

Annual Campus Security and Fire Report
Reporting year 2015

New England School of Acupuncture



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A Message about Safety at New England School of Acupuncture

The mission of the New England School of Acupuncture (NESA) safety personnel is to enhance the quality of life for the entire NESA community by maintaining a secure and open environment where the safety of all is balanced with the rights of the individual. NESA strives to accomplish its mission while adhering to its core values of Integrity, Diversity and Compassion.

The success of this mission depends upon an effective working relationship between campus safety personnel, outside law enforcement and the diverse elements of the school community, including students, staff, faculty and visitors. Critical to this relationship is mutual respect. Therefore, we pledge to respect the diverse needs and interests of the community and vow to be diligent and relentless in the protection of persons, property and the reputation of the NESA community. Although reported crime at NESA is very low, it is important for students, faculty, staff and visitors to remember that preserving the safety and security of the School is the combined responsibility of the entire community.

We ask that our partners in the community assume their individual and collective responsibilities to make NESA a place that is free of crime, fear and disorder, and to provide a civil and open environment that fosters learning and mutual respect.

Susan L. Gorman
Executive Director

Campus Map



Important Telephone Numbers

Emergency-All Campuses	911
Newton Police Department Non -Emergency	617-796-2900
Watertown Police Department Non -Emergency	617-972-6500
Newton Wellesley Hospital	617-243-6000
MCPHS Public Safety Non-Emergency	617-732-2900
Beth Israel Deaconess Medical Center (BIDMC)	617-667-7000
Boston Area Rape Crisis Center (24-hour hotline)	800-841-8371
Boston Police Department Sexual Assault Division	617-343-4400 or 911
Casa Myrna Vasquez, Inc. (for battered women)	877-785-2020
Center for Violence Prevention and Recovery	617-667-8141
Fenway Community Health Center's Victim Recovery Center	617-927-6250
National Domestic Violence Hotline	1-800-799-7233
Rape, Abuse, Incest National Network (RAINN)	1-806-656-HOPE (4673)

NESA Staff Contact Numbers

Name	Phone Number	Email.
Meredith St. John	774-243-3489	meredith.stjohn@mcphs.edu
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CJ Allen	774-243-3482	collins.allen@mcphs.edu
Val Smith	774-243-3480	valerie.smith@mcphs.edu
Sue Gorman	774-243-3488	sue.gorman@mcphs.edu
Will Cribby	508-373-5779	will.cribby@mcphs.edu

The Clery Act

NESA merged with MCPHS University on March 31, 2016. This means that NESA and its programs are now officially a part of MCPHS University. The posting of this Clery Report will be found on the MCPHS University website, www.mcphs.edu and the MCPHS University student portal.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, require Colleges and Universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime and fire safety statistics and certain campus security policy statements; and to distribute the report to all enrolled students and all employees by October 1st of each year. MCPHS University/NESA fulfills this distribution requirement by posting the report on the school website. A posting is made to the student portal, advising all students and employees of the reports availability and location;
- The Clery Act also requires the University to inform all prospective students about the availability of the annual security report. To comply with the aspect of the law, a notice has been placed on the admissions department website;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from Campus Safety, local law enforcement, State law enforcement and other University officials who have “significant responsibility for student and campus activities” (Campus Security Authorities); Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”; A written request is made to all Campus Security Authorities and local and State law enforcement for statistical data. For statistical purposes, crimes are recorded in the year that they are reported.
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus; and
- Disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the campus police / campus security department and is reported to the campus police/security department”; and maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

We highly encourage all members of the Community, whether you have been here for many years or are new to the school, to read our Annual Public Safety and Fire Report. Public Safety works diligently with the entire community in maintaining a safe environment. One way of accomplishing that is through education. Your safety is our top priority and your participation in this endeavor is paramount. This report will assist you in attaining the knowledge necessary to remain safe both on and off campus.

Reporting Crimes and Other Emergencies

Timely Warning Notices: Public Safety Alerts and Crime

The School issues timely warnings, called “safety alerts” for any serious incident when the safety of the community is threatened and there are enough details known about the crime to provide useful information to the community. Timely warnings may also be sent out when a criminal incident occurs on campus or in an area surrounding campus that represents a continuing public safety threat. Decisions to disseminate a warning are made on a case by case basis in light of all the facts surrounding the crime and the continuing danger to our

community. Alerts are routinely sent to members of the community through the School portal and posted in class and clinic areas. They may also be e-mailed to appropriate groups based upon the nature of the alert. The purpose of the warning is to aid in the prevention of similar crimes and to provide pertinent information relevant to the crime and suspect, and to seek information that may lead to arrest and conviction of the offender. The alert also serves to alert the community about the incident, and to provide information (safety tips) on what actions can be taken to diminish the chances of being victimized. An effort will always be made to disseminate a warning within twenty-four hours of the crime and to make the warning a preventative tool. Significant criminal incidents that may elicit a timely warning may include crimes of violence or patterns of property crimes.

Safety alerts are usually distributed for the following Uniform Crime Reporting Program (UCR) National Incident Based Reporting System (NIBRS) classifications; major incidents of arson, criminal homicide and robbery. Cases of aggravated assault and sex offenses are considered on a case by case basis, depending on the facts of the case and the information known by the School. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other MCPHS University/NESA community members, and a safety alert would not be distributed. In cases involving sexual assault, they are often reported long after the assault, thus there is no ability to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case by case basis depending on where and when the incident occurred, where it was reported, and the amount of information known by the School. The Campus Safety Personnel or designee reviews all reports to determine if there is an ongoing threat to the MCPHS University/NESA community and if the distribution of a Safety Alert is warranted. Safety Alerts may also be posted for other crimes as deemed necessary.

The Campus Safety Personnel or a designee develops the contents of a safety alert and has the authority and training to send a campus email to all relevant members of the MCPHS University/NESA community.

MCPHS University/NESA Campus Safety Personnel and Relationship with Local Authorities

Campus safety at MCPHS University/NESA is the responsibility of Sheila Carroll, Director of Administrative Services in conjunction with Will Cribby, Director of Student Affairs. MCPHS University/NESA maintains a working relationship with all respective Police and Fire Departments and Massachusetts State Police. All crime victims are strongly encouraged to immediately report the crime to Campus Safety Personnel and the Newton Police Department. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

To report a crime or other emergency, individuals should dial 911 (9-911 from an on campus phone) to reach the Newton Police Department. An emergency is any situation that requires immediate assistance from the police, fire department or ambulance. Examples include:

- A fire;
- A crime, especially if in progress;
- A car crash, especially if someone is injured; and
- A medical emergency, such as someone who is unconscious, gasping for air or not breathing, experiencing an allergic reaction, having chest pain, having uncontrollable bleeding, or any other symptoms that require immediate medical attention.

Important: If you're not sure whether the situation is a true emergency, we recommend calling 911 and letting the call-taker determine whether you need emergency help.

