designee in Step 1 - Investigation) for a replacement within two (2) calendar days of being notified of the Decision Maker's identity. The Title IX Coordinator (or designee) shall review the request and make a decision in no more than three (3) calendar days either granting the request or providing reasons for denying the request. All procedural questions are subject to the final decision of the Decision Maker.

In general, hearings will proceed as follows:

- a. The Decision Maker shall summarize the Hearing Policy and allow the Title IX Coordinator the opportunity to briefly state the allegations and summarize the investigative report.
- b. Each party's advisor will be given the opportunity to question the other party and any witnesses by presenting questions to the Decision Maker (including questions on credibility). If the Decision Maker determines a question is relevant, the other party will be asked to respond.
- c. The Decision Maker shall have a final opportunity to question the parties.
- d. The Decisions Maker will conclude the hearing by informing the parties that they will issue a decision to the parties and their advisors within ten (10) days, and that it will be based upon a Preponderance of the Evidence standard (i.e., more likely than not).

## **Hearing Policy**

Questions and evidence about a Complainant's prior sexual behavior will be deemed irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove consent.

If a party does not have an advisor present at the live hearing, the College will choose a trained member of the community, to conduct cross examination on behalf of that party. All advisors are limited to active participation in the question and follow-up cross-examination part of the live hearing. Further, Advisors are the only parties allowed to present questions (cross-examination or otherwise) to the Decision Maker.

Generally, live hearings may be conducted with all parties physically present in the same geographic location. At the request of either party, the College must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision Maker and parties to simultaneously see and hear the party or the witness answering questions.

Only relevant questions or cross-examination questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain to the party's Advisor asking cross-examination questions any decision to exclude a question as not relevant. If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Formal rules of evidence applied in courtroom proceedings (e.g., Massachusetts Evidence Code) do not apply in the hearing. The Decision Maker will make an official audio recording of the hearing. The recording is College property. No other recording of the hearing is permitted. The audio recording will be retained by the Title IX Coordinator in accordance with the College's records/information retention and disposition schedule. Access to the recording will be made available to the parties for inspection and review, however, parties are prohibited from making any copies of such recording. The recording shall only be released in compliance with applicable discovery proceedings in any future legal/administrative proceedings. The Decision Maker controls the hearing, is responsible for maintaining order during the hearing, and makes whatever rulings are necessary to ensure a fair hearing. The Decision Maker's decisions in this regard are final.

### **Step 3 – Review and Decision by the Decision Maker**

The Decision-Maker must issue a written determination regarding responsibility to all parties (and their Advisors) simultaneously, within ten (10) days of the hearing. The written determination must include — Identification of the allegations potentially constituting sexual harassment; A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; Findings of fact supporting the determination; Conclusions regarding the application of the College's code of conduct to the facts; A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant; and The College's procedures and permissible bases for the Complainant and Respondent to appeal. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effectuating any remedies including referral to appropriate College administrators as may be applicable.

### **Step 4 – Appeal to the President**

A party who is not satisfied with the Title IX Coordinator's decision to implement an emergency removal or dismiss a Formal Complaint; or, the Decision Maker's written decision may file an appeal with the

President within five (5) days of receiving said decision, respectively on the following bases: procedural irregularity that affected the outcome of the matter, newly discovered evidence that could affect the outcome of the matter, and/or that any Title IX personnel (including the Decision Maker) had a conflict of interest or bias, that affected the outcome of the matter. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision simultaneously to all parties, accepting, rejecting, or modifying the decision, describing the result of the appeal and the rationale for the result. The President's decision is final provided that any corrective action and/or discipline imposed are subject to applicable collective bargaining agreements. If the President is the Respondent, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

## On Campus Services

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, NECC will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

