



2016

Annual Security and Fire Report



Nichols College

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The Annual Security Report

Introduction to this Report

This Annual Security Report is prepared and distributed by the Office of Community Standards in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1988. It contains crime and arrest statistics as well as information about campus policies and practices intended to promote crime awareness, campus safety, and security. By October 1st of every year, all current student and employees receive email notification providing the link to this report and notification that the current addition of the Annual Security Report has been posted on the Nichols College website. Current or prospective students and employees may obtain a copy of this report by visiting the Office of Community Standards located in the Student Life Suite on the third floor of the Fels Student Center, by calling 508-213-2027, by emailing Community.Standards@nichols.edu, or by visiting <http://go.nichols.edu/policies>. Paper copies of this report are also available at the Department of Public Safety and the Office of Community Standards.

Developing Information for this Report

The preparation of crime statistics on an annual basis involves collaboration among the Office of Community Standards, the Nichols College Department of Public Safety, and the Dudley Police Department. The Dudley Police Department contributes to the collection of annual statistical data for incidents that occur in the Clery-defined geographical areas for reporting. Specific protocol is followed to report anonymous crime statistics disclosed to Mental Health Services. Further collaboration with the Title IX Coordinator, the Center for Student Involvement, the Department of Residence Life, the Department of Public Safety, and the Department of Community Standards is utilized for updated information on educational programs and prevention in compliance with recent regulations.

Important Resources

Public Safety

Outside Line.....508-213-2298
On Campus Line.....2298
*All On-campus Emergencies should be directed to Public Safety

Local Law Enforcement

Dudley Police Department.....508-949-8019 or 508-943-4411

Health

Health Services.....508-213-2238
On Campus Line.....2238
Counseling Services.....508-213-2108 or 508-213-2338
On Campus Line.....2108 or 2338

Student Life

Main Office.....508-213-2216
On Campus Line.....2216
Community Standards.....508-213-2027
On Campus Line.....2027
Residence Life.....508-213-2480
On Campus Line.....2480
Title IX Coordinator.....508-213-2483
On Campus Line.....2483

Reporting Criminal Activities, Crimes, Emergencies and Suspicious Activity

Reporting Crime and Suspicious Activity

Students, faculty and staff are strongly encouraged to report all criminal and suspicious activity to Public Safety in a timely and accurate manner. Timely reporting of information assists us in intervening in potential criminal activity and to identify suspects. Please don't delay calling. To reach Nichols College Public Safety, call 508-213-2298. To reach the Dudley Police Department, call 508-943-4411 or dial 911. Campus extension phones are situated at various locations at the main entrances to the residence halls. Individuals may also use the "blue light" emergency phones which are placed at various locations on the grounds.

Campus Security Authorities

Individuals on campus may also report crimes to a designated campus security authority (CSA). The Clery Act regulations define a Campus Security Authority as:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Campus professional and pastoral counselors, when acting as such, are exempt from reporting requirements. As a matter of policy they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. In addition to input from Public Safety personnel, certain faculty and staff positions are designated as

Campus Security Authorities (CSA) for the purpose of providing information for this report. The individuals filling the following positions have been designated as Campus Security Authorities.

The individuals filling the following positions have been designated as Campus Security Authorities:

Dean of Students
Director of Residence Life
Community Standards Coordinator
Public Safety Officers
Area Coordinators
Graduate Resident Director
Resident Assistants
Center for Student Involvement Personnel
Extra-Curricular Club Advisors
Intramural Team Coaches
Athletic Director
Assistant Athletic Director
Athletic Team Coaches
Athletic Team Assistant Coaches
Title IX Coordinator
Deputy Title IX Coordinator

All CSAs should encourage any person who reports a crime or other incident involving campus security to notify the Nichols College Department of Public Safety immediately. Any CSA who receives a report of an incident involving crime or campus security except for violations listed in the Nichols College Sexual Misconduct Policy **must** contact the Nichols College Department of Public Safety immediately and inform the department of the incident consistent with the confidentiality considerations discussed below. Reports of violations of the Sexual Misconduct Policy **must** be directed to the Title IX Coordinator.

Confidential Reporting

Community members can report criminal or suspicious activity anonymously by calling the Department of Public Safety at 508-213-2298. An individual can call Public Safety to report domestic violence, sexual assaults, stalking, drug usage/dealing, or any other criminal activity. If you have information about a crime or incident and wish to remain anonymous, you can utilize the online incident report form located at <http://go.nichols.edu/policies>. This form should not be used to report emergency situations.

Voluntary Confidential Reporting

Victims of a crime, who may not want to pursue action within the college system or the criminal justice system, are encouraged to consider making a confidential report. The Dean of Students can file a report on the details of an incident without revealing a victim's identity. A confidential report is utilized to comply with a request for confidentiality, while taking steps to ensure the safety of the Campus Community. This information is used by the College to keep an accurate record of the number of incidents involving students, determine if and where there is a pattern of crime, location, method, or perpetrator, and alert the Campus Community to any potential danger. Reports filed in this manner are counted and disclosed in the annual crimes and statistics for the College. These reports may be made to any Campus Security Authority, Dean of Students, Director of Residence Life, Community Standards Coordinator, or any Residence Life Staff Member.

Counselors and Confidential Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments of 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a Campus Security Authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform the persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution, whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Confidentiality Considerations

A CSA is not required to disclose to Public Safety confidential information concerning an incident, such as information that would identify a victim of a crime who wishes his or her identity to remain confidential. However, CSAs are required to inform the Department of Public Safety of the existence of all known incidents, including confidential incidents, so that such incidents can be recorded as statistics by the department and, where appropriate, included in the College's Annual Security Report. In

cases of violations of the Sexual Misconduct Policy, Public Safety will be notified by the Title IX Coordinator.

If a reporting party does not consent to the disclosure of his or her identity to the Department of Public Safety, CSAs are expected to inform the department of the reporting party's wish for confidentiality and to report the incident to the Nichols College Public Safety Department for statistical purpose only. CSAs must report an incident to the department 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 Public Safety Department. In the event an individual chooses not to report a crime, the College urges the person to at least disclose the occurrence of the incident to a Campus Security Authority so it may be counted, as appropriate, in the College's annual CLERY Report.

If You See Something, Say Something

In order for Public Safety to maintain a safe and secure environment for the students, faculty, and staff of the College, we need the help of the community. Public Safety cannot do it alone! You are in a better position to identify behavior and activities that are out of ordinary in your residence hall, classroom or workplace. When you identify suspicious behavior, call Public Safety at 508-213-2298. Don't delay! You should trust your instincts. If something does not seem right, it probably isn't. Do not ignore it or keep it to yourself. Call Public Safety even if you are not sure what is occurring. We are not encouraging community members to intervene or take actions on their own. We just need you to alert us to the situation. We will then dispatch officers to investigate the situation and take appropriate action.

Signs of behavior that might be suspicious are:

- A person trying to enter a residence hall without proper card.
- A person running and looking about furtively, as if he/she was being watched or chased.
- A stranger carrying property at an unusual hour location, especially computers or electronics.
- A person going door to door in a building.
- Transactions being conducted from vehicles.
- One or more persons sitting in a parked car closely scanning an area.
- A person being forced into a vehicle.
- A person exhibiting unusual mental or physical symptoms
- Unusual noises, including yelling, sounds of fighting or anything suggesting foul play, danger or illegal activity.