Emergency Text Messaging

In the event of an emergency involving an imminent threat on campus, MCPHS University/NESA administration will confirm that there is a significant emergency or dangerous situation; in conjunction with members of the Student Affairs staff, they will determine the appropriate segment or segments of the campus community to receive a notification; determine the content of the notification; and utilize the School's mass notification (text messaging, e-mail and voice messaging) system to notify the campus community. Students, faculty and staff can register online to receive real-time notifications of these emergency events. These messages are transmitted only during emergencies and snow closures and are an additional real-time avenue of communication. The text messaging system is tested campus wide at least once each year.

Options to Notify Law Enforcement Officials

Victims of crimes are encouraged to notify the appropriate officials. Local police telephone numbers are as follows:

Emergency from any campus phone	9-911
Newton Police Department	617-796-2900 or 911
Watertown Police Department	617-972-6500 or 911

Reporting of Criminal Offenses

Faculty, students and staff are to report criminal activities of which they are aware to a member of the School's Campus Security Authority or Sheila Carroll, Director of Administrative Services telephone 617-558-1788 x 209 or x 110. Information includes both incidents occurring on campus and off campus in the surrounding area.

Procedures for Reporting a Crime or Emergency

Members of the community are strongly encouraged to report all criminal and suspicious activity to Campus Safety Personnel in a timely manner. Timely reporting of information is crucial in resolving potential criminal activity and apprehending suspects. To report a crime or emergency on the MCPHS University/NESA campus, call 9-911 at any time via campus telephone.

Campus Security Authorities

Federal law requires the School to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the School's Clery geography and that are reported to campus security authorities ("CSAs") and local law enforcement. Under the law, CSAs include any designated staff member who has responsibility for campus security, any individual identified by the School as someone to whom a crime should be reported; and any School official who has significant responsibility for student and campus activities. Individuals serving the School as CSAs vary based on their job functions, but include by way of example (but not limitation):

Susan Gorman	Executive Director
Meredith St. John	Academic Dean
Sheila Carroll	Director of Administrative Services
Will Cribby	Director of Student Affairs

A CSA who receives a report of an incident involving a crime or campus security matter **must** contact Campus Safety Personnel immediately and inform them of the incident consistent with the confidentiality considerations discussed below.

Confidentiality Considerations

A CSA is required to disclose to Campus Security and other appropriate school officials the name of the alleged perpetrator, the name of the survivor and all the relevant facts regarding the incident. Information will be disclosed only to the extent necessary for the investigation and shared with school officials who need to know. Publicly available records as related to a report or investigation will not include a name or personally identifiable information.

Once positive notice is given of a potential violation the School must take immediate appropriate steps to investigate what occurred and do everything in its power to stop the activity (if it is ongoing), remedy the effects and prevent the reoccurrence.

A CSA cannot promise to keep a report confidential. The School has an obligation to respond to and investigate reports of potential violations. Before a student reveals information that he/she wishes to keep confidential they must understand that once a School Representative has been made aware of a potential violation they **must** report. We know what we know and are obligated to report.

Counselors and Confidential Crime Reporting.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 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, within the scope of their licenses, 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 persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Voluntary Confidential Reporting.

Criminal activities are also reported to the Newton Police Department, Telephone: 617- 796-2100 or 911. Any matters outside the jurisdiction of the local police are reported to the Massachusetts State Police, telephone: 617-727-6780.

Bystander Options

MCPHS University/NESA encourages all members of the community to take safe and positive actions to intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking. There is no single “right” way to intervene, and what is appropriate depends on the situation and the individual involved.

- Call Public Safety Personnel and ask for assistance
- Asking the individuals involved to stop what they are doing
- Use a distraction in an effort to stop an individual’s activities
- Stepping in and separating the people involved in a non-combative manner ONLY if is safe to do so.
- Ask another bystander, or a number of other bystanders to intervene with you, ONLY if it is safe for you to do so.
- Notify law Enforcement by calling 911.

Criminal Investigations

Local authorities investigate criminal complaints filed by community members and pursue investigations to their most reasonable conclusion. Officers may conduct follow-up investigations, with support when necessary from a number of law enforcement partners, including the Massachusetts State Police, District Attorneys' offices, and

victim-witness programs. The interest of the victim is always the primary concern. MCPHS University/NESA recognizes the importance of privacy and of protecting the identity of the victim in the course of an investigation. In criminal matters, the victim's preferences greatly influence the way in which a case is processed. The School has a number of alternatives at its disposal to adjudicate inappropriate behavior, whether or not it is of a criminal nature. In addition to pursuing cases through the courts, the School uses an internal judicial structure to decide on specific issues unique to school life.

Daily Crime Alerts and fire log.

MCPHS University/NESA Campus Safety issues crime alerts via campus text messaging or e-mail regarding crimes on campus, or in the immediate area surrounding a campus, which pose a safety threat to campus members. To obtain a copy of any alert or to report a criminal activity, call Sheila Carroll, Director of Administrative Services.

Criminal Offender Record Information.

Certain laws require health care agencies to request criminal offender record information (CORI) about candidates for employment, volunteer, or training positions. The information in CORI reports, supplied by the Massachusetts Criminal History Systems Board, is reviewed to determine if candidates are appropriate to be hired or placed. A majority of the clinical training and service-learning sites at which the School places students for clinical education experiences, must comply with these laws. In order to be eligible for clinical placements or service-learning experiences, students must have been cleared through a CORI check obtained by either the School or the site. Information about CORI is described in the *Student Handbook*.

Response to Reports of Crimes/Emergencies

In response to a reported emergency, community members are encouraged to call 911 and summon the appropriate resources to assist in the response to the incident. MCPHS University/NESA staff are trained to complete an incident report immediately following the situation. All Incident reports are forwarded to the Director of Administrative Services for review and for potential action as appropriate, reports are stored and are retrievable. Crime statistics and general information are available to the public during business hours. Information which must remain confidential is closely protected.

Medical Emergency Response Services

In a medical emergency, any members of the MCPHS University/NESA community should dial 911 or (9-911 from any campus extension).

Emergency Response and Evacuation Procedures

The School's Emergency Action Plan includes information about Incident Team members: roles and responsibilities; school operating status parameters; levels of emergencies; incident priorities and performance expectations. All parties work together to resolve the incident in a cohesive manner. Depending on the nature of the incident, other School departments and other local, state and federal agencies could be involved in responding to the incident.

Emergency Contact System

The School uses WebAdvisor student management system for emergency notification. The system allows authorized users to send an immediate notification to all members of the MCPHS University/NESA community who have provided emergency contact information. All members of the MCPHS University/NESA community

are requested regularly to provide updated emergency contact information so that they can receive messages from the emergency notification system.

The emergency notification system will only be activated upon confirmation of an emergency situation that poses an immediate threat to the health or safety of students, faculty or staff on campus or when there is an event that requires closing the campus or limiting access (e.g. severe weather). The emergency notification system will not be used to send messages about criminal activity in the area, unless the crime presents an immediate threat to safety on campus.