ON CAMPUS	Service Provider	Contact Information
Counseling	Gabriel Garcia	978-738-7381
Health	Not Available on Campus	
Mental Health	Gabriel Garcia	978-738-7381
Victim Advocacy	Title IX	978-556-3928
Legal Assistance	Not Available on Campus	
Visa & Immigration Assistance	Maria Hernandez	978-556-3726
Student Financial Aid	Despina Lambropoulos	978-556-3614
Other	Human Resources/Title IX	978-556-3928

Suicide Prevention – Samaritans – 617-536-2460

National Sexual Assault Hotline – 800-656-4673

<http://www.rainn.org> – Rape, Abuse, and Incest National Network

<https://www.justice.gov/ovw> - Department of Justice – Violence Against Women Office

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## How to Be an Active Bystander

Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who witness violence or the conditions that perpetuate violence. They are not directly involved but have the ability to say something or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. This could be when a person is yelling at or being physically abusive

towards another and it is not safe for you to interrupt, whether it is domestic or dating violence, sexual assault, or stalking.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

NECC is concerned about your safety with regards to all the crimes covered by the Violence Against Women Act. In the next few pages, we have provided some information on risk reduction, and how to recognize warning signs of abusive behavior or potential attacks. If you are the victim of one of these crimes, please get help through one of the many resources listed in this publication.

NECC encourages bystander intervention only when it is safe to do so. If you or someone else is in immediate danger, call The Department of Public Safety at 978-556-3333 or dial 9-1-1.

## **Risk Reduction**

Risk Reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you do not know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.).
11. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
12. Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.



13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place and seek medical help immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a) Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b) Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c) Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d) Lie. If you do not want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

If you are experiencing any of the following signs of abuse, you may be in an abusive relationship. Whether or not you are ready to leave your abuser, there are things you can do to protect yourself. The safety tips below can make the difference between being severely injured or killed and escaping with your life. If you would like help in safety planning, call the Department of Public Safety at 978-556-3333 or the National Domestic Violence Hotline at 800-799-7233.

Are you with someone who:

- Is jealous and possessive toward you, will not let you have friends or family contact, checks up on you constantly via phone, email, or in person, will not accept breaking up?
- Tries to control you by being very bossy, giving orders, making all the decisions, without taking your opinion seriously?
- Puts you down, critical of whatever you do, and undermines everything you say?
- Is scary to the extent that you worry about how they will react to things you say or do?
- Threatens you, uses or owns weapons?
- Is violent and has a history of fighting, loses temper quickly, and brags about mistreating others?
- Pressures you for sex, is forceful or scary with regard to sex?
- Thinks of you as a sex object?
- Attempts to manipulate or guilt-trip you by saying "If you really loved me you would..."
- Gets too serious about the relationship too fast?
- Abuses drugs or alcohol and pressures you to take them?
- Blames you when they mistreat you by saying you provoked them, pressed their buttons, made them do it, or led them on?
- Has a history of bad relationships and blames the other person for all the problems?
- Believes that men should be in control and powerful and that women should be passive and submissive?
- Has hit, pushed, choked, restrained, kicked, or physically abused you?
- Your family and friends have warned you about and told you they were worried for your safety?

- If you are gay, lesbian, bisexual, or transgender, has threatened to 'out' you to family, friends, or your work if you do not comply with certain demands?
- If you are an immigrant, has threatened or tried to turn you in to authorities and get you deported? Or has told you that you are endangering the community?
- If you have health problems, has prevented you from getting treatment, interfered with medication, or made it difficult for you to get to medical appointments?
- If you are older, has threatened to put you in a nursing home or interfered with your ability to get out of the house when you want?

## **Prepare for Emergencies**

- Know your abuser's red flags. Be on alert for signs and clues that your abuser is getting upset and may explode in anger or violence. Come up with several believable reasons you can use to leave the house or your room (both during the day and at night) if you sense trouble brewing.
- If you live off campus identify safe areas of the house. Know where to go if your abuser attacks or an argument starts. Avoid small, enclosed spaces without exits (such as closets or bathrooms) or rooms with weapons (such as the kitchen). If possible, head for a room with a phone and an outside door or window. If you are on campus, you can always come to the Department of Public Safety in C110/112 on the Haverhill campus or 414 Common St on the Lawrence campus.
- Come up with a code word. Establish a word, phrase, or signal you can use to let your children, friends, neighbors, or co-workers know that you are in danger and the police should be called.