**It is important to remember people aren't suspicious, behavior is.
When in doubt, call Public Safety.**

Law Enforcement and Security Units

The Department of Public Safety

The Department of Public Safety consists of 12 Public Safety Officers, supervised by Director of Public Safety Jack Caulfield. The mission of the Nichols College Department of Public Safety is to enhance the quality of life for the entire Nichols College Community by maintaining a secure and open environment where the safety of all is balanced with the rights of the individual. The Nichols College Public Safety Department strives to accomplish this mission while adhering to its core values of Integrity, Professionalism and Service. The success of this mission depends upon an effective working relationship among Campus Safety Personnel and the diverse elements of the Nichols College Community, including students, staff, faculty and visitors. Preserving the safety and security of Nichols College is the combined responsibility of the entire College Community.

Actions/Responsibilities

The Department of Public Safety is located in South Hall. Public Safety Officers are on duty 24 hours a day, 365 days a year. Official Business hours of the Department are Monday-Friday 8:00am-4:00pm. Public Safety Officers respond to complaints of disturbances, crimes, suspicious persons, motor vehicle related problems, lock-outs, and to any emergency or request for assistance. Officers patrol all buildings during all hours of operation, as well as during non-operational periods. All officers are equipped with two-way radio communications to stay in constant contact with the Public Safety Dispatch and the Dudley Public Safety Dispatch Center. Officers note security related problems such as broken windows and malfunctioning lights and locks. Nichols College Public Safety Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the College. Public Safety Officers have the authority to issue parking tickets, which are billed to the financial accounts of students, faculty and staff. Public Safety Officers do not possess arrest powers. However, they do have the authority to address student behavior in relation to Local, State, and Federal Laws and in terms of the Student Code of Conduct. Criminal incidents are referred to the Dudley Police who have jurisdiction on the campus. The Nichols Public Safety Department maintains a highly professional working relationship with the Dudley Police Department. All crime victims and witnesses are strongly urged to immediately report any crime to Public Safety

and/or the Dudley Police Department. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics. In order to report a crime or other emergency, public safety personnel can be reached at any time via campus telephone at extension 2298 or from any phone at (508) 213-2298. The Department of Public Safety management and uniformed services are available for assistance in any way possible and provide the campus with the protection of life and property in the performance of their duties.

Public Safety Training

Nichols Public Safety Officers receive updated training on all aspects pertaining to their jobs. All staff members are trained in emergence medical response procedures. All officers are CPR/AED certified. Some members are Emergency Medical Technicians. Officers are trained to mitigate situations and to foster an environment which is conducive for achieving one's educational goals through mutual respect. Public Safety personnel undergo in-service training during semester breaks that cover topics such as suicide prevention, dealing with persons in crisis, fire prevention/suppression and evacuation, domestic abuse, dating violence, stalking, date rape, alcohol, and drugs.

Dudley Police Department

Nichols College falls under the jurisdiction of the Dudley Police Department. The Nichols Department of Public Safety maintains an excellent working relationship with the Dudley Police Department. Public Safety efforts will be supported by a "Community Policing" effort and work in conjunction with the Dudley Police whenever necessary. Students may contact either or both departments if they wish to report a crime. Public Safety will notify the Dudley Police Department if there is an immediate need for back-up or other assistance. In most criminal matters, the Dudley Police Department shall become the lead investigating agency and shall make the determination if any or what type of assistance shall be needed." The Dudley Police Department can be contacted by dialing 911 from a campus telephone. Individuals wishing to contact the Dudley Police may dial 911 from any cellular telephone. The call will go to the Massachusetts State Police communications center and will be transferred to the Dudley Police Department. Nichols Public Safety will be notified of the call and also respond to the location to which the call was made.

Off Campus Behavior

Students are expected to conduct themselves in accordance with local, state and federal laws both on and off campus. Nichols College reserves the right to take Student Conduct action against individuals/groups for off-campus misconduct. When a Nichols College student is involved in an off-campus offense, the Department of Public Safety may assist with the investigation in cooperation with local, state, or federal law enforcement. The Dudley Police routinely work and communicate with Public Safety on any serious incidents occurring in the immediate areas surrounding campus. Nichols

College does not operate any off-campus housing or off-campus student organization facilities.

Notification to the Campus Community

Emergency Notification

Emergency Notification is sent to the Campus Community once the Dean of Students or his/her designee or the Director of Public Safety or his/her designee confirms that a significant emergency or a dangerous situation involving an immediate threat to the health or safety of any members of the Nichols Community is occurring on campus. The Dean of Students or the Director of Public Safety shall initiate the Emergency Notification procedure. Emergency notifications shall be made via the Blackboard Connect Notification System to include telephone, cellular telephone and electronic notification systems, email and written notification posted in each campus building. Communication in the time of a crisis is meant to swiftly inform our community and to prompt an action on what to do next. Emails from Connect-ED will come from an account called **Nichols Alert**. Text messages and phone messages will come from a numbered account or from “Nichols Switchboard”.

Nichols Alert

Nichols College utilizes an emergency communication service known as Connect-ED. **This service will be used *only* in cases of emergency.**

The value of Connect-ED can be realized *only* if Nichols community members identify means of contact. The Dean of Students sends an email to the Community instructing how to provide information for emergency notifications. An announced test of the system is conducted at the beginning of each year.

The following have the authority to issue or authorize an Emergency Notification:

- *Department of Public Safety*
Investigation and primary contact initiation to the Message Activator
- *Dean of Students*
Primary Message Activator
- *Director of Residence Life*
Secondary Message Activator
- *Community Standards Coordinator*
Message Activator
- *Director of Public Safety*
Message Activator

- *VP for Information Services*
Message Activator
- *Information Technology Specialist*
Message Activator
- *Director of Public Information*
Individual will be contacted should emergency information need to be disseminated to the larger Dudley Community.

The institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency

Timely Warnings

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Nichols College will issue Timely Warnings to the Campus Community. Timely Warnings are issued for crimes that have already occurred but represent serious or ongoing incident/crime/threat that occurs on campus or public property adjacent to the campus. The purpose of this warning is to aid in the prevention of similar crimes by alerting the community. A Timely Warning shall provide information on what actions can be taken to make informed decisions about personal safety. Timely Warnings are disseminated as emails to all students, faculty and staff and under certain conditions may be delivered via the Blackboard Connect Notification System. The issuance of a Timely Warning will occur as soon as the pertinent information is available. Timely Warnings will withhold the names and personally identifying information for victims.

The decision to issue a Timely Warning is made by the Dean of Students on a case-by-case basis in compliance with the Clery Act. Timely Warning announcements will be issued when there appears to be an ongoing or potential threat to the safety and security of the College Community for the following incidents including, but not limited to:

Aggravated Assault
Arson
Burglary
Negligent manslaughter
Motor Vehicle Theft
Murder/non-negligent manslaughter
Sex Offenses
Robbery
Relationship Violence
Other crimes as determined necessary

Campus Aware

In serious, but **non-immediate situations** an email will be sent from the Dean of Students at pamela.boggio@nichols.edu to the Nichols College email account as a means of mass notification to the campus community. This email will contain instructions and information designed to keep our campus informed. Notices from the Dean of Students at pamela.boggio@nichols.edu account would not typically require an immediate reaction by individuals on our campus. Campus Aware messages will be information related, may be building specific or inform the campus of a hazard, notice of a critical change in protocol, and will also include "Timely Warnings" in which we notify the community of incidents related to sexual violence or safety concerns on campus.

Crime Log

The Jean Clery Disclosure Act requires that the Department of Public Safety produce a written daily journal that is available to the public. The purpose of this journal is to provide information of criminal incidents occurring on campus which may be relevant to the safety of all Nichols College Community members. Information contained in the Crime Log can be obtained at in the Public Safety Office, South Hall, and is available for review upon request.