MCPHS University/NESA will, without delay, and taking into account the safety of the community, determine the content of the emergency message and initiate the emergency messaging system, unless issuing a message will, in the judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency situation. In addition to the emergency notification system, MCPHS University/NESA may rely upon communication systems to provide relevant information regarding an emergency situation. Communication systems include but are not limited to MCPHS University/NESA email, public address systems, media outlets including local television and radio stations, television monitors on campus and notices posted in central locations on campus.

If any of the systems utilizing technology fail, the School would initiate face to face communication using School personnel and other appropriate staff and students on campus. Some or all of the systems listed above will be used to communicate follow-up information to the MCPHS University/NESA community. MCPHS University/NESA students, faculty and staff can update their emergency notification information at any time via their WebAdvisor accounts.

Access to Campus Facilities

Access to the academic areas of the campus requires a swipe of a valid MCPHS ID to proceed. All persons entering the campus through either the Teaching Clinic or academic areas must pass by an administrative desk which is staffed during regular business hours. Students, faculty and staff of the School are issued picture I.D. cards which allow swipe entry through various doors.

School facilities are open to the public during the day and evening hours when classes are in session. Students and staff may access campus areas with swipe of a valid MCPHS ID during evening and weekend hours to use the campus facilities for study purposes. When the School is closed, campus areas are locked and student access is turned off. Side doors are alarmed 24 hours a day and may be used only as fire/emergency exits. The MCPHS University/NESA Clinic is alarmed after class hours. The front doors of the 150 California Street Building housing MCPHS University/NESA's Newton Campus are locked between the hours of 10:00 pm and 6:00 am Monday through Friday and 6:00 pm to 6:00 am on weekends.

Student I.D. Cards

All students are issued a MCPHS identification (I.D.) card. The card must be used to gain entry to MCPHS academic areas and at the library when borrowing books or in the Teaching Clinic to receive the discounted student community rate for acupuncture services.

Security Consideration in the Maintenance of Campus Facilities

Maintenance of school facilities is the responsibility of the Director of Administrative Services. All contractors (janitorial staff, maintenance staff, etc.) are fully insured and bonded and the School requires that any outside contractors are properly trained to ensure their performance meets School standards.

Security Awareness and Crime Prevention Programs

Students, faculty and staff are advised about incidents in areas surrounding the campus as appropriate. They are also advised that they must assume responsibility for their own personal safety, the safety of others, and/or the safety of their personal property. Regular inspections to identify and correct deficiencies in exterior/interior lighting, locking hardware and safety of campus grounds are conducted.

Timely warnings will be issued in cases where the Director of Administrative Services or designee determines that a particular crime or crime trend represents a serious or continuing threat to the MCPHS University/NESA community. The timely warning will be issued in order to alert the community so they can take precautions and make informed decisions about how they conduct their daily business in the neighborhood. These warnings are issued via the School Portal or other methods deemed appropriate.

Education and Prevention Programs

MCPHS University/NESA is planning a number of educational and prevention programs for students, faculty and staff, regarding sexual assault awareness, dating violence, domestic violence and stalking. This programming will consist of prevention and awareness programs during new student and new employee orientation and ongoing awareness and prevention programs for all students, staff and employees.

Programming will define domestic violence, dating violence, sexual assault and stalking as stated in the Massachusetts General Laws.

Concepts surrounding the behavior and actions that constitute consent to sexual activity will be defined and discussed.

Bystander intervention offers safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Bystander intervention includes recognizing situations of potential harm, understanding cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Such action should be prudent and with regard for one's own safety. Contact law enforcement, and seek assistance from faculty, staff or other persons in authority to end the abuse.

Risk reduction information and strategies will be provided to reduce the occurrence of sexual assault, domestic violence, dating violence and stalking, to empower victims and to address conditions that facilitate violence.

All Title IX Compliance Officers and Deputies are mandated to complete required training regarding their assigned responsibilities including definition, notification and non-retaliation.

Identification

For security purposes all campus community members, including students, are issued an ID card upon matriculation and/or employment at the School. Students and employees are expected to wear or display their School ID card at all times when on campus and to show their ID's upon the request of a properly-identified official or member of the School's staff. The ID system is designed to assure that only students, staff and faculty have access to the School; all visitors must check in at either the clinic desk or the front desk of the main building. All entrances without a reception desk are locked and inaccessible without valid identification that activates a card access system. Loss of an ID should be reported IMMEDIATELY to the Director of Administrative Services and Office Manager.

Maintaining a safe/secure campus

Safety equipment on campus includes fire extinguishers; sprinklers, Automated External Defibrillators (AEDs), panic buttons, door jam alarms, glass break detectors, motion detectors and burglar alarms.

Security Assessment

The Director of Administrative Services routinely surveys the campus facilities and reports on all non-functioning lights and all other unsafe physical conditions for replacement or repair. All facilities and landscaping are maintained in a manner that minimizes hazardous conditions.

Protection from Harassment Policy (Title IX) Policy Statement

New England School of Acupuncture (or the "School") an affiliate of MCPHS University is committed to maintaining a positive learning, working, and living environment. The School does not discriminate on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, ancestry, genetic information, military service, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities and actively complies with the requirements of Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; Title IX of the Educational Amendments of 1972; Sections 503 and 504 of the Rehabilitation Act of 1973; Section 402, Vietnam Era Veterans Readjustment Assistance Act of 1974; the Age Discrimination Act of 1975; the Americans with Disabilities Act of 1990 (as amended by the ADA Amendments Act of 2008); and pertinent laws, regulations, and executive directives of the Commonwealth of Massachusetts and other applicable state and federal statutes. The School will not tolerate acts of discrimination or harassment based upon Protected Classes, or related retaliation against or by any employee or student. For purposes of this policy, "Protected Classes" refers to race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, ancestry, genetic information, military service, or veteran status, or any other category protected by applicable law.

This Policy: (1) provides a definition of discrimination and harassment based upon Protected Classes and related retaliation; (2) prohibits discrimination and harassment based upon Protected Classes and related retaliation; and (3) sets out procedures to follow when a member of the New England School of Acupuncture community believes a violation of the policy has occurred.

Individuals who violate this Policy shall be disciplined or subjected to corrective action, up to and including termination or expulsion.

Inquiries regarding the School's compliance with Equal Opportunity and Affirmative Action laws may be directed to Susan L. Gorman, Executive Director, at 617.558.1788 x374.

DEFINITIONS

Arson – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property, etc.

Criminal homicide-manslaughter by negligence – The killing of one human being through gross negligence by another.

Criminal Homicide/Murder and Non-Negligent Manslaughter – The willful (non-negligent) killing of one human being by 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.

Consent - In Massachusetts, it is illegal to have sex under any circumstances with someone who is incapable of giving consent due to incapacity or impairment; incapacity or impairment may be caused by intoxication or drugs, or because a victim is underage, mentally impaired, unconscious, or asleep. For purposes of this policy, consent is an explicitly communicated, reversible, mutual agreement to which all parties are capable of making a decision.