## **Make an Escape Plan**

- Be ready to leave at a moment's notice. Keep the car fueled up and facing the driveway exit, with the driver's door unlocked. Hide a spare car key where you can get it quickly. Have emergency cash, clothing, and important phone numbers and documents stashed in a safe place (at a friend's house, for example).
- Practice escaping quickly and safely. Rehearse your escape plan so you know exactly what to do if under attack from your abuser. If you have children, have them practice the escape plan also.
- Make and memorize a list of emergency contacts. Ask several trusted individuals if you can contact them if you need a ride, a place to stay, or help contacting the police. Memorize the numbers of your emergency contacts, local shelter, and domestic violence hotline.

## **Stalking Behavior**

Stalking behavior and conduct can range from very subtle behavior to extreme and outrageous acts that might sound unbelievable to those less familiar with stalking. A stalker might engage in only one form of stalking behavior while another might engage in a wide variety of different and unpredictable stalking activities.

Most stalking cases are in the context of domestic violence – the victim is living in fear of someone they once loved and trusted in an intimate partner relationship.

A stalker's behavior might include:

- Following
- Waiting outside of a home or workplace
- Making harassing or persistent phone calls
- Sending letters or emails
- Sending unwanted gifts or flowers
- Contacting, threatening, or harassing friends and family
- Hurting or killing pets
- Vandalizing property
- Manipulative behavior, for example, threatening suicide in order to force contact

- Spreading lies about a victim, for example, filing false reports, posting, or distributing personal or false information
- Collecting information about the victim's personal life and habits
- Subscribing to services in the victim's name
- Interfering with utilities or services, for example, having phone service disconnected
- Impersonating the victim or family member
- Accessing personal information through computer files or email accounts

## **Stalking with Technology**

Access to the Internet and familiarity with new electronic technologies is increasingly common for most households, campuses, and workplaces. This technology provides stalkers another means for finding, contacting, and harassing their victims. While using technology to stalk does not involve physical contact, it is no less threatening than physical stalking. Some stalking tactics may include:

- Accessing or interfering with computer files and/or emails
- Sending threatening correspondence via email
- Tracking activities and movement through GPS (global positioning satellite) technology
- Taking photo/video images without consent and/or transmitting those images through the Internet

More information is available at the Stalking Prevention, Awareness & Resource Center (SPARC): <https://www.stalkingawareness.org/what-to-do-if-you-are-being-stalked/>.

## **Additional Community Resources**

Various organizations can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to utilize the resources that are the best suited to their needs, whether on or off campus.

**The Following Rape Crisis Centers offer FREE services to survivors of sexual violence, including:**

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

### **Greater Boston Area**

Boston Area Rape Crisis Center (BARCC):  
1-800-841-8371 (hotline); 1-800-439-2370 TTY Mass Relay dial 711 (MA only)  
<http://www.barcc.org/>

### **Northeastern Massachusetts**

YWCA Northeastern Massachusetts (formerly YWCA North Shore Rape Crisis Center):  
Rape Crisis 24-Hour Hotline: 1-800-922-8772, Spanish: 800-223-5001, 978-686-8840 TTY  
<http://ywcansrcc.org/programs-services/rape-crisis/>

Center for Hope and Healing (formerly Rape Crisis Services of Greater Lowell):  
800-542-5212 (Hotline), 978-452-8723 TTY  
<https://chhinc.org/>

YWCA of Northeastern Massachusetts, (formerly YWCA of Lawrence):  
877-509-9922 (Hotline), 978-686-8840 TTY  
<http://ywcanema.org/programs-services/womens-services/rape-crisis/>