Safety Bulletins

The Department of Public Safety provides the Nichols College Community with information regarding issues of personal and property safety. Safety Bulletins may include snow removal information, changes to parking due to events, safe Spring Break tips, personal/property safety tips during the holiday seasons, securing vehicles, and preparing for a safe winter break. These bulletins occur several times throughout the year.

Sex Offender Information

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires institutions of higher education to issue a statement advising the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. This information may be obtained on-line at www.dudleypolice.com then click on Public Information then click on Level 3 sex offenders or in person at the Nichols College Department of Public Safety Monday thru Friday between the hours of 8:00am and 4:00pm.

The Nichols College Department of Public Safety issues the following information to the Nichols College Campus Community:

The Nichols College Department of Public Safety wishes to advise all members of the Nichols College Community that the Jeanne Clery Act requires institutions of higher education to issue a statement advising the campus community where law enforcement

information provided by the Commonwealth of Massachusetts concerning sex offenders may be obtained. This information may be obtained at the following locations:

Information regarding Level 2 and Level3 Sex Offenders may be obtained:

- In person at the Nichols College Department of Public Safety, Monday thru Friday between the hours of 8:00 AM and 4:00 PM
- On line at www.mass.gov/sorb then click on Search for Sex Offenders Here then go to Level 2 and Level 3 Sex Offenders Search Form then in the box for City Name enter Dudley then click submit
- In person at the Dudley Police Department

Emergency Response and Evacuation

In the event that a building must be evacuated for the protection and safety of members of the community, students and employees are asked to move quickly from the premises to a location specified by Public Safety. No one will be permitted to return to his or her office/classroom until Public Safety determines the emergency is resolved.

Confirming a significant emergency or dangerous situation

First responders and essential personnel are responsible for initiating emergency warnings. Those responsible include, but are not limited to:

- Director of Public Safety or designee
- Public Safety Officer on duty
- Dean of Students
- Director of Residence Life
- Representative from Facilities Management

These individuals work in close collaboration with agencies and departments both on and off campus to gather and assess information related to events that may pose an immediate threat or hazard to the College Community. Each situation will be investigated to determine if the incident poses an immediate threat to the College Community.

The campus will be notified if there is a significant emergency, or dangerous situation that would result in an immediate threat to the health and safety of the students or staff. A message will be sent out regarding immediate emergency evacuation response and evacuation procedures with the use of electronic and cellular communication when

deemed necessary. The Connect-Ed (cellular communication) program will be tested on an annual basis.

Evacuation of a building does not mean employees are permitted to leave work for the remainder of the day or that class is canceled. If it appears the evacuation will be for an extended period of time, the Facilities Coordinator will inform the faculty of other available classroom space and the Director of Human Resources or his/her designee will coordinate administrative personnel to a temporary office location. If the situation takes place in a classroom building during evening hours; the Public Safety staff will work with the faculty to find suitable locations for classes.

If a residence hall needs to be evacuated for any period of time, the Dean of Student Services will make decisions about re-locating students. If a situation arises that calls for evacuation of all buildings, College personnel and students would be notified on a common meeting location. Locations may include Vendetti, Multipurpose Field or Shephard Hill Regional High School.

If the entire campus must be evacuated instructions will be given to all members of the Nichols Community following emergency notification procedures. The Dudley Police and Fire Department shall be contacted by Public safety and requested to assist in the direction of personnel to a safe area.

Campus Emergency Evacuation procedures are tested annually and organized through the Department of Public Safety. This test is announced to the Campus Community prior to the evacuation drill.

Emergency Preparedness

The Nichols College Crisis Management Plan (CMP) is a document that provides “How To” information to help the Campus Community respond to emergencies. The goal of this plan is to utilize all available resources to prepare for potential emergencies or disasters and deal efficiently with the effects of the events, respond to save lives, and protect property, and promote a means to recover mission-critical business and academic operations.

Nichols College, Dudley Police Department, and Dudley Fire Department embrace the National Incident Management System and will use command principles while responding to major incidents. Once credible information is made available to Nichols College administration of an actual or pending emergency, the Nichols College Crisis Management Plan shall be implemented.

Campus Security and Prevention

Nichols College Issued ID Cards

Every Nichols College student, faculty, and staff are issued identification cards containing a photo of the individual. Individuals are expected to carry the ID card with them at all times and produce upon request. IDs are programmed for Resident Students to be able to access their assigned Residence Hall. Card access is building specific. In the event that an ID card is lost/stolen, individuals should report this immediately to Public Safety or the Office of Student Life. The access to a particular card can be removed as soon as trained and authorized personnel become aware by a remote computer program.

COPSync911

In December 2015, Nichols College purchased a new software called COPsync911. This software is designed to immediately and automatically notify all local Dudley Police Cruisers, Public Safety, and the Dean of Students. Beginning in 2016, all classroom computer podiums will be equipped with the COPsync icon located in the taskbar of the computer. In the event of an active shooter situation on campus, an individual is able to activate the COPsync icon alerting authorities to the exact location of the alert.

Academic and Administrative Buildings

All buildings are secured each night and are open during normal business hours. Building hours may vary. Public Safety regularly patrols and checks all Campus Buildings.

Residence Halls

For the safety and security of all individuals living in the residence halls, all halls are locked 24 hours a day by a computer-controlled card-entry system. Access is granted by the personal identification card that is programmed to only open the building the student is assigned to. Residents are strongly encouraged to keep their doors locked at all times. If exterior doors are propped open, an alarm will sound at the door and at the Public Safety Office. An Officer or staff member will respond to the scene to secure the door. Residence Life Staff in addition to Public Safety perform rounds and safety checks of Residence Halls.

Blue Light Emergency Phones

Blue light emergency phones are placed at 21 locations throughout the campus grounds to use in the event of an emergency. These phones provide a direct line of communication to Public Safety.

Video Camera System

The Department of Public Safety manages a campus-wide video surveillance system. Currently, the system is comprised of approximately 112 cameras, to include fixed position cameras located both indoors and out. All of the video footage is recorded and archived for a determined period of time, providing an investigative resource when incidents of crime are reported. Consideration is given to the reasonable expectation of privacy at every location where a camera is installed. Cameras are generally installed in main pedestrian thoroughways, building egresses, parking lots and facilities, and public roadways and sidewalks; in short, cameras are only installed at locations where one's expectation of privacy is generally limited.

Public Safety Escort Service

Nichols students may call Public Safety at any time and request a ride from one location on campus to any other location on campus. A uniformed member of the Public Safety Department will respond in a marked vehicle and transport the student to the desired on campus location. This service is available 24 hours a day.

NC Shuttle Service

The Center for Student Involvement offers a free shuttle service to local area locations to provide a safe ride for students. This shuttle runs on multiple days throughout a month. Destinations include, but are not limited to, Walmart, Blackstone Valley Shoppes, Market Basket, Wrentham Outlets, Worcester, Boston, Providence, and Patriot Place.

Campus Lighting and Landscaping

Outdoor lighting is maintained and surveyed by the Department of Facilities Management on a constant basis and repairs are made in a timely manner. Landscaping is also maintained by Facilities Management. Trees and shrubbery are regularly trimmed so that exterior lighting is not impeded and walks and entrances are kept clear. Landscaping is maintained to minimize security risks with specific detail to impacting campus buildings.