Aggravated Assault – An unlawful attack by one human being 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 and probably would result in serious personal injury if the crime were successfully completed.)

Burglary – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony and breaking and entering with intent to commit a larceny or felony.

Motor Vehicle Theft – Is defined as 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 joyriding.)

Weapon Law Violations – The violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Domestic Violence-includes felony or misdemeanor crimes 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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 jurisdiction in which the crime of violence occurred.

The Commonwealth of Massachusetts specifically defines Domestic Violence as:

1. “Abuse”, the occurrence of one or more of the following acts between family or household members:

- (a) Attempting to cause or causing physical harm;
- (b) Placing another in fear of imminent serious harm; and
- (c) Causing another to engage involuntarily in sexual relations by force, threat or duress

2. “Court” the Superior, Probate and Family or Boston Municipal Court departments of the trial court, except when the petitioner is in a dating relationship when “Court” shall mean District, Probate or Boston Municipal court.

“Family or Household members”, persons who:

- (a) are or were married to one another;
- (b) are or were residing together in the same household;
- (c) are or were related by blood or marriage;
- (d) having a child in common regardless of whether they have ever been married or lived together; or
- (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by District,

Probate or Boston Municipal Court consideration of the following factors:

- (i) The length of time of the relationship;

- (ii) the type of relationship;
- (iii) the frequency of interaction between the parties; and
- (iv) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

Dating Violence-Dating Violence is defined as violence committed by (a) a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined on a consideration of the following factors:

- (a) the length of the relationship;
- (b) the type of the relationship; and
- (c) the frequency of interaction between the persons involved in the relationship.

The Commonwealth of Massachusetts does not have a specific Dating Violence statute, but see the definition of “Family or Household members” above.

Stalking-Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition

- (a) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly or indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens or communicates to or about, a person, or interferes with a person’s property;
- (b) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; and
- (c) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

The Commonwealth specifically defines stalking as whoever;

- (1) willfully and maliciously engages in a knowing pattern of conduct or a series of acts over period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking.

Sexual Assault -Sexual Assault is defined as an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

The Commonwealth defines Rape as:

Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by joint enterprise, or is committed during the commission or the attempted commission of an offense defined in Section Fifteen A, Fifteen B, Seventeen, Nineteen or Twenty-Six of Section 10 of Chapter two hundred and sixty-nine shall be punished by imprisonment in the State Prison for life or for any term of years.

No person serving a sentence or subsequent such offence shall be eligible for furlough, temporary release or education, training or employment programs established outside a correctional facility until such person shall

have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise other than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences. Whoever has intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the State Prison for not more than twenty years; and whoever commits a second or subsequent offence shall be punished by imprisonment in the State Prison for life or for any term of years.

Fondling-Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest- Incest is defined as the non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape-is defined as sexual intercourse with a person who is under age.

Drug Law Violations – are defined as violations of state or federal laws relating to the unlawful possession, sale, and use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine heroin, codeine); marijuana; synthetic narcotics (Demerol, Methadone) and dangerous non-narcotic drugs (barbiturates, Benzedrine.)

Liquor Law Violations – The violation of laws or ordinances prohibiting the sale, manufacture, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking paces; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and any attempts to commit any of the aforementioned. Drunkenness and driving while under the influence are included in this definition

Supervisor – Anyone who has the authority to hire, promote, discipline, evaluate, grade, or direct faculty, staff, or students. This includes anyone who manages or supervises others, including, but not limited to, faculty, teaching assistants, resident advisors, coaches, and anyone who leads, administers, advises, or directs School programs.

Title IX Coordinator – the Officer responsible for oversight on all Title IX allegations and/or violations. For allegations involving respondents who are employees, the Title IX Coordinator will assign direct oversight to Human Resources. For allegations involving respondents who are students, the Title IX Coordinator will assign direct oversight to the Office of the Student Affairs.

Title IX Deputies – School employees who report to and assist the Title IX Coordinator on all allegations of Title IX violations.

REPORTING OBLIGATIONS

Supervisor's Obligation to Report

Any supervisor who witnesses, receives, or has knowledge of a complaint of discrimination, harassment or related retaliation that occurs in MCPHS University/NESA employment and educational programs and activities, shall immediately report it to his/her supervisor. A failure to report this information is a violation of this Policy, except in the case of a supervisor whose profession and School responsibilities requires him/her to keep certain communications confidential (e.g., a professional counselor). Such a supervisor is not required to report confidential communications received while performing those School responsibilities.

Obligation to Report

In order to take appropriate corrective action, MCPHS University/NESA must be aware of discrimination, harassment, and related retaliation that occur in MCPHS University/NESA employment and educational programs and activities. Anyone who believes that she/he has experienced or witnessed discrimination, harassment, or related retaliation should immediately report such behavior to one of the designated Title IX Deputies, Director of Student Affairs, or his/her own supervisor.

Confidentiality

The School will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law.

Retaliation

The School will not in any way retaliate against an individual who reports a perceived violation of this policy, participates in any investigation, or otherwise opposes perceived discrimination, harassment, or retaliation, including as a witness. It will also not retaliate against anyone associated with the individual who engages in such protected conduct, such as a family member. MCPHS University/NESA further will not tolerate retaliation by any employee or student. Retaliation is a serious violation of this policy, as well as of federal, state, and local law. Anyone who believes he/she is a victim of retaliation should report the matter immediately according to the same procedure provided in this policy for making complaints of discrimination, harassment, or sexual assault. Any person found to have retaliated against another individual will be subject to the same disciplinary action provided under this policy for other violations.

PROCEDURES

Reports or complaints pursuant to this policy will be addressed and resolved as promptly as practicable after the complaint or report is made.

Allegations or Complaints may be directed to any one of the following:

- Title IX Coordinator
- Title IX Deputy
- Executive Director
- Director of Student Affairs
- Human Resources Administrator
- Dean or Department Chair
- Supervisors
- Faculty/Staff

The initial complaint will immediately be forwarded to the Title IX Coordinator, who has oversight of the investigation. An investigation will be concluded and reports submitted to the Title IX Coordinator no later than 90 days following the receipt of a complaint. A determination will be finalized no later than 30 days after the receipt of the report of the investigation.

A. Investigation Process

1. The Title IX Coordinator shall determine the most appropriate means for addressing the report or complaint. The Title IX Coordinator may designate another individual to conduct or assist with the investigation. Anyone designated to address an allegation must adhere to the requirements of this policy and confer with the Title IX Coordinator throughout the investigation.

