

NHTI – CONCORD'S COMMUNITY COLLEGE'S 2024 ANNUAL SECURITY REPORT AND FIRE SAFETY REPORT



September 27, 2024

NHTI-Concord's Community College
Campus Safety Department
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Concord, NH 03301
603-230-4042

[Campus Safety - NHTI](#)

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NHTI 2024 Crime Awareness and Campus Security Information Report

The information provided in this report is to meet NHTI-Concord's Community College obligations for compliance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, commonly referred to as the Clery Act. Information contained in this report is prepared by the NHTI Campus Safety Department using crime reports, statistical information, safety program information obtained from the identified NHTI Campus Security Authorities (CSA's), Student Affairs, the Concord Police Department and the New Hampshire Department of Safety comprising of the New Hampshire State Police, and New Hampshire Marine Patrol.

Each fall, email notification is made to all enrolled students and employees that provides a copy and the NHTI website URL to access this report. The URL is also included on the Campus Safety webpage at [Campus Safety - NHTI](#) and on Canvas at <http://canvas.ccsnh.edu>. Paper copies may be obtained by contacting the Campus Safety Department Monday through Friday from 8:00 am to 4:00 pm at (603) 230-4042, or via email at nhticampussafety@ccsnh.edu.

Developing Information for this Report

The NHTI Campus Safety Department identifies and coordinates with NHTI Campus Security Authorities, or CSA's. NHTI Campus Security Authorities include, but is not limited to the following NHTI Departments or personnel:

- Campus Safety Department personnel (Officers, work-study, etc.)
- Residence Life Staff - Resident Directors, Resident Assistants, etc.
- Club and Organization Advisors/Co-Advisors
- Athletic Team Coaches and Assistant Coaches
- Athletics Department Staff (Director, Clerks who control access to facilities, etc.)
- Persons who control/monitor access to areas (i.e. Residence Hall Monitors, etc.)
- Title IX Coordinator
- Student Conduct Coordinator
- Human Resources Staff
- Persons who are identified as "an official of an institution who has significant responsibility for student and campus activities" (i.e. Director of Campus Activities, Counseling, Academic Advisors, Vice President of Student Affairs, Vice President of Academic Affairs, etc.)
- Director and Assistant Director of the Mary Stuart Gile Early Learning Center
- NH Mountain Kings staff that monitor on-campus Residential Housing
- Overnight camps with minors (persons under 18 years old attending the camp)

The NHTI Campus Safety Department coordinates and receives reports that identify potential Clery Act reportable crimes from all Campus Security Authorities (CSA's) for Clery Act crimes that occur within the identified NHTI Clery Act geography.

The NHTI Campus Safety Department contacts appropriate law enforcement agencies which have jurisdiction over both campus and non-campus public properties to collect annual crime statistics. Primarily, this will at minimum include the Concord Police Department and the New Hampshire Department of Safety (NH State Police, NH Marine Patrol, etc.)

The NHTI Campus Safety Department updates all campus safety and security information, for inclusion in this document and distribution to the college community.

NHTI prepares a daily crime log and fire log describing **all** crimes, timely warnings and fire incidents reported to the Campus Safety Department that occur in the NHTI Clery geographic area. Information contained in these logs can be obtained from the Campus Safety Department at 1 Institute Drive, Concord, NH 03301.

The Campus Safety Department

The NHTI Campus Safety Department commits itself to the highest standards of professionalism in promoting a safe and problem free educational environment for the NHTI community. **Fairness, Integrity, Respect and Transparency** are the attributes imbued by the Campus Safety Department in the enforcement or response to violations of federal, state, local laws and ordinances; and the Community College Systems of New Hampshire (CCSNH) and NHTI-Concord's Community College's policies.

The NHTI Campus Safety Department is an unsworn public safety department assigned within the Business Operations Office. The Director of Campus Safety is responsible for the management of the Campus Safety Department and all safety, security and emergency related matters for the College and reports to the Business Operations Officer. Many of the Campus Safety Department's services and response actions are coordinated through partnerships with federal, state and local agencies, as well as, key college stakeholders.

The Campus Safety Department's office is located at 1 Institute Drive Concord, NH 03301 on the second floor. The Campus Safety Department provides 24 hours a day, 7 days a week, year-round coverage to serve the needs of the college community and its guests.

The Campus Safety Department when fully staffed is comprised of nine (9) staff members which are comprised of: A full-time Director of Campus Safety, a full-time Assistant Director of Campus Safety, a full-time Sergeant, five (5) full-time officers and one (1) part-time Administrative Secretary.

All officers are required to have a completed a minimum of three years' experience in law enforcement work as a security guard/ officer, police officer, corrections officer, or military police officer. Each additional year of approved formal education may be substituted for one year experience prior to being certified for hire.

All Campus Safety Officers train with a Field Training Officer (FTO) for approximately 200 hours of internal training prior to working independently. This includes, but is not limited to, training on the following: Federal, state local laws and ordinances, CCSNH and NHTI policies, departmental and emergency procedures, campus jurisdiction, legal authority and liability, risk management concepts building layouts, critical infrastructure, emergency equipment, Clery Act Campus Security Authority reporting requirements and incident response.

Additionally, within the first 90 days of hire officers are required to complete training in Federal Emergency Management Agency Incident Command System, First Aid/CPR/AED, Administration of Naloxolone, Crowd Manager, and Bloodborne Pathogens training. Officers also receive frequent annual or in-service training on a variety of subjects including, but not limited to: De-escalation techniques, suicide prevention and response, etc.

Officers' frequently and routinely conduct vehicle and foot presence patrols throughout all campus grounds and buildings to address potential violations of federal, state, local laws and ordinances, as well as, CCSNH/NHTI policies and regulations. Campus Safety Officers do not have arrest powers, they can act in accordance with applicable State of New Hampshire statutes to enforce protection of individuals

and property. Campus Safety Department officers make determinations to contact, coordinate and assist, as needed, with the New Hampshire State Police to investigate alleged criminal offenses or other emergencies that occur on NHTI property or adjacent non-Campus property. The Campus Safety Department also works closely with the Concord Police Department. Annually the NHTI Campus Safety Department requests that these agencies provide the Campus Safety Department with the crime statistics for on campus areas and for public property areas that border all property owned or controlled by NHTI.

Ten highly visible and conveniently located assistance telephones, referred to as “Code Blue Phones” are installed throughout the campus. These telephones dial directly to the Campus Safety Departments’ emergency line when the red button is pushed. You may use these telephones to report a criminal incident, a fire, other types of emergencies, or to request assistance of any kind from the Campus Safety Department.

Campus Safety Department Jurisdiction/Clery geography. The NHTI Campus Safety Department jurisdiction is contained within the physical boundaries of the NHTI Campus as identified in the Clery Geography map below. The NHTI Campus Safety Department’s jurisdiction may extend to areas off campus, either through temporary or long-term contracts for space usage or through Student Conduct concerns that occur off campus, that may have a direct impact to the Academic and Educational environment (i.e. online learning platforms used by the college.)

Campus Jurisdiction – Clery Map



Map Legend

Green Areas –
NHTI Campus
Boundaries – On
Campus Clery
Geography

Yellow Areas –
Non-Campus
Property

Red Areas –
Public Property

Community Policing. The NHTI Campus Safety Department is committed in engagement with the various communities it serves and engages with while on NHTI property. The NHTI Campus Safety Department, while not a sworn law enforcement entity engages in the principles and community policing definition set forth by the International Association of the Chiefs of Police.

“Community policing is a comprehensive philosophy that guides policy and strategy aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, and improved... [Safety Department] ... services and [Safety Department] ... legitimacy through a proactive reliance on community resources that seeks to change crime causing conditions. This assumes a need for greater accountability of the [Campus Safety Department, the College Administration] ...and the community in general, along with greater public share in decision-making through the identification of service needs and priorities and a greater concern for civil rights and liberties.”

All emergency calls should be made to 911 from on and off campus telephones. Once a call or text is placed to 911 from on campus, notify, or have someone else notify the Campus Safety Department's emergency phone number at (603) 224-3287. Contacting the Campus Safety Department will aid in the emergency response efforts and assist emergency services arriving on campus. The Campus Safety Department has the ability to listen to 911 calls dialed from campus phones.

Regular non-emergency business calls can be made to the Campus Safety Department at (603) 230-4042 at any time. If you call the Campus Safety Department, please provide the following information.

- Your full name and contact information
- Location and description of the incident you are reporting
- A description of any vehicles and/or suspects/witnesses involved in the incident
- Direction of travel of individuals and/or vehicles

If an officer is not in the office when a non-emergency call is made, a message can be left in the voicemail box and an officer will return your call. Do not leave emergency calls in the voicemail and instead use the emergency number as this will reach officers via their portable radio regardless of their location on/near campus.