Firearms and Weapons

Dangerous Weapons, Fireworks, and Explosives Weapons, firearms, fireworks and explosives or any item that could threaten the potential safety of the Nichols College Community are prohibited on campus. Weapons prohibited on campus include but are not limited to firearms, ammunition, knives over 8 inches in length, BB, air-soft or pellet guns, bows, arrows, slingshots, paintball guns, machetes, pepper spray (mace), nun chucks, throwing stars, or taser/stun guns of any voltage. Toy weapons, including NERF, and those that look like real weapons are similarly prohibited.

Missing Person Policy

In compliance with the Higher Education Act of 2008, Nichols College has implemented the following policy and procedures for reporting, investigation, and making emergency notifications regarding any resident student who is reported or believed to be missing.

Registering Information

All students are required to provide the Office of Student Life with the correct and accurate contact information for two individuals who can be contacted in the event of an emergency.

In addition to providing a general emergency contact, students residing in the residence halls are required to fill out an up-to-date missing person contact of their choosing with the Office of Student Life. Students must provide this information via the online check-in process available on the Nichols College Housing Portal. This contact information is kept confidential and will only be used by authorized campus officials in a missing student investigation.

Reporting a Missing Student

In the event that a member of the college community has reason to believe that a student is missing, the following individuals can be contacted to report:

Nichols College Department of Public Safety (PS) at 508-213-2298
Dean of Students
Director of Residence Life
Community Standards Coordinator
Area Coordinators
Graduate Resident Director
Resident Assistants
Other Identified CSAs (mentioned above)

*Any missing student report must be referred immediately to the Department of Public Safety.

Investigation

Nichols Public Safety will generate a missing person report and initiate an investigation. In addition, Nichols Public Safety will report the missing person to Residence Life if such information has not already been conveyed. During the course of the investigation, Nichols Public Safety will determine if the student has been missing more than 24

hours. In such event Nichols Public Safety will notify all surrounding law enforcement agencies.

Notification to Missing Person Contact

The student's emergency contact will be notified no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Nichols Public Safety will notify the student's parent or legal guardian immediately after they determine that the student has been missing for more than 24 hours. In addition to registering emergency contacts, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Nichols College in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Nichols College will notify that person no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so by completing the appropriate forms during the check-in procedures.

Notification of Law Enforcement

The Department of Public Safety will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student was missing.

Campus Programs

Security awareness and crime prevention programs encourage students and employees to be aware of their responsibility for their own security and the security of others. The Department of Public Safety and Student Life in collaboration with other organizations and departments, is responsible for presenting security awareness and crime prevention programs to the Campus Community on an ongoing basis. Nichols College offers a number of educational programs throughout the academic year.

Active Shooter Awareness/Training/Response

The Nichols College Department of Public Safety has provided this informative program to all incoming freshmen living in the residence halls. As of this year all classes of the residence life community have participated in this program to educate response and

tactics for an active shooter situation. Further training is planned for all Faculty and Staff in the use of COPsync911 and active shooter protocols.

Community Policing Initiative

The Nichols College Department of Public Safety in conjunction with the Dudley Police Department has launched a Community Policing program. This program puts Dudley police officers on the Nichols campus several nights a week. Students have the opportunity to meet police officers and interact with them on a more familiar basis.

Consent is Like Tea

Program and contest based on the “Consent is Like Tea” video. This program is meant to bring awareness to the definition of consent. Campus-wide information was posted for students to find and submit. Staff members and students were given Consent is like Tea shirts worn as another visual means.

First Year PDS

In September 2015, in collaboration with faculty, the Title IX Coordinator presented to all sections of the First Year Professional Development Seminars. Topics included Mind the IX, Understanding the Sexual Misconduct Policy, Consent, and making good personal decisions.

Haze

A mandatory program for incoming students shown during the Fall 2015 Orientation. The movie Haze promotes awareness about alcohol abuse and the dangers of binge drinking on college campuses. Following the movie, is a debriefing for students highlighting key points of information.

Hypnotic Intoxication

Hypnotic Intoxication is an alcohol and drug awareness program focusing on the powers of addictive substances and the effects on students’ lives. The program provides a visual for students in the form of student volunteers who are hypnotized to show the effects of addictive substances. This program is offered by the Center of Student Involvement annually.

IT Tracking

The Department of Public Safety in collaboration with the Department of Information Technology can track registered electronic devices that are either lost/stolen. Students report missing devices directly to Public Safety.

It's on Us Nichols

As part of the “It’s On Us: National Week of Action” in which colleges and universities seek to bring awareness to the issue of sexual assault and sexual violence on campus in November 2015, students, faculty, and staff were invited to sign a banner in support.

Mind the IX

Mind the IX is a campus-wide initiative to educate students, faculty, and staff to the Nichols College Sexual Misconduct Policy and issues surrounding Title IX. Topics included explaining Title IX, why it is important, definitions, consent, the role that alcohol plays, reporting incidents, what actions the College will take, confidential reporting and formal reporting, and available resources. Informational brochures were created and distributed as a guidebook.

Officer Friendly

A program occurring once a week throughout the academic year aimed at strengthening Public Safety/Student relations. A Public Safety Officer meets with students to address student concerns, serve as an informational source for relevant topics, and to answer questions.

Operation Identification

The Department of Public Safety encourages all students to record the serial numbers of the electronic devices and keep them in a safe place. To assist with theft prevention, Public Safety offers the use of an engraving tool for students to mark their personal belongings and electronics. Students can visit the Public Safety office for assistance.

Sex Signals

A mandatory program provided during the New Student Orientation in the Fall of 2015. This program brings an outside presenter to the campus to discuss sexual assault and bring forth sexual violence awareness.

Stand Up, Speak Out

Students, faculty, and staff take a pledge to be an Active Bystander. Information on how to be an Active Bystander in stopping incidents of sexual violence is also provided to the Community.

Take Back the Night

This is a campus speak-out event to bring awareness to the problem of campus sexual assault. This event is followed by a campus wide candle light walk. Offered annually, this program is open to all students.

The Clothesline Project

The Clothesline Project is a program aimed at bringing forth awareness to the issue of violence against women. T-shirts made by survivors and those affected by dating/domestic/sexual violence are displayed in a public forum on campus to be viewed by the Campus Community. The program is brought to Nichols College in collaboration with Pathways for Change-Worcester, MA.

Walk a Mile in Her Shoes

Male Students walked around campus to raise awareness towards violence against women. This event occurs annually. Many of the male students choose to perform the walk wearing ladies shoes.

Training

Nichols College is committed to providing training and training opportunities to individuals who will have a significant role in campus safety, Title IX investigations, and Residence Life.

Title IX Investigator Training

In August 2015, D.Stafford & Associates LLC, presented a 2 Day Training Course for Professional Staff focusing on elements of Title IX including but not limited to, sexual violence, definitions, discrimination, consent, confidentiality. Members of the Title IX Investigative Team are identified individuals who are trained in conduct proceedings for investigations. These members were specifically trained on proper investigation protocols for Title IX complaints and Adjudication.

Area Coordinator Training

Area Coordinators receive training in crisis management, emergency response, management of Residence Halls, student conduct, policy enforcement, and protocols. These individuals are professional staff members and serve as Administrators On Call. Area Coordinators are trained to recognize signs of abusive behavior, prevention, and awareness.

Resident Assistant Training

All Resident Assistants undergo extensive 2 week training in preparation for job responsibilities. are taught the meaning of being a Campus Security Authority and are presented information on recognizing signs of sexual assault, domestic violence, dating violence, and stalking. Resident Assistants are expected to utilize this information during the entire academic year.