### **Central Massachusetts**

Rape Crisis Center of Central Massachusetts -Worcester:  
800-870-5905 (hotline); 508-852-7600 TTY  
<https://pathwaysforchange.help/>

Wayside Victim Services, Milford:  
800-511-5070 (Hotline), 508-478-4205 TTY  
<https://www.waysideyouth.org/>

Voices Against Violence), Framingham:  
800-593-1125 (Hotline, 508-626-8686 TTY  
<http://www.smoc.org/voices-against-violence.php>

### **Southeastern Massachusetts**

A Safe Place, Nantucket:  
508-228-2111 (Hotline), 508-228-0561 TTY  
<https://www.asafeplacenantucket.org/>

Independence House, Hyannis:  
800-439-6507 (Hotline), 508-778-6782 TTY  
<https://independencehouse.org/>

Women Support Services, Vineyard Haven:  
508-696-7233 (Hotline), 774-549-9659 TTY  
<https://www.mvcommunityservices.org/>

Greater New Bedford Women Center, New Bedford:  
508-999-6636 (Hotline), 508-996-1177 TTY  
<http://www.thewomenscentersc.com/>

New Hope, Attleboro:  
800-323-4673 (Hotline), 508-323-4673 TTY  
<https://www.new-hope.org/>

### **Western Massachusetts**

Elizabeth Freeman Center, Pittsfield:  
866-401-2425 (Hotline), 413-499-2425 TTY  
<https://www.elizabethfreemancenter.org/>

Everywoman Center, Amherst:  
413-545-0800 (Hotline), 413-577-0940 TTY  
<https://www.umass.edu/cwc/>

NELCWIT, Greenfield:  
413-772-0806 (Hotline), 413-772-0815 TTY  
<http://www.nelcwit.org/>

YWCA of Western Mass, Springfield (formerly YWCA, Springfield):  
800-796-8711 (Hotline), 413-733-7100 TTY

<https://www.yvworks.org/>

## **Statewide Resources**

Llámanos: Statewide Spanish Rape Crisis Hotline  
Hotline: 800-223-5001 (Operated by the YWCA of Western Massachusetts)

Jane Doe Inc. – Massachusetts Coalition Against Sexual Assault and Domestic Violence:  
617-248-0992;  
[www.janedoe.org/](http://www.janedoe.org/)

Victim Rights Law Center:  
617-399-6720;  
[www.victimrights.org](http://www.victimrights.org)

Equal Employment Opportunity Commission (EEOC)  
JFK Federal building  
475 Government Center  
Boston, MA 02203  
800-669-4000, 800-669-6820 TTY  
<https://www.eeoc.gov/field/boston/>

The EEOC prohibits sexual harassment in the workplace. The statute of limitations for filing a complaint is 300 days for the last date of discrimination.

U.S. Department of Education, Office for Civil Rights (OCR)  
5 Post Office Square, 8th floor  
Boston, MA 02109-3921  
617-289-0111  
<https://www2.ed.gov/about/offices/list/ocr/index.html>

While OCR complaints should generally be filed within 180 days of the last date of the alleged discrimination, OCR may extend this filing deadline in a variety of circumstances.

Massachusetts Commission against Discrimination (MCAD)  
John McCormack building  
One Ashburton Place  
Sixth floor, Room 601  
Boston, MA 02108  
617-994-6000, 617-994-6196 TTY  
<https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>

The MCAD prohibits sexual harassment in the workplace. The statute of limitations for filing a complaint is 300 days for the last date of discrimination.