The most important thing to remember is that suspicion of a crime does not require proof. If you suspect that a crime is being committed, is about to be committed, or has been committed, call the Campus Safety Department immediately.

On Campus Reporting and Contacting Campus Safety

When anyone in the college community observes or receive a report from anyone of any criminal activity, any suspected criminal activity, any suspicious activities or suspicious persons on campus, they should immediately contact the Campus Safety Department at (603) 224-3287.

Off Campus Reporting

If the criminal activity, suspected criminal activity, suspicious activities or suspicious persons takes place at an off-campus location that is leased, rented, controlled or owned by NHTI, community members should contact the local Police Department with jurisdiction.

- In Concord, contact the Concord Police Department at (603) 225-8600
- After notification is made to local law enforcement contact must be made with the NHTI Campus Safety Department to report the incident and to affect an immediate response.

Policy for Monitoring Criminal Activity Off Campus

When an NHTI student or staff member is involved in an off-campus offense, NHTI Campus Safety Officers may assist with the investigation in cooperation with local, state, or federal law enforcement. The NHTI Campus Safety Department works with the New Hampshire State Police regarding the investigation of alleged criminal offenses. Concord Police routinely work and communicate with the NHTI Campus Safety Department on serious incidents occurring on-campus, or in the immediate neighborhoods and downtown areas in Concord that may impact the college.

NHTI does not own or have long-term control of off-campus housing or off-campus student organization facilities, or facilities that are near the core campus which could be considered on-campus facilities. The NHTI Campus Safety Department will in instances where there is a short-term temporary control of property (i.e. Athletics or Student Organization on a short-term non-campus trip and staying overnight in a hotel) require submission of crime reports from the Campus Security Authority (CSA) on the trip, as well as, request crime statistics from the local law enforcement agency for the period of time that the college is contracted to use the facility.

Academic Building Security

All buildings are secured nightly and are open only during normal business hours, for the duration of when classes are in session for that particular building. Specific building access times may be modified due to events or activities scheduled to occur in campus facilities.

After normal business hours access to the academic buildings can be gained either by access card, if authorized, or by contacting the NHTI Campus Safety Department at (603) 224-3287, or (603) 230-4042.

Employees must have a current NHTI ID in order to access the facilities.

Students must have a current validated NHTI identification card and a completed and signed permission slip from the appropriate academic department to be granted access to a lab or classroom related to their program during non-business hours, access is not provided to exterior doors.

All Academic buildings are patrolled and checked by Campus Safety Officers frequently. All buildings, with the exception of White Hall and the Maintenance Buildings, are equipped with fire detection systems directly connected to the Concord Fire Department.

Certain buildings, or critical areas within buildings are alarmed for the protection of personnel, building infrastructure, property and contents. The alarms are activated when any illegal entry is made, or if a safety condition is triggered (i.e. cooler malfunction, panic button is activated etc.) Immediate response to the alarm activation location is made by Campus Safety Officers.

NHTI Residence Halls are secured 24/7

NHTI has three residence halls that can provide housing for up to approximately 400 students.

During the current academic year:

- Two residence halls, Langley Hall and South Hall are occupied by NHTI students.
- Strout Hall is closed to NHTI students and is used by an external youth hockey program.

All Residence Halls are equipped with an electronic card access system that allows authorized students and staff to gain access to their building by utilizing their NHTI identification card with a proximity card reader located at designated exterior doors which are secured 24 hours a day.

- NHTI Residence Hall students have access to the Main Entrance of their Residence Hall they reside in 24 hours a day.
- Side door access is closed from 8 pm until 6 am daily and students must enter through the main door of their residence hall during these hours.
- Residents are authorized access to other residence halls through their NHTI identification card from 6am to midnight daily.
- Strout Hall can only be accessed by NH Mountain Kings players and staff, NH Campus Safety Officers, Maintenance personnel, Information Technology personnel and the Director of Housing.

Residence Life staff perform regular assigned building checks each evening and, in addition, regular patrol/building checks are made by Campus Safety Officers.

Safety and security checks made by the Residence Life Staff are expected to detect security of and damage to doors, windows and safety features, identify fire and life/safety hazards and deter and detect violations of CCSNH/NHTI policy and criminal activity.

All life/safety hazards, failures of security apparatus, suspicious activity, suspicious persons, or crimes should be reported immediately to the Campus Safety Department at (603) 224-3287.

Crime Prevention Resources and Services, Educational Opportunities, Where to Go for Assistance

NHTI-Concord's Community College provides direct service programs to the NHTI community. These programs are dedicated to the crime prevention on campus. These programs vary in scope and content, with the emphasis on community involvement. Specific programs dealing with campus safety and security services are offered to the community at a minimum of once a semester, also upon request and include the following:

| Department | Program | Contact Information |
|--|---|---------------------|
| Campus Safety | Security Audits of Offices & Buildings | 603-230-4042 |
| Campus Safety | Key Audits of Offices & Buildings | 603-230-4042 |
| Campus Safety | Walking/Vehicle Safety Escorts | 603-224-3287 |
| Title IX Coordinator | (VAWA) Violence Against Women Act/Title IX Presentations | 603-230-4040 |
| Campus Safety/Residence Life | Alcohol/Drug Policy and Awareness Program | 603-230-4042 |
| Campus Safety | Emergency Response | 603-230-4042 |
| Campus Safety | Active Shooter Response Presentations | 603-230-4042 |
| Campus Safety | Emergency Response Presentations | 603-230-4042 |
| Campus Safety | Theft Prevention Presentations | 603-230-4042 |
| Campus Safety | Criminal incident evaluations and reports to the campus community | 603-224-3287 |
| Campus Safety/Maintenance | Campus lighting checks and survey conducted annually with members of campus community | 603-230-4042 |
| CARE Team | Professional counseling services, education, information and referral | 603-230-4043 |
| Residence Life/Campus Activities Board | Student activity and safety programs | 603-230-4044 |

Safety Programs and Awareness effort include:

Safety Escorts: The Campus Safety Department when an identified medical or safety concern exists, provides both walking and vehicle escorts for students, faculty and staff to and from any destination on campus. This free service is offered 24 hours a day by calling the emergency number (603) 224-3287. Due to the high demands of the Campus Safety Department it may take time for an officer to respond to provide an escort

Emergency/Assistance Telephones

Code Blue Phones: NHTI has ten (10) Code Blue Assistance phones located throughout campus. If you need assistance of any kind, simply push the red button and the call will be initiated. These phones dial the Campus Safety Department's emergency number directly. The officer receiving the call will know which phone has been activated and will respond to your location. These call boxes are American with Disability Act (ADA) compliant.

Yellow 911 Call Boxes: There are eight (8) yellow 911 boxes located on campus in Little Hall (2), Farnum Hall (1), the Goldie Crocker Wellness Center (2), and Sweeney Hall (3). In the event of an emergency push the talk button to activate the phone. You will be connected directly with a 911 dispatcher, advise them of your emergency and location. The Campus Safety Department must be notified after a 911 call has been completed by dialing (603) 224-3287. These call boxes are American with Disability Act (ADA) compliant.

Elevator Phones: Each elevator on campus has a phone located in it. These phones dial the Campus Safety Department emergency number directly/or through a dispatch service. The officer receiving the call will know which phone has been activated and will respond to your location.

Campus Safety Officers test the Code Blue and elevator phones throughout campus, bi-weekly. The 911 emergency call boxes are tested once each semester.

Lighting and Safety Reviews: The Maintenance Department maintains college buildings and grounds. Safety and Security of facilities is considered in maintenance efforts. Maintenance personnel regularly inspect for and repair potential safety and security hazards as well as respond to reports of potential hazards, including, but not limited to: potholes, inoperable lighting, overgrown bushes, life and fire safety issues, etc. Campus Safety Officers are also charged with inspecting exterior lighting and reporting the location of any inoperable lighting to the Maintenance Department for repair. Once a year, a lighting and safety walk is conducted throughout campus. Student Senate members, Residence Hall and Commuter Students, the Plant Maintenance Engineer, the Director of Campus Safety, Residence Life and members of the Campus Safety committee walk the grounds of the campus and identify areas that need additional security equipment, lighting and/or may have trip hazards and other safety concerns that need to be addressed. During this walk code blue phones are activated to ensure they are functioning.

Alarm Systems: A computer based electronic system, monitored by an off-campus alarm company, immediately notifies the Campus Safety Department upon activation. These systems are presently located in the three Residence Halls, the Library and Learning Commons, Little Hall, MacRury Hall and Sweeney Hall. Alarm systems are configured to denote duress, intrusion and other types of activations. In the event of a fire alarm activation the Concord Fire Department will be notified immediately through an AES intellinet system.