Public Safety Training

Nichols Public Safety Officers receive updated training on all aspects pertaining to their jobs. All staff members are trained in emergence medical response procedures. All officers are CPR/AED certified. Some members are Emergency Medical Technicians. Officers are trained to mitigate situations and to foster an environment which is conducive for achieving one's educational goals through mutual respect. Public Safety personnel undergo in-service training during semester breaks that cover topics such as suicide prevention, dealing with persons in crisis, fire prevention/suppression and evacuation, domestic abuse, dating violence, stalking, date rape, alcohol, and drugs.

Definitions of Criminal Offenses

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 of any kind, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes the following categories:

- **Forcible Entry:** The use of tools, forcing windows, doors or transoms, cutting screens, walls or roofs, master keys, picks or mechanical contrivance to gain access. This also includes concealment inside.
- **Non-Forcible Entry:** To gain access through unlocked windows, doors etc. This also includes open doors or windows.
- **Attempted Forcible Entry:** Any unsuccessful attempt to gain access to commit a felony or theft.

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

Domestic Violence: a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, 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.

Drug Law Violations: Referrals for the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically 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, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

Hate Crimes: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability. The following crimes are included in statistical data disclosure under the category of Hate Crime:

Murder/non-negligent manslaughter
Negligent manslaughter
Sex offenses
Robbery,
Aggravated assault
Burglary
Motor vehicle theft
Arson
Larceny-Theft*
Destruction/Damage/Vandalism of Property*
Intimidation*
Simple Assault*

***Larceny-Theft:** The unauthorized taking and removal of the Personal Property of another by an individual who intends to permanently deprive the owner of it; a crime against the right of possession. Larceny generally refers to nonviolent theft.

***Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, deface, sabotage, and/or injure any public or private property.

***Intimidation:** To unlawfully place another individual in reasonable fear of bodily harm through the use of threatening words and/or actions. The use of a weapon or an actual attack is not displayed.

***Simple Assault:** An unlawful physical attack upon another person where upon a weapon was not displayed/used and the victims does not suffer from severe or aggravated bodily injury.

Liquor Law Violations: Arrest and referral for violation of laws or ordinance 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; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime. Note: Deaths caused by assaults to murder and attempts to murder, suicides, fetal deaths, traffic fatalities, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence. Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex offenses: defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** 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 to suffer substantial emotional distress.

Weapon Law Violations: Arrests and referral for disciplinary action for violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This type of offense is not limited to "deadly weapons," but also applies to weapons used in a deadly manner.

Definitions of Clery Geography

On Campus

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including **residence halls**
2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution
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.

Campus Crime Statistics

The following statistics are published in accordance with the Clery Act. Nichols College must report and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority.

Clarification of Classifying Statistics

In cases where a violation of both liquor law and drug law violations occurred, it is only counted as a drug law violation as this is considered to be the more egregious offense. The statistics displayed under the Referral Section are indicative of any individual who was documented as being in an incident resulting in a formal record being kept with the Office of Community Standards. ** On-Campus Residence crimes are included in the On-Campus numbers

2013-2015 Clery Crime Statistics

	Year	On Campus	On Campus Residence Halls	Public Property	Non Campus
Aggravated Assault					
	2015	2	2	0	0
	2014	2	1	0	0
	2013	1	0	0	0
Arson					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Burglary					
	2015	1	1	0	0
	2014	7	4	0	0
	2013	1	1	0	0
Dating Violence*					
	2015	1	1	0	0
	2014	1	1	0	0
	2013	0	0	0	0
Domestic Violence*					
	2015	0	0	0	0
	2014	2	2	0	0
	2013	0	0	0	0
Motor Vehicle Theft					
	2015	0	0	1	0
	2014	0	0	1	0
	2013	1	0	0	0
Murder/Non-negligent Manslaughter					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Negligent Manslaughter					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Robbery					
	2015	0	0	0	0
	2014	0	0	0	0

	2013	0	0	0	0
Sexual Offenses					
Rape*					
	2015	4	4	0	0
	2014	4	4	0	0
	2013	2	2	0	0
Fondling*					
	2015	4	4	1	0
	2014	2	2	0	0
	2013	0	0	0	0
Incest*					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Statutory Rape*					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Stalking*					
	2015	2	2	1	0
	2014	0	0	0	0
	2013	0	0	0	0
Hate Crimes					
Criminal Homicide					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Sex Offenses					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Robbery					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Aggravated Assault					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Burglary					

	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Motor Vehicle Theft					
	2015				
	2014	0	0	0	0
	2013	0	0	0	0
Arson					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Larceny-Theft					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Simple Assault					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Intimidation					
	2015	1	1	0	0
	2014	0	0	0	0
	2013	1	1	0	0
Destruction/Damage/Vandalism					
	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Arrests					
Liquor Law Violations					
	2015	0	0	1	2
	2014	0	0	4	0
	2013	3	0	0	3
Drug Law Violations					
	2015	2	2	0	0
	2014	3	3	1	0
	2013	2	2	0	0
Weapons Law Violations					
	2015	1	1	0	0
	2014	0	0	0	0
	2013	0	0	0	0

Non-Arrest Campus Referrals					
Liquor Law Violations					
	2015	562	562	1	0
	2014	407	406	1	0
	2013	396	392	0	4
Drug Law Violations					
	2015	79	78	9	0
	2014	57	57	11	0
	2013	62	62	13	0
Weapons Law Violations					
	2015	2	2	0	0
	2014	0	0	0	0
	2013	0	0	0	0

Alcohol and Drug Policies

Nichols College is committed to the safety and success of all members of its community. The Office of Community Standards in collaboration with the Office of Residence Life works to foster a living and learning community conducive to student success. Nichols College maintains an alcohol policy and drug policy consistent with the Commonwealth of Massachusetts General Laws. Nichols College prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment by alcohol or drugs of any student while participating in an academic function, or as an employee when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited. Nichols College students are required to abide by all federal and state laws, local ordinances, State Board of Higher Education policies, and other related requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs. Above all, The College strives to maintain a drug-free campus where the physical and mental health of the student enables growth and development. For the complete Nichols College Alcohol and Drug Policy, please see <http://www.nichols.edu/student-life/policies/>.

Alcohol/Drug Use/Abuse Education

Nichols College educates students about potentially life-threatening consequences of alcohol use/abuse. There is a direct correlation between substance abuse and student success.

3rd Millennium Classroom

Nichols College utilized online Alcohol and Drug Educator Modules as educational sanctions for alcohol and drug violations to foster learning outcomes.

Substance Abuse Assessments

Students may be assigned an In-Person Substance Abuse Assessment with Mental Health Services for alcohol violations to assist in identifying dangerous behaviors surrounding alcohol and drug use.

Haze

A mandatory program for incoming students shown during the Fall 2015 Orientation. The movie Haze promotes awareness about alcohol abuse and the dangers of binge drinking on college campuses. Following the movie, is a debriefing for students highlighting key points of information.

Hypnotic Intoxication

Hypnotic Intoxication is an alcohol and drug awareness program focusing on the powers of addictive substances and the effects on students' lives. The program provides a visual for students in the form of student volunteers who are hypnotized to show the effects of addictive substances. This program is offered by the Center of Student Involvement annually.