2. All reports or complaints shall be made as promptly as possible after the occurrence.

3. If an investigation is conducted, the complainant and respondent shall have the right to:

- a. Receive written notice of the report or complaint, including a statement of the allegations, as soon after the commencement of the investigation as is practicable and to the extent permitted by law;
 - b. Present relevant information to the investigator(s); and
 - c. Receive, at the conclusion of the investigation and appropriate review, a copy of the investigator's report, to the extent permitted by law.
4. The Title IX Coordinator and only necessary School officials shall be notified that an investigation is taking place.
 5. At the conclusion of an investigation, the investigator shall prepare a written report that shall include a statement of factual findings and a determination of whether this policy has been violated. The draft report shall be presented for review to the Title IX Coordinator.
 6. The Title IX Coordinator may consult with the investigator, consult with the parties, and request that further investigation be done by the same or another investigator, or request that the investigation be conducted again by another investigator. Once the Title IX Coordinator is satisfied that a complete investigation has been completed and the appropriate School officers have approved the findings of the investigation, the Title IX Coordinator shall send the final report to the complainant and respondent, to the extent permitted by law. The final report shall also be sent to the respondent's supervisor, appointing authority/disciplinary authority, Executive Director and the President of MCPHS University.
 7. The appointing authority/disciplinary authority must initiate formal action against the respondent if she/he was found to have violated this Policy or acted inappropriately or unprofessionally. The appointing authority/disciplinary authority, and other administrators with a need to know, may have access to the investigative records and may consult with the investigator in order to take appropriate action. The appointing authority/disciplinary authority shall inform, in writing, the Title IX Coordinator of the action taken against the individual(s) who have violated this policy or who have behaved inappropriately or unprofessionally. The Title IX Coordinator will keep the President and the Vice-Presidents informed of the final disposition of all Title IX cases.
 8. In all cases, the Title IX Coordinator shall retain the investigator's report for a minimum of three (3) years or for such longer period as any administrative or legal action arising out of the complaint is pending. In the case of a student respondent(s), records will be retained according to policies administered by MCPHS University/NESA.
 9. All records of discrimination and harassment and related retaliation reports and investigations shall be considered confidential and shall not be disclosed publicly except to the extent required by law.

B. Complaints by and Against School Employees and Students Arising in an Affiliated Entity.

School employees and students sometimes work or study at the worksite or program of another organization affiliated with New England School of Acupuncture. When a violation of this policy is alleged by or against MCPHS University/NESA employees or students in those circumstances, the complaint should immediately be directed to the Title IX Coordinator. The Title IX Coordinator will consult the affiliation agreement between New England School of Acupuncture and the other entity for any language relating to the handling of the allegation. In the absence of an affiliation agreement or a provision addressing this issue, MCPHS University/NESA will follow the designated protocol for all Title IX allegations.

C. No Limitation on Existing Authority

No provision of this policy shall be construed as a limitation on the authority of an appointing authority/disciplinary authority under applicable policies and procedures to initiate appropriate action. However, the Title IX Coordinator always has oversight of Title IX cases and will work with the appropriate School authorities where appropriate. If an investigation is conducted under this policy and no policy violation is found, that finding does not prevent discipline of the respondent for inappropriate or unprofessional conduct under other applicable policies and procedures.

D. Annual Report

MCPHS University/NESA shall maintain an annual report documenting: (1) the number of reports or complaints received pursuant to this policy; (2) the categories of those involved in the allegations; (3) the number of policy violations found; and (4) examples of sanctions imposed for policy violations.

E. Education

MCPHS University/NESA will broadly disseminate this policy, distribute a list of resources available to respond to concerns of Protected Class discrimination, harassment, and related retaliation and develop and present appropriate educational programs for students and employees.

STATE AND FEDERAL REMEDIES

In addition to the above, if a student or employee believes that he/she has been subjected to discrimination or harassment, he/she may file a formal complaint with any of the governmental agencies set forth below. Using MCPHS University/NESA's complaint process does not prohibit a student or employee from filing a complaint with these agencies.

Middlesex County District Attorney
15 Commonwealth Avenue
Woburn, MA 01801
781-897-8300

Newton Police Department
1321 Washington Street
Newton, MA 02465
617-796-2100 or 911

Massachusetts Commission against Discrimination (MCAD)
One Ashburton Place – Room 601
Boston, MA 02108
617-944-6000

U.S. Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
800-669-4000

This policy complies with Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; The Age Discrimination in Employment Act of 1976; the Equal Pay Act of 1963; sections 503 and 504 of the Rehabilitation Act of 1973; the Vietnam Era Veterans Adjustment Act; and the Americans with Disabilities Act.

Policy on Missing Students

The missing student policy has been developed in order to assist in locating MCPHS University/NESA student(s), who based on the facts and circumstances known to the School, are determined to be missing. This policy is in compliance with Section 488 of the Higher Education Act of 2008. Anyone who believes a student to be missing should report their concern to the Director of Student Affairs. Every report made to the School will be followed up with an immediate investigation once a student has been missing for 24 hours or sooner if the situation dictates. Depending on the circumstances presented to School officials, attempts will be made to contact the student, using

any confidential contact information that the student may have provided to the School, and an external law-enforcement agency will be contacted if appropriate. Others at the School will be contacted, as appropriate. Students are asked to provide, at the beginning of each academic year, on a voluntary basis, emergency contact information in the event they are reported missing while enrolled at MCPHS University/NESA.

Policy on Alcohol and Drug Use

MCPHS University/NESA strives to provide a safe and healthy environment for education and practice. The School policy on alcohol and drug use is designed to promote health, safety and academic excellence. The federal Drug-Free Schools and Communities Act of 1989 requires all institutions of higher education to adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees as a condition of the institution receiving federal funds or any other form of financial assistance under any federal program. This policy is being issued by MCPHS University/NESA in compliance with the requirements of that Act.

MCPHS University/NESA prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by any student or employee of the School while on school premises, while performing any work for the School, on or off its premises, or while otherwise participating in any school activity, on or off the school premises.

In addition, employees are prohibited from reporting to work or performing job related activities, on or off the school premises, while under the influence of alcohol or illicit drugs. Students are prohibited from participating in any school activity, on or off school premises, while under the influence of alcohol or illicit drugs.

For the purpose of this policy, the term “illicit drugs” is defined as controlled substances which cannot be obtained legally, or which, although available legally, have been obtained illegally. “Illicit drugs” include not only “street” drugs, but also prescription drugs that have not been lawfully prescribed for the individual. Controlled substances” are those substances listed on Schedules I through V of the Federal Controlled Substance Act. Controlled substances include narcotics such as cocaine and heroin; depressants such as barbiturates; stimulants such as cocaine and amphetamines; hallucinogens such as LSD, phencyclidine (“PCP”) and cannabis (marijuana).

This policy does not prohibit use by an employee or student of a prescription drug prescribed for the employee or student by a licensed physician, provided that the drug is used in accordance with the physician’s instructions and in a therapeutic dosage.

Policy on Smoking

MCPHS University/NESA prohibits smoking in any school areas and a minimum of fifty feet from any building entrance.

Title IX Officials

Individuals may report Title IX offenses to the Title IX Coordinator and any Title IX Deputy. Those officials are listed below.