Video Cameras: NHTI presently has 219 cameras on campus. These cameras are also integrated with our card access system. The Campus Safety Department is continually reviewing areas throughout campus that would warrant additional video coverage based on safety concerns. These cameras can be viewed by the Campus Safety Department 24/7. The Resident Directors have the ability to view only Residence Hall cameras 24/7. The Wellness Center staff have the ability to view the Fitness Center, Gymnasium and Student Center cameras only. All persons are required to review the video surveillance policy and sign off annually that they have reviewed and understand the policy. For a copy of the complete video surveillance policy you can contact the Campus Safety Department at (603) 230-4042 or email at nhticampussafety@ccsnh.edu

Lockdown Buttons: NHTI utilizes eighteen (19) lockdown buttons throughout campus which when activated during an emergency will lock interior and exterior doors connected through the NHTI card access system. The activation of a lockdown button will secure the affected building and buildings immediately adjacent to it. Emergency notification will follow a lockdown order through the NHTI RAVE Alerts system with available information and instruction on how to respond.

Panic Buttons: Should an emergency or situation arise which doesn't impact the greater campus community, but needs immediate attention NHTI has panic buttons placed in the residence halls and academic buildings which when activated contact the Campus Safety Department directly.

Mutualink 360: Should an emergency arise on or near campus the NHTI Campus Safety Department is connected with other State and local agencies including the NH Department of Homeland Security and Emergency Management, Law Enforcement Agencies, Fire Departments and other critical incident responders for interoperability on a single platform for effective multi-agency emergency response.

Body Worn Cameras: All NHTI Campus Safety Officers are issued and authorized by NH state law the use of Body Worn Cameras. They are used in the performance of their duties and in accordance with the provisions in [NH RSA Chapter 105-D BODY-WORN CAMERAS \(state.nh.us\)](https://www.nh.gov/legislation/RSAs/Chapter%20105-D%20BODY-WORN%20CAMERAS.html)

FirstNet: All NHTI Campus Safety Officers are issued cellphones that are connected with FirstNet to provide a secure, reliable communications and interagency operation during an emergency. For more information on FirstNet go to [Nationwide Broadband For First Responders & Public Safety at FirstNet](https://www.firstnet.gov/)

Campus Safety website: NHTI maintains a webpage on the NHTI website at <https://www.nhti.edu/student-life/campus-safety> for quick and current information on the Campus Safety Department and services it provides in addition to crime statistics, crime prevention information, emergency procedures, and online registration for parking permits and online reporting of incidents. This site also provides a link to the registered sexual offender registry for the State of New Hampshire. Special alerts and timely warnings may also posted to this site.

NHTI students and employees can access training videos that discuss Stalking Education and Awareness and Sexual Assault through their myNHTI account which can be accessed through Canvas at <http://canvas.ccsnh.edu>. This site also contains the Annual Security and Fire Safety report. Students can access the same information, by accessing their Student Information Systems account (SIS) and Canvas.

New Student Orientations: The NHTI Safety Department, Residence Life, the Care Coordinators (Counselors), the Athletic Department, Accessibility Services and other departments participate in all new student orientation sessions, meeting new students and their parents, making available to them materials that discuss issues such as, crime prevention measures, campus safety, sexual assault, domestic violence, dating violence, stalking, emotional abuse, alcohol and other drugs, suicide prevention, methods of contacting campus safety or other campus resources, etc.

Crime Prevention Presentations: NHTI Campus Safety works with Residence Life, the Care Coordinators (Counselors) the local crisis center and student organizations to present information regarding personal and property safety, crime awareness, emergency procedures, dating violence, domestic violence, sexual assault/rape, using social media safely, active shooter response, emergency response, drug and alcohol policies and Campus Safety Department resources. In addition to hosting presentations, preventative information is also conveyed through bulletin boards, printed crime prevention brochures, posters and flyers relating to various crimes and safety topics students may encounter. These are available and widely distributed throughout campus.

Campus Newsletter: NHTI Campus Safety Department distributes an online newsletter, *Campus Safety Corner*, monthly that identifies Campus Safety related information and safety tips to the campus community. This newsletter includes links to the Campus Safety page on the NHTI website for the number of items/issues that the Department handled throughout the previous month as well as lost and found items at the Safety Department. This information does include the number and type of incident reports generated on campus; more timely information can be obtained by viewing the campus *daily*

crime log and fire log at the Campus Safety office, which is located at 1 Institute Drive, Concord, NH 03301.

NHTI Care Action Team (CAT): The Care Action Team (CAT) is a collaborative process connecting students who may be at-risk with someone they know and who can help them. It is a multi-disciplinary body of stakeholders from across the college who receive referrals pertaining to students who could benefit from additional support efforts.

Students presenting issues related to their academic, personal, physical, and emotional well-being should be referred to the CAT. The CAT is not meant to be the only mechanism of communication and will not take the place of services provided by the Care Coordinators (Counselors), ACE, Academic Advising, Campus Safety, or other established student services. Information regarding the CAT can be found online at [Care Action Team \(CAT\) - NHTI](#)

NHTI Behavioral Intervention Team (BIT): The Behavioral Intervention Team (BIT) serves as a central network focused on preventive and timely intervention before a crisis arises. BIT is a resource for faculty, staff, and students by which they can report behaviors that may evoke alarm or concern among involved persons. These can include but are not limited to:

- Suspected violations of college policies
- Concerns about a student's well-being
- Self-injurious behavior/suicidal ideation or attempt
- Erratic behavior (including on-line activities) that disrupts the mission and/or normal proceedings of college students, faculty, staff, or community
- Threats of a weapon on campus
- Hospital transport for alcohol and drug use/abuse
- Behaviors which appears to be dangerous or threatening to others
- Other behavior that is inappropriate or disruptive

The BIT process does not replace faculty classroom management, disciplinary processes, and/or public safety responses to incidents. Information regarding the BIT can be found online at [Campus Safety - NHTI](#)

NHTI Threat Assessment Team (TAT) This team's primary mission is to work towards the prevention of campus violence; with the primary goal being to identify behaviors from internal and external threats to the college community and address them before they manifest themselves into incidents for potential campus violence. This team provides educational resources to the campus community via brochures and programming. This team also meets when an individual has been identified as a person who has engaged in threatening behavior towards individuals or the college community as a whole. Once information is gathered, an action plan is developed and implemented to assess and address the potential threat.

NH Campus Consortium Against Sexual and Interpersonal Violence: NHTI's Campus Safety Department, and Title IX/Equity Coordinator are active participants in this consortium whose mission is to provide a forum where post-secondary institutions and community partners supporting the Consortium's values, can discuss, develop and implement prevention and response strategies to end sexual and interpersonal violence on New Hampshire's campuses.

Defensive Driving: Human Resources provides training materials through the Memic Safety Training Academy, an online training platform to all staff, faculty and authorized student work-study employees that are required to drive campus vehicles as part of their employment.

Safety Awareness: The key to preventing crime is awareness, which is best achieved through education. At NHTI, Campus Safety Officers, residence life staff, students, and others help community members take responsibility for their own safety.

Potential or actual criminal activity and other emergencies can be reported by any student, faculty, staff member or any other community member directly to the Campus Safety Department. The college also encourages reporting directly to the local authorities in situations where the need is obvious, such as an assault in progress, or a situation requiring immediate medical attention, etc.

During an emergency notification of the Campus Safety Department should take place after the emergency services have been contacted and are responding to campus.

NHTI expects students to be mature, honest and responsible members of the college community. Any behavior which infringes upon the rights, safety, property and privileges of another person or which impedes the educational process will not be tolerated. For additional information, refer to the Student Code of Conduct located in the Student Handbook or on NHTI's website at [Student Code of Conduct - NHTI](#)

Disciplinary issues are the responsibility of the colleges' Student Conduct Office and the Judicial Committee. The Coordinator of Student Conduct may take administrative disciplinary action when necessary to ensure the safety of students, faculty and staff and to ensure the continuation of the educational process. Any violation of local, state and federal laws on campus must be reported to the Campus Safety Department. Violations of the law may, except when reporting is mandatory per Federal or State law, also be reported to the appropriate local, state or federal authorities.

The College is committed to education and outreach to all community members as we increase awareness and seek to end all forms of sexual assault, sexual harassment, interpersonal violence, and stalking. This commitment is realized in meetings with residential staff, information dissemination, and programs presented on campus by various offices. Fliers, door hangers, and other methods of passive programming that include relevant safety tips are also distributed each year to members of the College community.

Emergency Response and Notification

Federal law, CCSNH and NHTI policies guide emergency response and evacuation procedures. These policies and procedures require the Campus Safety Director, or designee, to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, college on site vendors, and other organizations in use of college facilities occurring either on campus or, in some cases, off campus that, in the judgment of the College's Critical Incident Response Team (CIRT), constitute an immediate, imminent, or impending threat to the health or safety of members of the College community.