Sexual Misconduct Policy

Nichols College is committed to providing a working and learning environment free from all types of sex and gender-based discrimination prohibited by state and federal laws, including Title IX of the Education Amendments of 1972 as amended ("Title IX") and Title VII of the Civil Rights Act of 1964. SU prohibits and will not tolerate any form of sexual misconduct, which includes dating violence, domestic violence, sexual assault, sexual coercion, sexual exploitation, sexual harassment, sexual intimidation, sexual violence, stalking, and related retaliation. Nichols College Sexual Misconduct applies to all Nichols College community members, regardless of sex, sexual orientation, gender identity and/or gender expression. This includes all students, faculty, and staff, applicants for employment and/or admission, as well as third parties, agents, and

contractors. Nichols College Sexual Misconduct Policy can be found:
<http://go.nichols.edu/policies>

Emergency/Immediate Reporting Options

- Call 911 for on-campus emergencies including situations where you are feeling unsafe and wish to reach local law enforcement or emergency medical care (including an ambulance).
- Call the Nichols Department of Public Safety (“Public Safety”) at 508-213-2298. Nichols Public Safety officers are on duty at Nichols 24/7, every day of the year. Nichols Public Safety officers are dedicated to maintaining a safe and respectful environment.
- Nichols also falls under the jurisdiction of the Dudley Police Department (DPD). Public Safety maintains a strong and coordinated working relationship with the DPD. Specifically as to allegations of sexual assault, and other gender related crimes Nichols College strongly advocates for the involvement of the DPD.
- Public Safety will also assist any Nichols community member in getting to a safe place and if the survivor wishes, will arrange transportation to a hospital or other medical provider.

If you wish to file a police report with local law enforcement, Public Safety will assist you in doing so, by contacting the police department of the local jurisdiction where the crime occurred and facilitating their meeting with you on Nichols’ campus, if possible, if you prefer not to travel to a local precinct. However, contacting Public Safety does not obligate you to file a criminal police report with the local police or a criminal complaint.

Public Safety can put you in touch with various resources to assist survivors as well. See Additional College and Community Resources. Please also consult the Information and Resources for Victims of Sexual Misconduct document for additional information concerning available advocacy and medical resources available. This information is available on the College’s website at <http://go.nichols.edu/policies>.

The College encourages individuals who have experienced an incident of sexual misconduct, including rape or sexual assault, to seek assistance from a medical provider and/or law enforcement as soon as possible after the incident. This is the best option to ensure preservation of evidence, effective medical care, and to begin a timely investigation.

A medical provider can provide emergency and/or follow-up medical services, and the ability to discuss any health care concerns related to the incident in a confidential medical setting may bring peace of mind. The medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection or pregnancy) and second, to properly collect and preserve evidence, for potential future criminal prosecution. There is a limited window of time following an

incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will remain confidential and will preserve the options to seek resolution through the criminal justice system. It should be noted that Massachusetts law requires medical personnel to report all cases of rape and sexual abuse where the survivor seeks medical treatment. This report does not include the victims' name, address or other identifying information. See Confidential Resources. However, individuals should file a Title IX complaint and seek assistance from Nichols regardless of whether they have reported an incident to law enforcement or sought medical attention after an incident.

Additional Non-Emergency Reporting Options and Resources

All members of the community may report an incident of sexual misconduct to the College's Title IX Coordinator or other member of the Title IX team, either directly, or by making a report to any CSA or Responsible Employee. The Title IX Coordinator will investigate the report, and take necessary measures to ensure community and Reporting Party's safety.

The College recognizes that a student or employee may choose to report non-emergency sexual misconduct to any trusted employee of the College. For example, a student may choose to confide in a Resident Assistant or Area Coordinator, a faculty or staff advisor, or a coach, all of whom are CSAs and Responsible Employees who must report the incident to the College's Title IX Coordinator under this policy. All members of the community are required to report knowledge of sexual misconduct affecting a community member to the College so that the College can take steps to support that individual's well-being and enhance the safety and security of the community and respond in a prompt manner. However, to enable the College to respond to all reports in a prompt and equitable manner, the College encourages all individuals to directly report any incident of sexual misconduct to the Title IX Coordinator or a member of the Title IX Compliance Team (Title IX Team).

See the Nichols College Sexual Misconduct Policy for contact information for the Title IX Coordinator and other Title IX Team members.

Additional College Resources

The College offers resources that can provide crisis intervention services, counseling, academic support, housing support and medical services to all Nichols community members. Such services include the following:

Campus Resources:

College Health Services: 508-213-2238

Mental Health Services: 508-213-2108

Housing & Residence Life 508-213-2480

Student Life Office 508-213-2216

Human Resources: 508-213-2111

Nichols Mental Health Services provides confidential counseling support for students and will also assist any member of the community with referrals upon request. Contact information for Nichols Mental Health Services is as follows:

Director, Mental Health Services

Monica Goodrich Pelletier

Counseling Services

508-213-2108

Monica.Goodrich-Pelletier@nichols.edu

Mental Health Consultant

Andrea Schofield

Counseling Services

508-213-2338

Andrea.Schofield@nichols.edu

Employees (staff and faculty) can access medical, counseling, and other forms of support through a third party provided Employee Assistance Program (EAP). The EAP's counseling, referral and treatment is completely confidential for Nichols' employees and members of their immediate family. Nichols' EAP administrator, Employee Connect, can be reached 24 hours a day at (888) 628-4824 or by visiting www.lincoln4benefits.com or www.guidanceresources.com. For more information about this program, please refer to the Employee Handbook, <https://my.nichols.edu/administration/policies/Documents/EmployeeHandbook.pdf>

In addition, the College will provide Interim Measures, including but not limited to no-contact orders, academic, employment or residence modifications.

Community Resources

Dudley Police Department 508-943-4411 "press 3" to reach an officer
District Attorney's Office: 508-755-8601
DA's Office:Victim/Witness Advocates: 508-792-0214 Mon- Fri during business hours

Legal Aid Bureau: 508-752-3718 (Mon – Fri 9am – 5 pm)

Pathways For Change, Inc. <http://centralmasspfc.org/>
Hotline # 1-800-870-5905 (Confidential/24 hr support)
TTY # 888-887-7130
Video Phone # 508.502.7681

Daybreak Resource for Women <http://www.ywcacentralmass.org/domestic->

And Children – Dom.Violence Agency Hotline #	violence/ 508-755-9030 (24 hours)
General Victim Services Referral: Spanish Helpline Mass 211 Helpline	1-800-223-5001 877-211-6277 (Can help find local emer resources)
Pathways For Change, Inc Hotline # TTY # Video Phone #	http://centralmasspfc.org/ 1-800-870-5905 (Confidential/24 hr support) 888-887-7130 508.502.7681
Wayside Trauma Intervention Services (Milford, MA)	1-800-511-5070 (Rape Crisis Number – 24 hrs)
United States National Rape Crisis Center Helpline:	1-800-841-8371 (24 hours)

Conduct Proceedings for a Violation of the Sexual Misconduct Policy Overview

If the respondent of a sexual assault is a member of the campus community, a person who has been assaulted may file a complaint through the College conduct system. The Title IX Coordinator, or his or her designee, reviews all allegations of student misconduct and determines if an investigation is warranted.

- **Type of conduct proceeding used by Nichols College, and decision-making process**
The Title IX Coordinator will invoke the Title IX Investigation Team in the event that it is determined that enough information has been received to warrant an investigation. If charges are able to be assessed before an investigation is launched, then both reporting party and the respondent are notified simultaneously of the charges. Investigations by nature will be fair, prompt, and impartial
- **How to file a complaint**
 1. Directly to the Title IX Coordinator
 2. Submit a report at <http://go.nichols.edu/policies> (anonymous-option is given)
 3. Any CSA (as identified in this document)

- **How the institution determines which type of proceeding to use**

Nichols College only utilizes the investigative model for proceedings dealing with Sexual Misconduct regardless of circumstances of allegations. Investigations will be conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability

- **Standard of Evidence**

The standard of proof that will be used during any institutional proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking will be the Preponderance of Evidence Standard.