## **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- C. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new

employees and ongoing prevention and awareness campaigns directed at students and employees.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees as well as ongoing awareness and prevention campaigns for students and employees that includes:

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Massachusetts; (the state of Massachusetts does not define consent)
- D. The institution's definition of consent AND the purposes for which that definition is used.
- E. A description of safe and positive options for bystander intervention.
- F. Information on risk reduction.
- G. Information regarding:
  - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
  - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
  - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
  - d. options for, available assistance in, and how to request changes to academic, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
  - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);

## **Primary Prevention and Awareness Programs**

### **Policy Statement Addressing Security Awareness Programs for Students and Employees**

During summer registration days and at the beginning of the fall and spring semesters students and their parents are informed of services offered by the Northern Essex Community College Department of Public Safety. Students are told about safety and theft prevention; similar information is shared with staff during their onboarding process. The College staff, including Student Activities, Counselors etc., offer programs on crime prevention, sexual assault prevention, domestic and dating violence, as well as stalking.

### **Sexual Assault Awareness and Prevention**

The potential for occurrences of sexual assault is a reality for all colleges and universities, regardless of their location. As discussed more fully below in the College's statement of policy on sexual assault, NECC will not tolerate sexually hostile conduct of any type, whether in the nature of sexual assault or sexual harassment.

The College actively endeavors to educate students and staff concerning sexual assault awareness through, among other things, distribution of educational literature. The College brings in outside organizations such as the YWCA, which also provides interactive educational programming for students.

### Ongoing Prevention and Awareness Campaigns

During the 2022-2023 academic year NECC offered crime prevention and security awareness programs, several are outlined below. All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others.

### Policy Statement Addressing Crime Prevention Programs for Students and Employees

Crime prevention programs on personal safety and theft prevention are sponsored by various campus departments throughout the year. The Department of Public Safety personnel facilitate programs for students and staff throughout the school year. Some of the crime prevention programs offered are safety awareness, safety in the city, alcohol and drug awareness, and sexual assault prevention.

### Personal Safety Workshops

To educate the NECC community about the safety and security realities of life on a college campus, the Department of Public Safety provides opportunities for all members of the community to learn about precautions for avoiding victimization. Officers conduct crime awareness workshops for NECC community members, which are designed to enhance awareness and improve personal safety.

### Crime Bulletins and Alerts

The Department of Public Safety periodically distributes crime bulletins or alerts to inform members of the NECC community about incidents of crime in the areas surrounding the College. These bulletins and alerts are also circulated at times, not in response to a specific incident, but as general reminders to community members about measures to be taken to enhance personal and property security.

### Programs and Campaigns at the Haverhill and Lawrence Campuses

The college offered the following **awareness and prevention programs** for **students** in 2022:

\*DoV=Domestic Violence, DaV=Dating Violence, SA=Sexual Assault, and S=Stalking

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
<b>Workshop on Stalking Awareness</b>	1/26/22	Virtual	S
<b>Workshop on Dating Violence</b>	2/16/22	Virtual	DaV
<b>Workshop on Consent and Self-Care</b>	3/30/22	Virtual	DaV, DoV, SA
<b>Workshop on Sexual Assault and Consent</b>	4/13/22	Virtual	SA
<b>Workshop on Domestic Violence Awareness</b>	10/12/22	Virtual	DV, DaV
<b>LGBTQIA+ Workshop</b>	11/16/22	Virtual	

<b>Catfishing/Virtual Friendships/Communications Awareness Workshop</b>	11/30/22	Virtual
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The College offered the following **awareness and prevention programs** for **employees** in 2022:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
<b>Workshop on Stalking Awareness</b>	1/26/22	Virtual	S
<b>Workshop on Dating Violence Awareness</b>	2/16/22	Virtual	DaV
<b>Workshop on Consent and Self-Care</b>	3/30/22	Virtual	DaV, DoV, SA
<b>Workshop on Sexual Assault Awareness</b>	4/13/22	Virtual	SA
<b>Workshop on Domestic Violence Awareness</b>	10/12/22	Virtual	DV, DaV
<b>LGBTQIA+ Workshop</b>	11/16/22	Virtual	
<b>Catfishing/Virtual Friendships/Communications Awareness Workshop</b>	11/30/22	Virtual	

## Hazing Policy

NECC expressly prohibits any form of hazing. Hazing is against the law, incorporates other serious crimes, and violates College policy. Reports of hazing will be investigated immediately by the Northern Essex Community College Public Safety Department, other College administrative offices, outside law enforcement agencies, or any combination of the three. In addition to criminal penalties under Massachusetts law, students or employees are subject to College disciplinary action for organizing or participating in hazing or failing to report persons in danger in conjunction with hazing.