The Incident Commander and the NHTI Critical Incident Response Team (CIRT) are responsible for emergency determination and response.

The NHTI Critical Incident Response Team (CIRT) uses the Federal Emergency Management (FEMA) Incident Command System structure (ICS) in carrying out Emergency response function at the college.

Determining of Emergency and Emergency Response

An emergency will be determined by the Incident Commander and based on assessment of the following:

- Nature of the threat or hazard
- Information provided from federal, state or local agencies on the threat
- Mitigation efforts in place for the threat or hazard
- Impact to the health and/or safety of the College community
- Determine specific area(s) and/or population(s) of campus impacted by the emergency situation.

Emergency Notification Statement

The emergency notification statement shall be developed by the Incident Commander and the NHTI CIRT policy group and shall, at minimum, contain the following:

- What the emergency or dangerous situation is, in specific terms
- A statement providing direction as to what actions the receiver of the message should take to ensure their own safety
- A statement where or when additional information may be obtained

Authorization and Distribution of Emergency Notification

The NHTI Critical Incident Response Team (CIRT) with authorization through the College president, or designee is responsible for the deployment of disseminating emergency notification/information.

The NHTI Public Information Officer (PIO) will coordinate any contact and releases of information to the local press for emergencies that that occurs on the NHTI campus.

Emergency notifications and updates may be distributed to the entire campus or segment of campus impacted by the emergency through any one or more of the following mechanisms:

- **NHTI Alerts (RAVE):** a free opt-out service that automatically sends a brief text message, email or phone call alerting the community regarding an emergency situation on the NHTI campus to email accounts or cell phones. NHTI students, faculty, staff, and affiliates can sign on and review contact information at <https://www.getrave.com/login/nhti>
- **Directed Communications/Blast email:** NHTI email system alerting students, faculty, and staff.

- **Fliers:** posted on bulletin boards in academic buildings, residence halls, outdoor boards and kiosks and administrative buildings.
- **NHTI Campus Safety Department webpage:** <https://www.nhti.edu/student-life/campus-safety>.
- **NHTI website:** <https://www.nhti.edu/>.
- Local area radio and television stations and print media.
- Electronic sign at main entrance to Campus.

Emergency Response, Evaluation and Evacuation Procedures

The NHTI Emergency Response Plan includes information about our emergency Critical Incident Response Team (CIRT), evacuation and shelter-in-place guidelines, emergency protocols and continuity of operations plans.

NHTI conducts at least one annual test of sections of the emergency response plan and notification systems on campus. This is accomplished primarily through tabletop exercises. All testing is documented including the date, time and identified areas to sustain or that need improvement.

Emergency Response Exercises Held in Calendar Year 2023

- **August 8, 2023. Untimely Death of Student in Residence Hall (TTX)**
 - Facilitated by: Director of Campus Safety
 - Attendees: NHTI Counseling Service, NHTI Resident Directors, Assistant Director of Campus Safety
- **October 16, 2023. Active Shooter Response Table Top Exercise (TTX)**
 - Facilitated by: Director and Assistant Director of Campus Safety
 - Attendees: NH State Police, Concord Police Department, Concord Fire and Rescue, NH Police Standards and Training, McAuliffe-Shepard Discovery Center staff and Mary Stuart Giles Daycare staff, CCSNH/NHTI leadership.

Testing results will be kept on file at the Campus Safety office. These tests are designed to assess and evaluate the effectiveness of emergency plans and capabilities of the College. Please visit <https://lynx.nhti.edu/student-services/campus-safety/> for emergency response and evacuation procedures.

Emergency response and evacuation procedures are tested in residence halls on a semester basis and in academic buildings each semester.

- Each fall semester an evacuation drill is conducted in each occupied residence hall. This is an unannounced drill.
- Each spring semester and in summer housing an evacuation drill is conducted in each occupied residence hall. These are unannounced drills. These drills are documented in the Annual Fire Safety Report.

Emergency Notifications Sent - 2023

| Alert Date | Alert Time | Alert Type |
|------------|------------|---|
| 1/19/23 | 6:04 PM | Weather – School Closure – Full Day |
| 1/22/23 | 7:55 PM | Weather - Delay |
| 1/23/23 | 7:36 AM | Weather – School Closure |
| 1/23/23 | 4:15 PM | Power Outage |
| 1/23/23 | 4:56 PM | Power Restored |
| 1/25/23 | 2:46 PM | Weather – School Closure |
| 2/22/23 | 6:20 PM | Weather - Delay |
| 2/23/23 | 7:08 AM | Weather – School Closure |
| 2/27/23 | 7:00 PM | Weather – School Closure |
| 3/3/23 | 1:56 PM | Weather – School Closure |
| 3/13/23 | 2:14 PM | Weather – School Closure |
| 3/14/23 | 10:00 PM | Weather – School Closure |
| 11/17/23 | 4:20 PM | Off Campus Active Shooter Notification– Concord – NH Hospital – State Office Complex - Potential College Impact |
| 11/17/23 | 5:10 PM | Off Campus Active Shooter Update – Concord – NH Hospital – State Office Complex - Potential College Impact |
| 12/8/24 | 2:11 PM | RAVE System Test |

Evacuation Procedures

Evacuation Levels

There are four levels of evacuation and reverse evacuation for as part of the NHTI Emergency Response Plan and the level or type of evacuation will be dictated by the type of the of the incident and the threat to the safety of community members.

The four levels of evacuation will be dictated by the unique circumstances of an incident and the level will be determined by the Incident Commander/Unified Command, the Policy Group or external agency dictating an evacuation.

- **Partial Evacuation of a Structure** - The size, location, construction materials of some of the structures on campus may dictate due to the incident occurring a partial evacuation of structure from one areas of the structure to another area of the structure that would provide greater safety and less threat to injury or death as a full evacuation would create greater harm.
- **Full Evacuation of a Structure** - The Full Evacuation of a structure may be warranted as the situation dictates that remaining in the structure would be more hazardous to the safety of its occupants.
- **Evacuation of Multiple Structures** - The Evacuation of Multiple Structures may be warranted as the situation dictates that remaining in the structure or in nearby structures would be more hazardous to the safety of the occupants and adjacent buildings.
- **Evacuation of NHTI Campus** – The Main Campus Evacuation would be determined by the Incident Commander/Unified Command and Policy Group (External Agencies can override Policy Group) will order the evacuation of the entire campus as dictated by an Incident that will compromise the safety of persons on a majority of the campus and/or campus facilities.

Reverse Evacuation

A reverse evacuation is when the outside conditions deteriorate which may result in dangerous situations that may result injury, illness or death to community member and it is safer to retreat indoors.

Evacuation Considerations

An evacuation may occur on a continuum basis as the situation dictates. An evacuation may begin as a partial evacuation of a structure and could expand to an entire structure, multiple structures or the campus as the situation dictates. This will be based on constant assessment of the incident and the threat to community members.

Guidelines for Managing an Orderly and Safe Evacuation

Any announced or unannounced alarms (i.e. fire alarms) or emergency alerts (RAVE emergency evacuation alert) that occur require immediate evacuation of a structure or area. Never assume that a fire alarm is a false alarm or a test.

- Keep yourself and others calm.
- Students and visitors may not be familiar with college evacuation procedures. During an emergency, faculty members and instructors should direct students in their classes in the evacuation steps appropriate for that emergency. All employees should direct students and visitors in their work areas or in common areas (hallways, cafeteria, etc.) in the appropriate evacuation steps for an emergency in progress.
- Unless noted, evacuees must leave buildings immediately without taking time to gather or safeguard personal or college property.
- Assist persons with disabilities or injuries to the extent that you are able to do so. If you are unable to assist persons with disabilities or injuries to exit the building, note their locations and notify the area's Emergency Action Coordinator and/or emergency personnel as soon as you are able to do so.
- Evacuate to an area at least 200 feet (300 yards in the case of bomb threats and gas leaks) away from the affected building. If the evacuation is due to a gas leak, hazardous material release, or a chemical spill, evacuate to a location upwind of the affected area.
- Do not evacuate to campus roads or to parking lots adjacent to evacuated buildings as those areas may be needed by emergency personnel. Keep fire hydrant areas and walkways free from obstructions.
- Do not reenter the building until you are advised to do so by an Emergency Responder or Campus Safety
- Unless told otherwise by appropriate personnel, if you are instructed to evacuate from the NHTI campus, follow the directions of Campus Safety.
- In the event of an emergency near, but not on, a college owned or operated facility that requires evacuation, the college will follow the directions of those public agencies in charge of the incident response.