- **Lists all of the possible sanctions**

Expulsion

Suspension

Probation

Warning

Educational Component

Removal from housing

Relocation of Housing

- **Protective Measures**

No Contact Order: Any party involved in a Title IX investigation (Reporting Party, Respondent or witness) may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in person, telephone, electronic or third party communications. In some cases, an individual may also wish to consider an Abuse Prevention Order or a Harassment Prevention Order from the local courts. This is a civil proceeding independent of the College. If a court order is issued the College will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on campus compliance with the order. The College may also limit an individual or organization's access to certain College facilities or activities as part of the no contact order.

- Academic, Employment or Residence Modifications: Any party involved in a Title IX investigation (Reporting Party or Respondent or witness) may request an academic or employment accommodation or a change in residence after a report of sexual misconduct. An individual who requests assistance in changing their academic or living situation after an incident

of sexual misconduct will receive appropriate and reasonably available accommodations. These may include:

- Academic accommodations, including a change in class schedule, taking an incomplete, dropping a course without penalty, attending a class via Skype or other alternative means, providing an academic tutor, or extending deadlines for assignments;
 - Change of residence hall assignment;
 - Change in work assignment or schedule;
 - Providing an escort to ensure safe movement between classes and activities.
 - In certain instances, it may be appropriate to make academic, employment or residence modifications that affect the Respondent.
- Emotional Support: The College provides counseling services to students through Nichols' Mental Health Services and will assist any member of the community by providing a referral to off campus mental health providers. Additional resources detailed in the Campus and Community Resources section of this policy also are available to members of the campus community.
 - Interim Separation: Where the report of sexual misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of the campus community, the College may place an individual or organization on interim suspension or impose leave for an employee. Pending resolution of the complaint, the individual or organization may be denied access to campus. When interim suspension or leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within an expedited time frame.
- **Provisions for both Parties**

Both parties will be afforded the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. This choice will not be limited by the investigative team. Sanctions are handled on a case-by-case basis and all sanctions are at the discretion of the Title IX Investigative Team. Both the reporting party and the respondent are entitled to the same procedural protections. Accordingly, both the reporting party and the respondent are entitled to the same opportunity to present evidence and witnesses on their behalf and to have others present during any meetings for investigation. Both the reporting party and the complainant shall be simultaneously informed of the investigator's final determination upon conclusion of the investigation process and any sanctions that may be imposed following a final determination regarding any allegation of rape, acquaintance rape, or other violation of the sexual misconduct policy. Both reporting party and the respondent have the equal opportunity to appeal the findings and sanctions. Both parties shall be informed of final outcome results.

Definition of Consent in reference to Sexual Activity

Consent to engage in sexual activity must be knowing and voluntary and must exist from the beginning to the end of each instance of sexual activity and for each form of sexual contact. Consent to one form of sexual contact does not constitute consent to any other forms of sexual contact. Further, consent to engage in a particular sexual act at any given time is not indefinite or ongoing consent to engage in that same act, or any other sexual act, on other occasions. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates willingness to engage in sexual activity each time such activity occurs. Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. In the absence of an outward demonstration, consent does not exist.

Consent cannot be obtained from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm, severe and/or pervasive emotional intimidation, which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amount to coercion if they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. If sexual acts were preceded by threats or coercion, there is no consent.

Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease. A lack of consent may be indicated in a variety of ways. First, a verbal - "no" - even if it sounds indecisive or insincere, must be accepted as a lack of consent. Next, if consent is requested verbally, the absence of any explicit affirmative verbal response constitutes lack of consent. In addition, if at any time a person's words, actions, or demeanor suggest that she/he/they are hesitant, confused or uncertain about engaging in sexual activity, the parties should stop and obtain verbal consent before continuing sexual activity.

Certain individuals are not legally able to consent to sexual activity, because of their age or mental limitations, regardless of whether their words or actions indicate such

consent. Members of the Nichols community are expected to know, and comply with the statutory age of consent and any other applicable laws regarding sexual activity in any and all jurisdictions where they may reside or travel. For example, in the state of Massachusetts, consent to sexual acts cannot be legally given by minors under the age of 16. Engaging in sex with a minor is a criminal act punishable by a substantial prison sentence which can be up to and including life, and all members of the community must not engage in any sexual activity with minors and must comply with their legal obligation to report any knowledge of child abuse.

An individual is considered legally incapacitated and unable to consent to sexual activity if she/he/they is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if she/he/they demonstrate that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication.

Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, lack of awareness of circumstances or surroundings, or the inability to communicate for any reason. An individual may experience a blackout state in which she/he/they appear to be giving consent, but do not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. The relevant standard that will be applied is whether the Respondent knew, or a sober reasonable person in the same position should have known, that the other party was incapacitated and therefore could not consent to the sexual activity.

Alcohol or drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. However, being intoxicated or impaired by drugs or alcohol is never an excuse to engage in sexual misconduct and does not excuse one from the responsibility to obtain consent. As stated above, even if a Respondent is intoxicated she/he/they will be found responsible for sexual misconduct if she/he/they engages in sexual activity with another person who did not consent to the sexual activity.

In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that he/she/or they have consent from his/her or their partner(s). Consent to some form of sexual activity does not necessarily mean consent to other forms of sexual activity. Mutually understandable consent must be obtained by the initiator at every stage of sexual interaction. Consent is mutually understandable when a reasonable person

would consider the words and/or actions of the parties to have expressed a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with one another.

Recommended Action in the Event of a Sexual Misconduct

1. Go to a safe place and call the Nichols College Department of Public Safety or the Dudley Police Department. Either department will help a person who has been sexually assaulted, regardless of whether the person chooses to prosecute the assailant. Reporting a sexual assault to the police does not commit the person to further legal action.
2. Call a friend, family member, or someone whom you trust and can talk with (e.g., Residence Life staff member, Health and Wellness nurse, Counseling Center therapist, or other individual on the Nichols staff). It is important to tell someone.
3. Get medical attention immediately. A prompt medical examination should test for pregnancy, STDs, and may secure valuable evidence that can assist in the prosecution of an assailant should the survivor wish to press charges. (Although you may want to, do not wash, change clothes, or douche before going to the hospital).
4. Seek counseling. Regardless of whether a person reports an assault, it is often helpful to seek confidential counseling for the traumatic experience the victim survives. The College provides crisis intervention and counseling services to members of the Nichols community, regardless of where an assault may have occurred. In addition, private off-campus counseling is available through medical treatment facilities.

Sex Crime Programs

Policy regarding the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking

Nichols College strives to educate and promote a safe campus community. Part of this initiative is to offer programs that are geared toward prevention and awareness

Consent is Like Tea

When: November 2015

A program and contest based on the “Consent is Like Tea” video. This program is meant to bring awareness to the definition of consent. Campus-wide information was posted for students to find and submit. Staff members and students were given Consent is like Tea shirts worn as another visual means.

First Year PDS

When: First Semester 2015

In collaboration with faculty, the Title IX Coordinator presented to all sections of the First Year Professional Development Seminars. Topics included Mind the IX, Understanding the Sexual Misconduct Policy, Consent, and making good personal decisions.

It's on Us Nichols

When: November 2015

As part of the “It’s On Us: National Week of Action” in which colleges and universities seek to bring awareness to the issue of sexual assault and sexual violence on campus in November 2015, students, faculty, and staff were invited to sign a banner in support.