## General Laws of Massachusetts

### Chapter 269: Section 17. Hazing; organizing or participating; hazing defined

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any 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.



Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. (Amended by 1987, 665.)

#### **Chapter 269: Section 18. Failure to report hazing**

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. (Amended by 1987, 665.)

#### **Chapter 269: Section 19. Issuance to students, student groups, teams, & organizations**

Each institution of secondary education and each public and private institution of postsecondary education shall issue to every student group, student team, or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team, or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams, or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams, or organizations.

Each such group, team, or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges, or applicants for membership. It shall be the duty of each such group, team, or organization, acting through its designated officer, to deliver annually to the institution, an attested acknowledgement stating that such group, team, or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team, or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education, shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report. (Amended by 1987, 665.)

#### **Notification to Victims of Crimes of Violence**

Upon written request, the College will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased

as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **References**

- Student Right-to-Know Act (Public Law 101-542)
- Higher Education Technical Amendments of 1991 (Public Law 102-26)
- Higher Education Technical Amendments of 1993 (Public Law 103-208)
- Higher Education Opportunity Act (HEOA) of 2008 (Public Law 110-315)
- 20 U.S.C. 1092(f)
- 20 U.S.C. 1094
- 34 CFR 668
- Northern Essex Community College Student Code of Conduct

## Annual Crime Statistics Charts for Northern Essex Community College

### Haverhill Campus Crime Statistics Reported for 2020, 2021, and 2022

Criminal Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded
Murder/Non Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex offenses, Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Arrests	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Possessions	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Referrals- Campus Disciplinary Actions	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Possessions	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses	Year	On Campus	Non Campus	Public Property	Unfounded
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	0	0	0

#### Hate Crimes

2020 – There were no incidents of hate crimes during the 2020 calendar year.

2021 – There were no incidents of hate crimes during the 2021 calendar year.

2022 – There were no incidents of hate crimes during the 2022 calendar year.

\*NECC does not have residential facilities on the Haverhill campus

## Lawrence Campus Crime Statistics Reported for 2020, 2021, and 2022

Criminal Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded
Murder/Non Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex offenses, Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses, Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	1	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Arrests	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Possessions	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Referrals – Campus Disciplinary Action	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Possessions	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses	Year	On Campus	Non Campus	Public Property	Unfounded
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

#### Hate Crimes

2020 – There were no incidents of hate crimes during the 2020 calendar year.

2021 – There were no incidents of hate crimes during the 2021 calendar year.

2022 – There were no incidents of hate crimes during the 2022 calendar year.

\*NECC does not have residential facilities on the Lawrence campus

**\*The Heights at Haverhill Campus Crime Statistics Reported for 2021 and 2022**

Criminal Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded
Murder/Non Negligent Manslaughter	2021	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
Sex offenses, Rape	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Fondling	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Incest	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0

Arrests	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Violations	2022	0	0	0	0
	2021	0	0	0	0
Illegal Weapons Possessions	2022	0	0	0	0
	2021	0	0	0	0

Referrals – Campus Disciplinary Action	Year	On Campus	Non Campus	Public Property	Unfounded
Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Violations	2022	0	0	0	0
	2021	0	0	0	0
Illegal Weapons Possessions	2022	0	0	0	0
	2021	0	0	0	0

VAWA Offenses	Year	On Campus	Non Campus	Public Property	Unfounded
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0

\*The Heights at Haverhill became a campus in 2021 therefore there are only statics for 2 yrs.

#### Hate Crimes

2021 – There were no incidents of hate crimes during the 2021 calendar year.