Evacuation of Buildings to Designated Areas

| EVACUATED SITE | PRIMARY | ALTERNATE |
|--------------------------------|--|--------------------------------------|
| Business Office/Campus Safety | White Hall Parking Lot | Planetarium Parking area |
| CCSNH Office Building | Grass area by College Drive Turnaround | Quad – Sweeney Hall Side |
| Farnum Hall | Quad – Sweeney Hall Side | Little Hall Parking Lot |
| Grappone Hall | Planetarium Lot – Near Building | Little Parking Lot |
| Library and Learning Commons | Quad – MacRury Side | Little Parking Lot |
| Little Hall/Capital Commons | Quad – Farnum/MacRury Side | Grappone Lot |
| MacRury Hall | Quad – Learning Commons Side | Grappone Lot |
| Maintenance Buildings | White Lot | Planetarium Lot |
| MSG Early Learning Center | Quad – Learning Commons Side | Little Hall – Flagpole area |
| Student Center/Wellness Center | Quad – MacRury/Farnum Side | C Parking Lot – Institute Drive Side |
| Sweeney Hall | Quad – MacRury/Farnum | White Hall Lot |
| Langley Hall | C Parking Lot Near Gym | Wellness Center/Student Center |
| South Hall | Grappone Hall Parking Lot | Little Hall – Flagpole Area |
| Strout Hall | Grappone Hall Parking Lot | Little Hall Parking Lot |

Shelter In Place/Lock Down

Shelter-in-place involves the use of a structure, to temporarily separate individuals from a hazard or threat. Shelter-in-place is appropriate when conditions require that individuals seek protection in their individual building or residence on campus and when a hazard or threat is imminent or occurring. Individuals with access and functional needs should be a priority for restoration of services and safety checks, as they may be at greater risk throughout a prolonged shelter-in-place order.

Lockdown is used in a potentially dangerous situation occurs outside of building or in areas of a building and involves a rapid response to secure all staff, students, and visitors in rooms away from the threat. This includes the locking of exterior doors through the use of lockdown buttons

Drills

Mandatory evacuation drills will be conducted on a regularly scheduled basis in every building on campus. All faculty, staff, students and visitors must evacuate the building during a mandatory evacuation drill. The NHTI Campus Safety Department shall be responsible for coordinating and conducting the drills. All testing of and work on an alarm system at these locations will be announced in advance. Therefore, **ANY UNANNOUNCED ALARMS REQUIRE IMMEDIATE EVACUATION.** Never assume that a fire alarm is a false alarm or a test.

Evacuation/Shelter-In-Place Considerations for Persons with Functional Needs

All hazards negatively impact populations that have “special needs”, which the “New Hampshire State Functional Needs Committee has proposed the collective term “functional” to describe populations that under usual circumstances are able to function on their own or with support systems; individuals with needs that extend beyond those of the general population.”¹

The National Response Framework defines “special needs populations” (referred to from this point on as “functional needs” persons) as:

Populations whose members may have additional needs before, during and after an incident in functional areas, including but not limited to:

- Maintaining independence
- Communication
- Transportation
- Supervision
- Medical Care

Individuals in need of additional response assistance may include, but not limited to the following:

- People with Mobility Impairments
- People who are Deaf or have a Limited Hearing Impairment
- People who are Blind or Visually Impaired
- People with Cognitive Disabilities
- People with Multiple Chemical Sensitivities
- People who are Mentally Ill
- Childbearing Women and Newborns
- People with Seizure Disorders
- People with Brain Injuries
- People with Service Animals
- Seniors
- Children
- Non-English speakers or persons with limited English proficiency
- Non-Native persons from diverse cultural backgrounds

Additionally, a person may have more than one of these disabilities.

Timely Warnings

In compliance with the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** (Clery Act), NHTI-Concord's Community College will post timely warnings for the College community to notify members of the community about serious crimes that either occur on campus or, in some cases, off campus that, in the judgement of the College constitutes a serious or continuing threat to the College community. Having knowledge of such crimes will assist community members in making informed decisions about their personal safety and in preventing similar crimes from occurring. Timely warnings will withhold the names and other personally identifying information of victims.

The NHTI Campus Safety Department issues timely warnings for the following incidents:

- Murder and Non-negligent Manslaughter
- Manslaughter by Negligence
- Sex offenses
 - Rape
 - Incest
 - Fondling
 - Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate crimes, specifically any of the following offenses:
 - All crimes previously listed above
 - Larceny/Theft
 - Simple Assault
 - Intimidation
 - Destruction/Damage/Vandalism of Property
- Stalking
- Dating Violence
- Domestic Violence
- All liquor, drug or weapons law violations resulting in an arrest or referral for disciplinary action.
- Other crimes as determined necessary by the Director of Campus Safety, or their designee.

Timely Warning Issuance

The decision to issue a timely warning shall be decided on a case-by-case basis in compliance with the Clery Act. The decision is made by the Director of Campus Safety, or their designee, considering all available facts, whether the crime is considered a serious or continuing threat to students, employees, on site vendors, other organizations in use of college facilities and the possible risk of compromising law enforcement efforts. The Public Information Office and/or the Director of Campus Safety will compose the notification to be sent.

The timely warning will be issued as soon as the pertinent information is available because the intent of the timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.

The timely warning will include all information that would promote safety. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim and to protect themselves.

The NHTI Campus Safety Department does not issue timely warnings for the above listed crimes if:

- The subject(s) apprehended and the threat of imminent danger to the NHTI community has been mitigated by the apprehension.
- If a report was not filed with Campus Safety, or if Campus Safety was not notified by community members in a manner that would allow the department to post a “timely” warning to the community. Unless there are extenuating circumstances, a report that is filed more than five days after the date of the alleged incident may not allow Campus Safety to post a “timely” warning to the community. This type of situation will be evaluated on a case-by-case basis.
- May not provide Timely Warnings about those crimes reported to a pastoral or professional counselor.

Timely Warnings and updates may be distributed to the campus through any one or more of the following mechanisms:

- **NHTI Alerts (RAVE):** a free opt-out service that automatically sends a brief text message, email or phone call alerting the community regarding an emergency situation on the NHTI campus to email accounts or cell phones. NHTI students, faculty, staff, and affiliates can sign on and review contact information at <https://www.getrave.com/login/nhti>
- **Directed Communications/Blast email:** NHTI email system alerting students, faculty, and staff.
- NHTI Campus Safety Department webpage: <https://lynx.nhti.edu/student-services/campus-safety/>.
- NHTI website: <https://www.nhti.edu/>
- **Fliers:** posted on bulletin boards in academic buildings, residence halls, outdoor boards and kiosks and administrative buildings.
- Local area radio and television stations and print media.
- Electronic sign at main entrance to Campus.

A copy of the timely warning will be filed with the corresponding incident report and in the yearly Clery file. The College must maintain a record of each *Timely Warning Determination Form* for seven (7) years from the date the form was completed.

All crime reports requiring a decision to issue a Timely Warning shall be documented on a *Timely Notice Determination Form* detailing why the College did or did not issue a Timely Warning.

Timely Warnings Issued in 2023

- April 15, 2023 – Bike Thefts – Langley Hall
- September 2, 2023 – Indecent Exposure – Fan Road

Safety Alerts/Safety Bulletins

The Campus Safety Department may also issue **"Safety Alerts"** or **"Safety Bulletins"** when necessary, to apprise the NHTI community of safety issues and concerns, both on campus or in the local community. These **"Safety Alerts"** or **"Safety Bulletins"** will include safety tips and recommendations to follow so that the NHTI community can make informed decisions about their personal safety.

Safety Alert/Bulletins Issued in 2023

- No Safety Alert/Bulletins Issued in 2023

Daily Crime Log

The Campus Safety Department maintains a daily crime log that contains **all** crimes, not just Clery Act crimes, reported to the Campus Safety Department for the previous 60 days. Requests for logs pre-dating 60 days may take up to two (2) business days to produce.

Missing Student Policy

Missing Student Notification Policy and Procedures

Any institution participating in a Title IV federal student financial aid program that maintains on campus housing facilities must establish a missing student notification policy and related procedures for those students who live in on campus housing and who have been missing for at least 24 hours. The is required as per 20 USC 1092 (j) (Section 488 of the Higher Education Opportunity Act of 2008)

For purposes of this policy, a student shall be considered missing if a roommate, classmate, faculty member, family member or other campus person has not seen the student in a reasonable amount of time, reports the pertinent facts to the Campus Safety Department and if after investigation the Campus Safety Department determines that the student has been missing for more than 24 hours. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals may be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to an NHTI department other than the NHTI Campus Safety Department, the NHTI employee receiving the report shall contact the Campus Safety Department immediately.

In addition to registering a general emergency contact, students residing on-campus have the option to identify, confidentially, an individual to be contacted by Campus Safety in the event the student is determined to be missing for more than 24 hours.