Mind the IX

When: Ongoing

Mind the IX is a campus-wide initiative to educate students, faculty, and staff to the Nichols College Sexual Misconduct Policy and issues surrounding Title IX. Topics included explaining Title IX, why it is important, definitions, consent, the role that alcohol plays, reporting incidents, what actions the College will take, confidential reporting and formal reporting, and available resources. Informational brochures were created and distributed as a guidebook.

Sex Signals

When: August 2015

A mandatory program provided during the New Student Orientation in the Fall of 2015. This program brings an outside presenter to the campus to discuss sexual assault and bring forth sexual violence awareness.

Stand Up, Speak Out

When: November 2015

Students, faculty, and staff take a pledge to be an Active Bystander. Information on how to be an Active Bystander in stopping incidents of sexual violence is also provided to the Community.

Take Back the Night

When: April 2015

This is a campus speak-out event to bring awareness to the problem of campus sexual assault. This event is followed by a campus wide candle light walk. Offered annually, this program is open to all students.

The Clothesline Project

When: November 2015

The Clothesline Project is a program aimed at bringing forth awareness to the issue of violence against women. T-shirts made by survivors and those affected by dating/domestic/sexual violence are displayed in a public forum on campus to be viewed by the Campus Community. The program is brought to Nichols College in collaboration with Pathways for Change-Worcester, MA.

Walk a Mile in Her Shoes

When: April 2015

Male Students walked around campus to raise awareness towards violence against women. This event occurs annually. Many of the male students choose to perform the walk wearing ladies shoes.

Sex Offender Information

When: January 2015

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires institutions of higher education to issue a statement advising the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. This information may be obtained on-line at www.dudleypolice.com then click on Public Information then click on Level 3 sex offenders or in person at the Nichols College Department of Public Safety Monday thru Friday between the hours of 8:00am and 4:00pm.

The Nichols College Department of Public Safety issues the following information to the Nichols College Campus Community:

The Nichols College Department of Public Safety wishes to advise all members of the Nichols College Community that the Jeanne Clery Act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the Commonwealth of Massachusetts concerning sex offenders may be obtained. This information may be obtained at the following locations:

Information regarding Level 2 and Level3 Sex Offenders may be obtained:

- In person at the Nichols College Department of Public Safety, Monday thru Friday between the hours of 8:00 AM and 4:00 PM
- On line at www.mass.gov/sorb then click on Search for Sex Offenders Here then go to Level 2 and Level 3 Sex Offenders Search Form then in the box for City Name enter Dudley then click submit

- In person at the Dudley Police Department

Public Safety Escort Service

When: Ongoing

Nichols students may call Public Safety at any time and request a ride from one location on campus to any other location on campus. A uniformed member of the Public Safety Department will respond in a marked vehicle and transport the student to the desired on campus location. This service is available 24 hours a day.

Safety Publications

When: Ongoing

The Department of Public Safety has available, and distributes, various publications that address problems such as date rape, alcohol abuse, identity theft, and fire safety. A constant supply is available in the Public Safety Office, located in South Hall.

Bystander Intervention

Nichols College expects all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention (if it is safe to do so), calling law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the College and protected from retaliation.

Tips for Bystanders

Create a distraction.

Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.

Cut off the conversation with a diversion

- 'Let's get pizza, I'm starving' or 'This party is lame. Let's try somewhere else.'

Ask directly.

Talk directly to the person who might be in trouble.

- Ask questions like 'Who did you come here with?' or 'Would you like me to stay with you?'

Refer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like an RA or security guard.

- Talk to a security guard, bartender, or another employee about your concerns. It's in their best interest to ensure that their patrons are safe, and they will usually be willing to step in.

Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you.

- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place.
- Enlist the friend of the person you're concerned about.

Fire Safety

All Nichols College residence halls have addressable fire alarm systems that report to a remote central monitoring station. When the station receives an alarm of smoke, fire or carbon monoxide, it notifies the Dudley Fire Department and the Nichols Department of Public Safety for immediate response. All residence halls have both audible and visual alarm warning systems. In addition, all residence halls are protected by fire suppression systems. All residential and occupied areas are equipped with a wet fire suppression system while unoccupied/unheated areas have a dry fire suppression system. Fire alarm systems are tested semi-annually while fire suppression systems are tested annually. Portable fire extinguishers are located strategically in all campus buildings and are checked annually. Nichols College, in conjunction with the Dudley Fire Department, conducts fire alarm drills in all residence halls twice annually. The Dudley Fire Department conducts training for the Nichols College Department of Public Safety on the use of portable fire extinguishers. The Dudley Fire Department also conducts a train the trainer class for the Department of Public Safety, Resident Directors and Resident Assistants living in residence halls. Resident Directors and Resident Assistants are then expected to train students living on their residence hall floors on fire safety matters. Nichols College Community members are required to evacuate any building where a fire alarm system has been activated. Students who fail to leave the building are documented and the incident is referred to the Dean of Students. Nichols Community members may report a fire to the Dudley Fire Department by dialing 911 from any landline or cell phone. They may contact Public Safety to report a fire by dialing 508-213-2298.

In the Event of Fire

If you discover a fire in your area:

- Alert others in the immediate area.
- Get out and close the door behind you.
- Activate the building fire alarm system on your way out.
- Call 911 or Public Safety.
- Leave the fire area immediately by following your planned exit route and closing doors behind you.
- Exit the building by the closest exit or stairway.
- Never use the elevator. Always use the stairways.
- Once outside the building, move to a safe area. Tell the Fire Department if anyone is left inside, and do not reenter until you are told you may.

Smoking is prohibited in all campus buildings, including residence halls, individual rooms, hallways and lounges. Furthermore, smoking is prohibited in all partially

enclosed areas such as covered walkways, breezeways and walkways between sections of buildings, areas immediately adjacent to building entrances, and exterior stairways and landings. Due to the risk of fire, all candles, toasters, halogen lamps, toaster ovens, or any open element appliances are prohibited in residence halls. Tampering with fire safety equipment is prohibited. There were no fires reported in Nichols College residence halls for calendar year 2013. A listing of all residence halls is attached to this report.

Definitions

Fire – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire Drill – A supervised practice of a mandatory evacuation of a building for a fire.

Fire-Related Injury – Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-Related Death – Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within one (1) year of injuries sustained as a result of the fire.

Value of Property Damage – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including: contents damaged by fire, related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as a business interruption.

Fire Log – A fire log is kept in the Department of Public Safety, which is open to the public during normal business hours. Nichols College maintains a fire log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire. The Fire Log entry, or an addition to an entry, shall be made within two business days of the receipt of information. The Fire Log for the most recent 60- day period shall be open to the public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection.

Fire Statistics

Name of Facility	2013			2014			2015		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Winston House	0	0	0	0	0	0	0	0	0
Copper Beech 1	0	0	0	0	0	0	0	0	0
Copper Beech 2	0	0	0	0	0	0	0	0	0
Olsen Hall	0	0	0	0	0	0	0	0	0
Shamie Hall	0	0	0	0	0	0	1	0	0
Kuppenheimer Hall	0	0	0	0	0	0	0	0	0
Remillard Hall	0	0	0	0	0	0	0	0	0
North Hall	0	0	0	0	0	0	0	0	0
Center Hall	0	0	0	0	0	0	0	0	0
Budleigh Hall	0	0	0	0	0	0	1	0	0
Total	0	0	0	0	0	0	2	0	0