2022 – There were no incidents of hate crimes during the 2022 calendar year.

\*NECC does not have residential facilities on the Heights at Haverhill campus






## Haverhill Campus

100 Elliott Street

- A** Bentley Library
- B** General Services Center
- C** Spurr Building
- D** Sport & Fitness Center
- E** Science Building
- G** Maintenance Building
- SC** Behrakis Student Center
  - ★ Student Success Hub
  - Bookstore
  - ◆ Student Photo IDs
- TC** Hartleb Technology Center
- HH** Haverhill Heights
  - 160 Merrimack Street
  - Haverhill, MA
  - Parking is available on the street or in a nearby city lot.

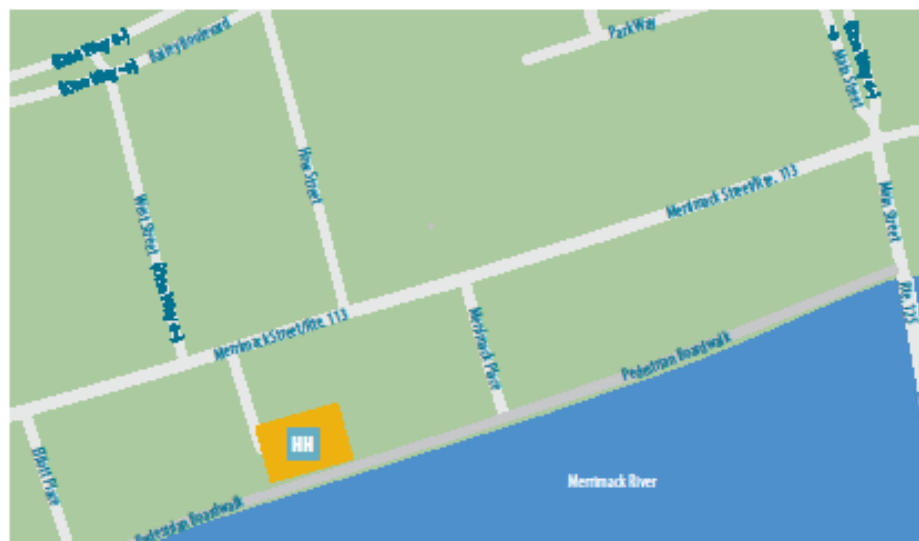


### Parking

- VP** Visitor Parking  
Parking for visitors, students, and employees without permits.
- PP** Permit Parking
-  Intercampus Shuttle Bus
-  MVRTA Bus  
Students will need to show their NECC student ID to ride both the shuttle and MVRTA busses.
-  Accessible Parking



For additional information and directions, visit [www.necc.mass.edu/directions](http://www.necc.mass.edu/directions)

For the NECC Parking Policy, visit [www.necc.mass.edu/parking](http://www.necc.mass.edu/parking)



202103-009

## Lawrence Campus

**L** John R. Dimitry Building  
45 Franklin Street  
 Textbook Pickup Location  
 Library

**LA** Louise Haffner Fournier  
Education Center  
78 Amesbury Street

**LC** Dr. Ibrahim El-Hefni  
Allied Health &  
Technology Center  
414 Common Street  
 Student Photo IDs  
 Student Success Hub

**LH** 420 Common Street


### Parking

**A&C** Permit/Visitor Parking

**B&E** Permit/Validated Parking  
Validation with a current NECC  
parking permit is available  
M-F at buildings L, LA, LC, and LH  
when all other permit lots are full.

**D** Permit Parking

 Intercampus  
Shuttle Bus

 MVRTA Bus  
Students will need to show their  
NECC student ID to ride both  
the shuttle and MVRTA busses.

 Accessible Parking

 Accessible Access to  
Lots and Sidewalks

For additional information and directions,  
visit [www.necc.mass.edu/directions](http://www.necc.mass.edu/directions)

For the NECC Parking Policy, visit  
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