Title IX Coordinator

Dawn M Ballou, JD
617.732.2077 – office 857.337.4117 - cell
dawn.ballou@mcphs.edu

Title IX Deputies

Will Cribby, Assistant Dean of Students
Worcester and Newton Campuses

617.558.1788 x110 will.cribby@mcphs.edu

Katherine Decelles, Associate Controller
617.735.1016 katherine.decelles@mcphs.edu

Vanessa Dominguez, Director of Disability Services
617.879.5925 vanessa.dominguez@mcphs.edu

Sue Gorman, NESA Executive Director
617.558.1788 x374 sue.gorman@mcphs.edu

Jacinda Félix Haro, Senior Associate Dean
617.732.2929 jacinda.felixharo@mcphs.edu

Eileen Katz, Director of Human Resources
508.373.5871 eileen.katz@mcphs.edu

Jessica Morris, Senior Associate Dean
508.373.5640 jessica.morris@mcphs.edu

Joshua Parsons, Director of Student Affairs
617.879.5027 joshua.parsons@mcphs.edu

Irene Stefanakos, Director of Residential Living and Learning
617.732.2866 irene.stefanakos@mcphs.edu

Eric Thompson, Executive Director of Enrollment Services
617.732.2297 eric.thompson@mcphs.edu

Seth Wall, Executive Director,
Worcester and Manchester Campuses
603.314.1705 seth.wall@mcphs.edu

Public Safety

Jack Kelly, Chief of Public Safety
617.732.2143 jack.kelly@mcphs.edu

George Sherrill, Captain – Worcester Public Safety
508.373.5823 george.sherrill@mcphs.edu

William Teuber, Lieutenant - Manchester Public Safety
603.314.1791 william.teuber@mcphs.edu

Office of Student Affairs

Linda Brown, Associate Dean – Manchester
603.314.1779 linda.brown@mcphs.edu

Craig Mack, Dean of Students
617.732.2929 craig.mack@mcphs.edu

Title IX information including policies, reporting and resources can be found on the Title IX webpage on www.mcphs.edu.

University policies are also in the MCPHS Student Handbook and the University Catalog.

Sexual Assault Response Team (SART)

In an effort to provide an appropriate and coordinated response to victims of sexual assault, MCPHS University has established a Sexual Assault Response Team (SART), incidents at MCPHS University/NESA may be responded to by the MCPHS University Sexual Assault Response Team. The SART provides assistance to survivors of sexual assault, sexual harassment, dating violence and stalking. Assistance may include counseling, advocacy, medical care, academic interventions and referrals. SART members will explain what options and resources are available, and will assist the victim through whatever steps he/she decides to take. SART members will preserve the victim's confidentiality to the greatest extent possible. SART team members will encourage a victim to formally report an incident using names, so the incident can be properly investigated to prevent further crimes, but are mindful that the decision to do so is always up to the victim.

Members of the Sexual Assault Response Team (SART)

Craig Mack	Dean of Students	617.732.2929
Irene Stefanakos	Director of Residential Living & Learning	617.732.2866
Maribeth Pender	Mental Health Counselor Boston	617.732.2739
Jack Kelly	Director of Public Safety	617.732.2143
Seth Wall	Executive Director Worcester/ Manchester	603.314.1705
Jessica Morris	Senior Associate Dean of Students - Worcester	508.373.5640
Rachel Newman	Assistant Director of Residential Living and Learning - Worcester	508.373.5628
Janet Strassman Perlmutter	Director of Counseling Services - Worcester	508.373.5690
George Sherrill	Captain Public Safety Worcester	508.373.5823
Jacinda Félix Haro	Senior Associate Dean of Students - Boston	617.732.2929
Linda Brown	Associate Dean of Students Manchester	603.314.1779
Molly Payne	Executive Director of Counseling	617.732.1081
Will Cribby	Assistant Dean of Students Newton/Worcester	774.243.3503
William Teuber	Lieutenant Public Safety Manchester	603.314.1771

Response to a Sexual Assault

In the event of a sexual offense, the Title IX Coordinator helps coordinate the services available at MCPHS University/NESA, which include:

- Contacting the student’s family in the case of a medical emergency. While the student will be encouraged to call her/his family for support, the decision to do so will remain with the student if she/he is capable of doing so;
- Contacting Student Affairs and academic or administrative staff for assistance in facilitating academic accommodations or class schedule changes;
- In cases of sexual assault, where both the accused and accuser are MCPHS University/NESA students, the Executive Director or designee will review the case and make appropriate administrative decisions, which may include a Student Conduct hearing. The School reserves the right to remove a student whom it considers to pose a threat to the safety of its community members; and
- The victim shall be promptly informed of her/his right to notify law enforcement officials, including on-campus and local police and if requested, School personnel will assist the victim in this process.

MCPHS University/NESA will disclose to the victim of a crime of violence, or non-forcible sex offence, the report on the results of any disciplinary proceeding conducted by the School against a student who is the alleged perpetrator of such crime or offence. If the alleged victim is deceased as a result of such crime or offence, the next of kin of such victim shall be treated as the victim for purposes of this paragraph.

Campus Sexual Assault Victims’ Bill of Rights

- The United States Congress enacted the “Campus Sexual Assault Victims’ Bill of Rights as part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE Act). This law requires that all universities afford sexual assault victims certain basic rights such as:
- Accuser and accused must have the same opportunity to have others present, including an opportunity to be accompanied at any related meeting or proceeding by an advisor of their choice;
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing;
- Survivors shall be informed of their options to notify law enforcement, including on-campus and local police;
- Survivors shall be notified of counseling services; and
- Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Sexual Misconduct

MCPHS University/NESA is committed to maintaining a safe environment for members of our community. The University will not tolerate rape, any form of sexual assault, dating violence, domestic violence, stalking, or any other form of violence. Students who may be a victim of sexual assault will be offered immediate medical treatment and counseling support at off campus locations such as the Newton-Wellesley Hospital and Beth Israel Deaconess Medical Center (BIDMC) (Boston).

When a rape or sexual assault is reported, there is no requirement that the victim file criminal charges. It is important to preserve any physical evidence as proof of an assault, should the victim decide to file charges at a later date. Students are also encouraged to report incidents of sexual assault to the local authorities or to the Title IX Coordinator in order to receive coordinated services from the School. Further information on the Universities sexual assault policy can be found in the student handbook or on line through the MCPHS University website www.mcphs.edu.

Services are confidential to the extent permitted by law and the Universities obligation to protect the safety and wellbeing of members of the community. With a student's consent, a representative from Student Affairs may be notified in order to offer a coordinated response. Information is only shared on a "need to know basis", generally only after receiving the student's permission.

Pursuant to the Campus Sex Crime Prevention Act, the Title IX Coordinator will maintain records provided by the Massachusetts Sex Offender Registry Board of registered sex offenders who have indicated that they are employed or enrolled at the University. Any member of the community who wishes to review such information should contact the Title IX Coordinator during normal business hours. MCPHS University/NESA's Title IX Deputy is Susan Gorman, Executive Director. For further information concerning the crimes for which convicted offenders must register or regarding additional access to records of registered sex offenders, contact the Massachusetts Sex Offender Registry Board at 978-740-6040 or visit www.state.ma.us/sorb.