Procedure: Procedures for designation of emergency contact information

Residence Hall students age 18 and older and emancipated minors living on campus shall be given notice of this policy and designate on the housing application an individual or individuals to be contacted by the college "in case of emergency". They will be provided opportunity during the first seven (7) days after move-in each semester to correct this information. Contact information shall be registered confidentially, shall be accessible only to authorized campus officials, and may only be disclosed to law enforcement personnel in furtherance of a missing person investigation. In the event a student is reported missing, the Campus Safety Department or their designee shall attempt to contact his/her missing person confidential contact designee no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. An emergency contact designee shall remain in effect until changed or revoked by the student.

Residence Hall students under the age of 18 living on campus who are not emancipated and are determined to be missing pursuant to the procedures set forth below, the college shall (is required by law to) notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing.

Official notification procedures for missing persons

Any faculty, staff or student who has information that a residential student may be a missing person must notify the Campus Safety Department as soon as possible and no later than 24 hours after they determine a student may be missing. The Campus Safety Department, or their designee shall also follow up on notification by other individuals such as friends or family members.

The Campus Safety Department shall gather information about the residential student from the reporting person and from the student's acquaintances (including, by way of example, description, clothes last

worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus faculty and/or staff shall be notified to aid in the search for the student.

No later than 24 hours after determining that a residential student is missing, the Campus Safety Department, or their designee shall notify the missing person confidential contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing. **Contact is contingent upon the correct missing person confidential contact information being made available by the student.*

No later than 24 hours after determining that a residential student is missing, the Campus Safety Department shall notify the New Hampshire State Police of the determination that the student is missing.

Campus communications about missing students

In all cases when the student is declared missing by the Campus Safety Department after an initial investigation and in consultation with law enforcement agencies as appropriate, the Campus Safety Department will coordinate with the NHTI Public Information Office and the NH State Police to provide information to the media that is designed to obtain public assistance in the search for any missing student. This coordination will insure that investigations are not impeded by the release of information.

Reporting Laws and Policies

NHTI encourages accurate and timely reporting of all crimes to the Campus Safety Department, and the appropriate law enforcement agency for NHTI, which is the New Hampshire State Police. This includes situations when the victim of such crime elects, or is unable to make such a report, or where reporting is mandatory under New Hampshire state law.

Under NH state law, College officials must report crimes including hazing, child abuse, abuse of vulnerable adults, treatment given for gunshot wounds or serious bodily injury, or corrupt acts by public employees. In addition, there is a legal duty on the part of identified NHTI employees to report suspected cases of sexual misconduct to the Title IX Coordinator. NHTI officials will also assist victims to report, if asked to do so. Crime statistics are gathered through Campus Security Authorities, via email, campus reporting software or at the Report an Incident to Campus Safety link at [Report an Incident](#)

Any crime report made to a Campus Security Authority must be immediately communicated to the NHTI Campus Safety Department by:

- Dialing (603) 224-3287 from any phone to report an emergency.
- Dialing (603) 230-4042 to report non-emergencies between the hours of 8am-4pm, Mon-Fri.
- Push the red activation button on any Code Blue Phone on campus.
- Go to any office on campus and ask them to contact the Campus Safety Department.
- Use the elevator phones which are monitored by a monitoring company who will contact the Campus Safety Department.
- Access the Campus Safety website and fill out the incident report form online.

If you are the victim/witness of a crime and do not want to pursue action within the college or criminal justice system, you may still want to consider making a confidential report. With your permission the Director of Campus Safety or Campus Safety Department designee can file a report on the details of the incident without revealing your identity. The purpose of the confidential report is to comply with your wishes to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents occurring on campus to determine where there is a pattern of crime with regard to a particular location, method of assailant and alert the campus community to potential danger through the issuance of a Timely Warning or Security bulletin. Reports filed in this manner are counted and disclosed in the annual crime statistics in this report and in the Daily Crime log.

NHTI-Concord's Community College has no general written policy in regards to confidential reporting that allow the victim or witness to remain anonymous, persons wishing to contact NHTI Campus Safety anonymously may call (603) 224--3287, or can fill out an incident report form located at [Report an Incident - NHTI](#). When filling out this report leave blank the areas with personally identifiable information (name, email address, phone number) to ensure your anonymity.

Crimes reported to the Campus Safety Department will be investigated by Campus Safety Department officers for determination, identification of crimes, Clery reportable crimes and for the identification of involved persons.

If warranted reports may be forwarded to the Student Conduct Office, or if required by law the reports and all supporting evidence shall be reported to law enforcement authorities.

Policy regarding information that is provided to students about voluntary, confidential crime reporting procedures by pastoral and professional counselors

CARE team staff, if working the capacity of trained counselors follow guidelines that conform to those established by American Psychological Association and NH state law. However, Counselors in the CARE team are required to report as responsible employees Title IX violations and as Campus Security Authorities when not working in their capacity as counselors are not a confidential resource regarding these reporting requirements. These reports can keep victim information confidential and is for reporting only statistical gathering information.

The NHTI CARE team counselors provide individual short-term counseling and prevention services to all currently enrolled NHTI students. The NHTI CARE team offers support through both in office and via telehealth services. The CARE team provides referral information for students on a variety of issues, which can include how to voluntarily report crimes on a confidential basis. Information on the NHTI Counseling Office can be found at the CARE Center by calling (603) 230-4043.

NHTI Health Services also follows applicable professional guidelines and statutes. Please consult with a staff member or visit their website at the [CARE Center](#) for more information.

Crisis intervention services are offered during open hours. After-hours crisis coverage is coordinated with community mental health services and Campus Safety. For information on open hours refer to the website at the [Care Center](#).

Campus Sex Crime Prevention Act and Duty to Report

Under the Federal Campus Sex Crimes Prevention Act, sex offenders who are otherwise required to register in a state must notify the state of each institution of higher education at which the offender is employed, enrolled as a student, or carries on a vocation. If a registered sex offender is employed, enrolled, or carries on a vocation at NHTI-Concord's Community College, the State of New Hampshire Department of Safety must promptly notify the Campus Safety Department. Under RSA 651-B:4 (Duty to Report), convicted sex offenders who are working with or without compensation at, or enrolled for classes at NHTI-Concord's Community College, must register with the State of New Hampshire. Failure to register, depending on specific circumstances of the failure to register, are either felony or misdemeanor level offenses. Members of the NHTI community who wish to obtain information regarding registered sex offenders should go in person to the Concord Police Department or the New Hampshire State Police Headquarters.

To review the registry online of persons registered in the State of New Hampshire visit the New Hampshire Registration of Sexual Offenders website at <http://business.nh.gov/NSOR/>

To review the registry online of persons registered anywhere in the United States, including Washington D.C., U.S territories and Native American reservations, nations or tribes visit the [United States Department of Justice National Sex Offender Public Website \(nsopw.gov\)](#)

Campus Security Authorities

NHTI wants the campus community to report criminal incidents to law enforcement, however, we know that this doesn't always happen. A victim of a crime may be more inclined to report it to someone other than law enforcement, or even the Campus Safety Department. The Clery Act requires all institutions to collect crime reports from a variety of identified individuals, departments and organizations that are considered to be "campus security authorities". The function of a campus security authority is to report to the Campus Safety Department, in an ongoing basis, crime report information, and allegations of Clery Act crimes that were made in good faith.

A Campus Security Authority (CSA) is any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or campus security department. This includes officials of the College who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or licensed or certified professional counselor, the official is not considered a campus security authority when acting in that capacity.

The following departments/positions have been identified as Campus Security Authorities (CSA's):

| | |
|---|-------------------------|
| Coordinator of Student Conduct | (603) 230-4000 x4356 |
| Campus Safety Department | (603) 230-4042/224-3287 |
| Campus Activities | (603) 230-4000 x4045 |
| Residence Life Staff | (603) 230-9322 |
| Athletic Director/Coaches | (603) 230-4041 |
| Wellness Center Personnel | (603) 230-4000 x4314 |
| Advisors (Faculty/Staff) to Student Organizations | |
| Judicial Advisor | (603) 230-4000 x4308 |
| Title IX Coordinator | (603) 230-3595 |
| NHTI Human Resources Officer | (603) 230-4000x4122 |
| CARE team Counselors | (603) 230-4000x4043 |
| Academic Advisors | |
| Employees of Camps hosted or sponsored by NHTI | |
| NHTI Mountain Kings on Campus Staff | |
| MSG Early Learning Center Staff | |

Individuals and offices that are identified as Campus Security Authorities (CSA's) are notified, in writing, annually, upon hire or assuming a role that requires them to be a CSA that they are CSA's and what is required of them in that role. This letter also includes a list of all Clery Act crimes and geographic locations, as well as an explanation of the types of arrests and referrals for disciplinary action that apply to the Clery Act.

CSA's **are not** to investigate the allegation to determine its validity, but are to simply document the information received and provide it to the Campus Safety Department for follow up.

A report form is located on the NHTI Campus Safety webpage at [Report an Incident - NHTI](#)

CSA's are also provided training by the Campus Safety Department, at the beginning of each academic year, or upon assumption of a position that requires them to be a CSA to ensure they understand their role and requirements as a CSA. A link to the training module on Memic Security Training Academy is attached to this letter and training completion is required by October 1st of each Academic year.

Crime Definitions

In addition to the statistical profile presented at the web address and in this document, a list of definitions is included and provides basic information about each crime category. Crimes are based on using the definitions provided from the following sources:

- The 2023 National Incident Based Reporting Systems (NIBRS) for all crimes except for Hate Crimes and Violence Against Women Act crimes
- Hate Crimes are defined through Uniform Crime Reporting: Hate Crimes Data Collection and Reporting Manual. Version 3.0 3/1/2022
- Violence Against Woman Act (VAWA) crimes which are defined through the Violence Against Woman Act of 1994. The definitions are current as of the 2022 reauthorization of the Violence Against Women Act.

Aggravated Assault: An unlawful attack by one person upon another wherein the offender uses a dangerous weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury, or where there was a risk for serious injury/intent to seriously injure. Apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

Arson: To unlawfully and intentionally damage or attempt to damage any real or personal property of another person or entity by fire or incendiary device.

Burglary: The unlawful entry into a building or some other structure to commit a felony or a theft. Offenses locally known as Burglary (any degree), unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, and safecracking as burglary.

Dating Violence: Violence committed by a person:

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

Where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship

Note: Dating Violence is not defined under New Hampshire State Law, and meets the definitions covered under State of New Hampshire Domestic Violence Law. Incidents that are defined as Dating Violence under Federal law will be counted as Domestic Violence in all reporting and statistical information.

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 or intimate partner, 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 the jurisdiction.

The term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Drug Abuse Violations: 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.

- **Drug/Narcotic Violations**—The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance
- **Drug Equipment Violations**—The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics

Liquor Law Violations: (Except Driving Under the Influence): The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages. Liquor law violations include violation of laws/ordinances prohibiting the maintenance of unlawful drinking places; operating without a liquor license; underage drinking; furnishing liquor to a minor; bootlegging; operating a still; using a vehicle for the illegal transportation of liquor; etc. Drunkenness (except where person under 21 years old violate NH RSA 179:10 with internal possession) and driving under the influence are not included in this definition.

Manslaughter by Negligence: The killing of another person through gross negligence. As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide—Manslaughter by Negligence.

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 (nonnegligent) killing of one human being by another. As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Nonnegligent Manslaughter.

Robbery: The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **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 or physical incapacity.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Rape:** (Except Statutory Rape) 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, or by a sex-related object. This definition also includes instance in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (include due to the influence

of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent. Age of consent in NH is 16 except in any of the circumstances noted below.
 - When the actor engages in sexual penetration the victim is 13 years of age or older and under 18 years of age and the actor is in a position of authority over the victim and is more than 4 years older than the victim, or
 - Engages in sexual penetration with a person who is 13 years of age or older and under 16 years of age where the age difference between the actor and the other person is 4 years or more; or
 - Engages in sexual contact with a person: Who is under 13 years of age, or thirteen years of age or older and under 18 years of age when the actor is in a position of authority over the victim and is more than 4 years older than the victim.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's individual safety or the safety of others; or
- Suffer substantial emotional distress.
- **A course of conduct:** Is two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **Reasonable person:** Is a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress:** Is significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This offense includes violations such as the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; and furnishing deadly weapons to minors.

Hate Crimes

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Bias is a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, gender, gender identity, ethnicity, or national origin.

Hate crime data regarding criminal offenses motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. Due to the difficulty of ascertaining the offender's subjective motivation, bias is to be reported only if investigation reveals

sufficient objective facts to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

Hate crimes are not separate, distinct crimes, but rather traditional offenses motivated by the offender's bias. For example, an offender may commit arson because of their racial bias. It is, therefore, unnecessary to create a whole new crime category. To the contrary, hate crime data can be collected by merely capturing additional information about offenses already being reported to the FBI UCR Program.

Hate crimes include any of the following offenses that are motivated by bias: murder/non---negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny - theft, destruction/damage/vandalism of property, intimidation, and simple assault.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

Intimidation: To unlawfully place another person in reasonable fear of harm through the use of threatening words and/or other conduct without displaying a dangerous weapon or subjecting the victim to an actual physical attack. This offense includes stalking. In addition, the offender can make threats in person, over the telephone, or in writing.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a dangerous weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. Simple assault includes offenses such as minor assault, hazing, assault and battery, and injury caused by culpable negligence or attempts to do so.

Destruction/Damage/Vandalism of Property (except Arson): To willfully or maliciously destroy, damage, deface, or otherwise injure any public or private property without the consent of the owner or the person having custody or control of it.

Campus Crime Statistics Report

The following is a list of location definitions to provide for better understanding of how crime statistics are counted and categorized:

On Campus: Any building or property owned or controlled by an institution within the same reasonable 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; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution and controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

On Campus Student Housing Facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonable contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This is a subset of the on-campus category.

Non-Campus Building or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

Unfounded Crimes: A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. A reported crime cannot be designated "unfounded" if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.

The statistical report for last three calendar years is shown below and is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Residence Life, Student Affairs and all Campus Security Authorities.

Reported NHTI Crime Statistics 2021-2023

| Offense | Geographic Location | | | | | | | | | | | | | | | | | |
|---|---------------------|------|------|--|------|------|---------------------|------|------|-----------------|------|------|------------------|------|------|-------|------|------|
| | On Campus Property | | | **On Campus Student Housing Facilities | | | Non-Campus Property | | | Public Property | | | Unfounded Crimes | | | Total | | |
| | 2023 | 2022 | 2021 | 2023 | 2022 | 2021 | 2023 | 2022 | 2021 | 2023 | 2022 | 2021 | 2023 | 2022 | 2021 | 2023 | 2022 | 2021 |
| Murder/Non-negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 1 | 3 | 1 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 1 |
| Fondling | 2 | 2 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Incest | 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 |
| Robbery | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Aggravated Assault | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Burglary | 7 | 6 | 1 | 6 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 6 | 1 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 1 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 |
| Arrests: Liquor Law Violations | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Referred for Disciplinary Action: Liquor Law Violations | 29 | 35 | 4 | 25 | 30 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 | 35 | 4 |
| Arrests: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Referred for Disciplinary Action: Drug Abuse Violations | 8 | 6 | 8 | 6 | 4 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 6 | 8 |
| Arrests: Weapons: Carrying, Possession, etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Referred for Disciplinary Action: Weapons: Carrying, possessing, etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Domestic Violence | 2 | 1 | 2 | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 2 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Crimes reported in the Residential Facilities column are also included in the On Campus Category

Hate Crimes

2023: No Hate Crimes reported

2022: One (1) On-Campus Vandalism incident characterized by Religion bias.

2021: Three (3) On-Campus Residential Housing Intimidation incidents characterized by Race bias.
One (1) On-Campus Simple Assault incident characterized by Sexual Orientation bias.

Notes on 2021 - 2023 Statistics:

- 2021 had a significant reduction in crime reports due campus classes/activities being either hybrid, remote and reduced residential housing population due to the COVID-19 pandemic.
- Possession of $\frac{3}{4}$ of an ounce or less of marijuana is a civil violation in the state of New Hampshire, not a criminal offense and therefore tickets issued for possession of marijuana are not classified as "arrests," as per Clery Act Regulations.

- In accordance with the comments to the final regulations for Violence Against Women Act (VAWA) (34 CFR Part 668, 2014), crimes committed between roommates or former roommates are not counted in "Domestic Violence," the relationship between the perpetrator and the victim must be more than two people cohabitating together based on New Hampshire State Domestic Violence laws.
- The State of New Hampshire does not recognize dating violence as a separate offense. The conduct falls under the category of Domestic Violence. Therefore, there will not be any dating violence statistics.

The NHTI Campus Safety Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at: [Campus Safety - NHTI](#)

A hard copy can be obtained by contacting the Campus Safety Office at (603) 230-4042.

For more information about safety on the NHTI campus, you are encouraged to contact the Campus Safety Department at (603) 230-4042. A Campus Safety Officer will be glad to discuss your questions and concerns.

TITLE IX/New Hampshire RSA 188-H

Policy 730.04: Title IX: Sex Discrimination, Sex-Based Harassment, Sexual Misconduct, and Retaliation Policy

POLICY APPLICABILITY, SCOPE, & JURISDICTION

This policy applies to all faculty, staff, other employees, students, & organizations receiving Community College System of New Hampshire (CCSNH) funding or use of the CCSNH school names.