Disciplinary Hearings/Possible Sanctions/Standards of Evidence

Procedures for school disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking shall include:

- A prompt, fair and impartial investigation and resolution; and
 - Be conducted by School Officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of the parties and promotes accountability.
1. The accuser and accused are entitled to the same opportunities to have others present during a school disciplinary proceeding.
 2. Both the accuser and accused shall be simultaneously informed in writing of:
 - The outcome of any school disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault or stalking;
 - The School procedures for the accused and accuser to appeal the results of the School disciplinary proceeding;
 - Any change to the results that occurs prior to the time that such results become final; and
 - When such results become final.
 3. The School will protect the confidentiality of the parties; including how publicly available recordkeeping will be accomplished without inclusion of identifying information about the victim, to the extent permissible by law.
 4. The School will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance and other services available for victims both on campus and in the community.
 5. The School will provide to both the accuser and the accused options for, and available assistance in, changing academic, and student working situations, if so requested by the parties and if such accommodations are reasonably available, regardless of whether the accuser chooses to report the crime to local law enforcement.
 6. A student or employee who reports to the School, that the student or employee has been a victim of domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, (Victims' Bill of Rights).

The scope of disciplinary sanctions that may be imposed on students after a final determination regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking may include, but is not limited to: warning; educational projects; community service; loss of privileges; fines; restitution; counseling or health assessment; no trespass order; stay away order; 209A Orders, Harassment Orders, interim suspension; suspension; and dismissal. Sanctions are handled on a case-by-case basis and all sanctions are at the discretion of the

Executive Director and Student Affairs Officer/Committee. The standard of evidence in any disciplinary hearing shall be; is it more likely than not that the offense occurred.

Crime Statistics

The annual crime statistics for MCPHS University/NESA are reported. Copies of the report may be obtained by contacting the Director of Administrative Services. The data for these statistics are compiled by information gathered from detailed information received from Campus Safety Personnel and Office of Student Affairs. Statistics for the most recent 3 years are compiled for: non-campus, off campus, and private property. The Annual Security Report is prepared by the Director of Administrative Services. Each year notification is given to all students and staff. A written copy of this report may also be obtained from the Director of Administrative Services by making a written request.

The “Crime Awareness and Campus Security Act of 1990” (PL 01-542) known as the Jeanne Clery Act, requires that post-secondary institutions provide all students and employees and prospective students with information relating to crime statistics and security measures. MCPHS University/NESA is required to maintain records of all reported crimes and compile the following statistics:

Crime Statistics 2013/2014/2015

	On Campus			Non-campus			Public Property ¹			Residence Halls ²			Totals		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	1	0	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	1	0	0	0	0	0	1	0	0	0	0	0	2	0
Sex Offenses	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapon Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

The category of “hate crimes” was added in 1994. Under the U.S. Department of Education guidelines, Hate Crimes are counted only when the incident involved one of the above offenses. (Hate Crimes Statistics Act (28 U.S.C 534).

1. 2012/ 2013/ 2014 – The information received from the local police departments are covered within the statistics.
2. 2012/ 2013-Domestic Violence, Dating Violence and Stalking were not required recording.

Hate Crime Report 2015

2015	Race				Gender				Religion				Sexual Orientation				Ethnicity				Disability				Gender Identity				National Origin							
	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S	O C	N C	P P	R E S				
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Fire Safety

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to MCPHS University/NESA.

General Statement of MCPHS University/NESA campus building

At MCPHS University/NESA, all areas of the building are covered with integrated fire sprinkler systems and a redundant fire alarm monitoring systems which are monitored 24 hours/day, seven days/week by an outside alarm company, reporting directly to the Fire Department.

Fire Safety Improvements and Upgrades

MCPHS University/NESA contracts with an outside vendor to annually review the fire systems in our campus areas and make upgrades, repairs or revisions when problems are identified.

Fire Drills

Fire drills are held once a year. Fire drills are mandatory supervised evacuations of a building for a fire. Evacuation route maps are posted in each classroom, treatment room and work space room showing where the closest egress route is and the assembly area outside. Students, faculty and staff who fail to leave the building during a fire drill are documented and the incident is turned over to the Director of Administrative Services.

Fire/Life Safety Education

MCPHS University/NESA policy on evacuation from the campus building is discussed with students during new student orientation and covered annually with staff during annual safety training.

Reporting a Fire

Anyone reporting an on campus fire should contact the 911 immediately or pull one of the fire Alarm stations on campus and throughout the building.

Fire Statistics

There were no reportable incidents for 2015.

Fire Log

A fire log is kept in the Front office and is open to the public during normal business hours. MCPHS University/NESA maintains a fire log that records any fire that occurred on-campus 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 available within two business days of the receipt of information. The Fire log for the most recent 60-day period shall be open to public inspection during normal business hours. Any portion of the log older than 60 days will be made available within two business days of a request for public inspection.

Emergency Response and Evacuation

MCPHS University/NESA has developed an *Emergency Action Plan* for responding to and reporting emergency situations or criminal activities to ensure employee and student safety from fire and other emergencies occurring within the campus buildings. It provides detailed actions and procedures to be followed in the event of a fire, chemical spill, radiation spill, or other emergency.

The plan identifies the procedures for evacuation, notification, medical assistance, and contact persons/positions. The CEAP is reviewed annually and after each actual emergency situation. Employees and students are informed of the contents of the CEAP, provided a copy at the time of hire or when personnel roles and responsibilities are changed, annually, and when the plan is revised. CEAP drills will be conducted routinely according to OSHA, NFPA, and Newton, MA, fire drill codes and regulations. An Annual Test of the Emergency Response and Evacuation System will take place annually.

Levels of emergencies are identified and outlined, alarm systems/fire equipment are described in detail, emergency and crisis communication and priorities, including the authority to community for MCPHS University/NESA are described, training processes are outlined, the *MCPHS University/NESA Emergency Response Plan* is outlined, emergency information for faculty and staff are delineated, and a link for registering for the E-Alert Emergency Notification System is provided.

Terrorist activities are reported first to the State Police and then to the Boston Office of the Federal Bureau of Investigation, telephone: 617-742-5533.

Federal Trafficking Penalties

Quantity	Description	First Offense	Second Offense
1,000 kg or more; or 1000 or more plants	Marijuana Mixture containing detectable quantity	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg; or 100-999 plants detectable quantity	Marijuana Mixture containing	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg 10 to 100 kg 1 to 100 kg 50 – 99 plants	Marijuana Hashish Hashish Oil Marijuana	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual. \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual. \$10 million other than individual.
Less than 50 kg Less than 50 kg	Marijuana Hashish	Not more than 5 years. Fine not more than	Not more than 10 years. Fine \$500,000

Less than 1 kg	Hashish Oil	\$250,000 individual. \$1 million other than individual.	individual. \$2 million other than individual.
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*Includes Hashish and Hashish Oil
(Marijuana is a Schedule I Controlled Substance)

Federal Trafficking Penalties

	PENALTY 2 nd Offense	1 st Offense	QUANTITY	DRUG	QUANTITY	PENALTY 1 st Offense	2 nd Offense
	CSA I AND II	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	10–99 gm or 100–999 gm mixture	Methamphetamine	100 gm or more or 1 kg ¹ or more	Not less than 10 years. Not more than life.
If death or serious injury, not less than life		If death or serious injury, not less than 20 years. Not more than life.	100–999 gm mixture	Heroin	1 kg or more mixture	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
			500–4,999 gm mixture	Cocaine	5 kg or more mixture		
Fine of not more than \$4 million individual, \$10 million other than individual		Fine of not more than \$2 million individual, \$5 million other than individual	5–49 gm mixture	Cocaine Base	50 gm or more mixture	Fine of not more than \$4 million individual, \$10 million other than individual	Fine of not more than \$8 million individual, \$20 million other than individual.
			10–99 gm or 100–999 gm mixture	PCD	100 gm or more or 1 kg or more mixture		
			1–10 g. mixture	LSD	10 gm or more mixture		
			40–399 gm mixture	Fentanyl	400 gm or more mixture		
			10–99 gm mixture	Fentanyl Analogue	100 gm or more mixture		
	DRUG	Quantity	First Offense		Second Offense		
	Others ²	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.		

V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.	Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.
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Methamphetamine, Heroin, cocaine, Cocaine Base, PCP, LSD, Fentanyl, and Fentanyl Analogue

1 Law as originally enacted states 100gm. Congress requested to make technical correction to 1kg.

2 Does not include marijuana, hashish, or hash oil. (See separate chart.)

Controlled Substances Uses & Effects

	DRUGS/ CSA SCHEDULES	TRADE OR OTHER NAMES	MEDICAL USES	DEPENDENCE Physical	Psychological	Tolerance	Hours of Duration	Usual Methods	
NARCOTICS	Opium II III V	Dover's Powder, Paregoric Parepectoin	Analgesic, antidiarrheal	High	High	Yes	3-6	Oral, smoked	<p>Possible Side Effects Euphoria, drowsiness, respiratory depression, constricted pupils, nausea</p> <p>Effects of Overdose Slow and shallow breathing, clammy skin, convulsions, coma, possible death</p> <p>Withdrawal Syndrome Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</p>
	Morphine II III	Morphine, MS Contin, Roxanol, Roxanol SR	Analgesic, antitussive	High	High	Yes	3-6	Oral, smoked, injected	
	Codeine II III V	Tylenol w/Codeine, Emprin w/Codeine, Robitussin A-C, Fiorinal w/Codeine	Analgesic, antitussive	Moderate	Moderate	Yes	3-6	Oral, injected	
	Heroin I	Diacetylmorphine, Horse, Smack	None	High	High	Yes	3-6	Injected, sniffed, smoked	
	Hydromorphone II	Dilaudid	Analgesic	High	High	Yes	3-6	Oral, injected	
	Meperidine (Pethidine) II	Demerol, Mepergan	Analgesic	High	High	Yes	3-6	Oral, injected	
	Methadone II	Dolophine, Methadone, Methadose	Analgesic	High	High-Low	Yes	12-24	Oral, injected	
Other Narcotics I II III IV V	Numorphan, Percodan, Tussionex, Percocet, Tylox, Fentanyl, Darvon, Lomotil, Talwin antitussive	Analgesic, antidiarrheal	High-Low	High-Low	Yes	Variable	Oral, injected		

DEPRESSANTS	Chloral Hydrate IV	Noctec	Hypnotic	Moderate	Moderate	Yes	5-8	Oral	<p>Possible Side Effects Slurred speech, Disorientation, drunken behavior without odor of alcohol</p> <p>Effects of Overdose Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death</p> <p>Withdrawal Syndrome Anxiety, insomnia, tremors, convulsions, possible death</p>
	Barbiturates II III IV	Amytal, Butisol, Fiorinal, Lotsuate, Nembutal, Seconal, Tuinal, Phenobarbital	Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High-Med.	High-Mod	Yes	1-16	Oral	
	Benzodiazepines IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranexex, Verstran, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant, sedative, hypnotic	Low	Low	Yes	4-8	Oral	
	Methaqualone I	Quaalude Sedative,	hypnotic	High	High	Yes	4-8	Oral	
	Glutethimide III	Doriden Sedative,	hypnotic	High	Moderate	Yes	4-8	Oral	
	Other Depressants III IV	Equanil, Miltown, Noludar, Placidyl, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Sniffed, Oral	
STIMULANTS	Cocaine II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked, injected	<p>Possible Side Effects Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite</p> <p>Effects of Overdose Agitation, increase in body temperature, hallucinations,</p>
	Amphetamines II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected	
	Phenmetrazine II	Preludin	Weight control	Possible	High	Yes	2-4	Oral, injected	
	Methylphenidate II	Attention deficit disorders, Ritalin	narcolepsy	Possible	Moderate	Yes	2-4	Oral, injected	

	Other Stimulants	Adipex, Cylert, Didrex, Ionamin, Melfiat, Piegine, Sanorex, Tenuate, Tepanil, Prelu-2	Weight control	Possible	High	Yes	2-4	Oral, injected	convulsions, possible death Withdrawal Syndrome Apathy, long periods of sleep, irritability, depression, disorientation
HALLUCINOGENS	LSD I	Acid, Microdot	None	None	Unknown	Yes	8-12	Oral	Possible Side Effects Illusions and hallucinations, poor perception of time and distance Effects of Overdose Longer, more intense "trip" episodes, psychosis, possible death Withdrawal Syndrome Withdrawal syndrome not reported
	Mescaline and Peyote I	Mexc, Buttons, Cactus	None	None	Unknown	Yes	8-12	Oral	
	Amphetamine Variants I	2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected	
	Phencyclidine I	PCP, Angel Dust, Hog	None	Unknown	High	Yes	Days	Smoked, oral, injected	
	Phencyclidine Analogues I	PEC, PCPy, TCP	None	Unknown	High	Yes	Days	Smoked, oral, injected	
	Other Hallucinogens I	Bufofenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None	Unknown	Possible	Variable	Smoked, oral, injected, sniffed	
CANNABIS	Marijuana I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Possible Side Effects Euphoria, relaxed inhibitions, increased appetite, disoriented behavior Effects of Overdose Fatigue, paranoia, possible psychosis Withdrawal Syndrome Insomnia, hyperactivity, and decreased appetite occasionally reported
	Tetrahydrocannabinol II	THC, Marinol	Cancer, chemotherapy, anti-nausea	Unknown	Moderate	Yes	2-4	Smoked, oral	
	Hashish I	Hash	None	Unknown	Moderate	Yes	2-4	Smoked, oral	
	Hashish Oil I	Hash Oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral	