An individual who believes they have experienced conduct that violates this policy is encouraged to file a complaint with the Title IX office. Title IX complaints will operate independently from any additional criminal proceedings. College procedures and sanctions can be implemented regardless of criminal charges that are initiated or substantiated.

This policy applies to all CCSNH education programs and activities (including locations, events, or circumstances in which CCSNH exercises substantial control over the respondent and the context of the conduct). A complainant does not have to be a member of the CCSNH community to file a complaint at the discretion of the Title IX Coordinator.

This policy may also be applicable to off campus misconduct that deprives someone of access to CCSNH educational programs or activities. CCSNH may also extend jurisdiction to off campus and/or online conduct if the Title IX Coordinator determines the conduct affects a substantial College interest. Regardless of where the conduct occurred, the College will review complaints to determine if it occurred in the context of its programs and if there are continuing effects on/off campus during sponsored programs/activities.

Substantial College interest includes:

- a. Any action that constitutes a criminal offense as defined by law, including but not limited to, single or repeat violations of local, state, or federal law;
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
- c. Any situation that significantly infringes on the rights, property, or achievements of oneself/others, breaches the peace, or causes social disorder;
- d. Any situation that is detrimental to the educational interests or mission of CCSNH.

If the Respondent is unknown or not a member of the CCSNH community, the Title IX Coordinator will assist the Complainant in connecting with campus and local resources as well as discuss support options. All vendors serving CCSNH through third party contracts are subject to the policies and procedures of their employers. When a party is participating in dual enrollment or an early college program, the College will coordinate with the party's home institution to determine jurisdiction and coordinate supportive measures.

This policy is only applicable to alleged incidents that occur after August 1st, 2024. For alleged incidents prior to August 1st, 2024, the policy, and procedures in place at the time of the alleged incident will apply. Applicable versions of those policies and procedures can be requested from

the Title IX Coordinator.

POLICY STATEMENT AND PURPOSE

STATEMENT OF INSTITUTIONAL PHILOSOPHY

CCSNH and its Colleges are committed to creating and maintaining a positive and productive work environment free of sex discrimination, sex-based harassment, sexual misconduct, and retaliation.

CCSNH prohibits sex discrimination, sex-based harassment, sexual misconduct, and retaliation as defined in this policy. It is the intention of CCSNH to take prompt action to prevent the reoccurrence of behaviors that violate this policy.

NOTICE OF NON-DISCRIMINATION

CCSNH and its Colleges, in compliance with Title IX of the Civil Rights Act of 1964, Title IX of the Education amendment of 1972, and Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of race, religion, color, national origin, age, sex, or physical handicap in any policies, practices, and procedures.

IMPARTIALITY AND CONFLICT OF INTEREST

The Title IX Staff shall act with impartiality and be free from bias/conflicts of interest. The members of the Title IX team are vetted and trained to ensure they are unbiased towards all parties.

To raise any concern regarding perceived bias or conflict of interest by the College Title IX Coordinator, contact the CCSNH Title IX Coordinator or the CCSNH Director of Internal Audit.

Complaints may also be made to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <https://www.ed.gov/about/ed-offices/ocr/office-for-civil-rights-us-department-of-education>

DEFINITIONS

Complainant is an individual who believes they have been subjected to sex discrimination, sex-based harassment, sexual misconduct or retaliation or who is believed by another to have been subjected to such conduct, who was participating or attempting to participate in the Colleges education program or activity at the time of the alleged misconduct. This term will be used throughout the policy whether or not an individual chooses to file a complaint or participate in an

investigation/resolution process.

Days are considered college business days for the purpose of this policy. Weekends and college holidays are not considered business days. College holidays can be found on the academic calendar.

Formal Complaint is a document filed orally, physically, or electronically by a Complainant or signed by the Title IX Coordinator alleging that a Respondent has violated this policy and/or engaged in retaliation for engaging in a protected activity, and requests the College to investigate the allegations.

Hearing Facilitator is a member of the Title IX Team who facilitates hearings under the formal resolutions process. This includes reviewing hearing procedures with parties and their advisors at the beginning of the hearing, managing online meeting rooms, and otherwise assisting with the logistics/coordination of the hearing.

Mandatory Reporter is an employee of CCSNH who is obligated by policy to share knowledge, notice, and/or reports of sex discrimination, sex-based harassment, sexual misconduct, and retaliation with the Title IX Coordinator. Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of persons with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandatory reporter responsibility under this policy

Parties include the complainant(s) and respondent(s), collectively.

Pregnancy or Related Conditions includes pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.

Programs and Activities include a location, event, or circumstances where the College exercises substantial control over both the Respondent and the context in which the conduct occurs or in a building owned or controlled by a student organization recognized by the College.

Reporter is an individual who notifies the Title IX office of potential sex discrimination, sex-based harassment, sexual misconduct, or retaliation. The reporter does not have to be the affected party or be involved in the incident to file a report.

Respondent is an individual alleged to have violated this policy.

Third Party Report is when someone who is not a mandatory reporter but who has information regarding someone else who may have experienced sex discrimination, sex-based harassment, sexual misconduct, or retaliation reports that information. To make a third-party report, the individual should contact a member of the Title IX office or submit a Title IX reporting form. Upon receipt of that information, Title IX staff will make a preliminary inquiry, which may include contacting the alleged victim, to determine whether further action is warranted.

Title IX Coordinator is the administrator who is identified and authorized as the College employee with the primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator and/or deputy are available to meet with students and employees regarding these issues as needed. The Title IX Coordinator may delegate duties as

necessary or appropriate. Therefore, any reference regarding duties to be performed under this policy should be read to also include the Title IX Coordinators "designee" as appropriate.

Ann-Marie Hartshorn, NHTI Title IX Coordinator
 26 College Drive
 Concord NH, 03303
 Ph: 603-230-3595
 Email: AHartshorn@ccsnh.edu

Title IX Team is comprised of decision makers, appellate decision makers, deputy Title IX Coordinators, and investigators. These members are selected by the Title IX Coordinator in consultation with the CCSNH Title IX Coordinator. The Title IX team is trained annually and the training materials are available upon request.

Prohibited Conduct under the purview of this policy includes the following: The definitions of dating violence, domestic violence, sexual assault, and stalking used in this policy are consistent with the Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act (Clery Act). On June 10, 2024, the Department of Education Office for Civil Rights Program Legal Group responded to an inquiry about the inconsistencies between the 2024 Title IX regulatory definitions and the Clery Act regulatory definitions for sexual assault, dating violence, domestic violence, and stalking. The response stated in part "OCR...advises that to prevent unnecessary confusion and for ease of use, recipients that must comply with Title IX and the Clery Act can use the definitions in the Clery Act regulations for these purposes." The College makes decisions regarding responsibility for policy violations through its own procedures and standards of proof (preponderance of evidence standard), not through the definitions, procedures, or standards of proof used by the criminal justice system.

- **Sex Discrimination:** Different treatment with respect to a person's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived sex.
 - **Disparate Treatment Discrimination:** Any intentional differential treatment of a person or persons that is based on a person's actual or perceived sex and that:
 - Excludes a person from participation in;
 - Denies a person benefits of; or
 - Otherwise adversely affects a term of condition of a person's participation in a College program or activity.
 - **Disparate Impact Discrimination:** Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in disproportionate impact on the basis of sex that:
 - Excluded a person from participation in;
 - Denies a person benefits of; or
 - Otherwise adversely affects a term of condition of a person's participation in a College program or activity.
- **Sex-Based Harassment:** A form of sex discrimination and sexual harassment and other harassment on the basis of sex, including sex stereotypes, sex characteristics, pregnancy, or related conditions, sexual orientation, and gender identity, sexual assault, dating violence,

domestic violence, and stalking. "On the basis of sex" means conduct that is sexual in nature or directed at the complainant because of their actual or perceived sex or gender identity.,

- **Quid Pro Quo:** An employee agent or other person authorized by the College to provide an aid, benefit, or service under the College's education program or activity, explicitly or impliedly conditioning the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct
- **Hostile Environment Harassment:** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity. The College reserves the right to address offensive conduct and/or harassment that does not rise to the level of creating a hostile environment or that is of a generic nature and not prohibited by law. Addressing such conduct will not result in the imposition of discipline under this policy, but may be addressed through educational conversations, remedial actions, education, and/or informal resolution mechanisms.
- **Sexual Assault:** Conduct defined as follows by the FBI NIBRS program definitions:
 - **Rape**
 - The carnal knowledge of a person (i.e., penile-vaginal penetration), without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity (it should be noted that females or males could be Complainants under this definition); Both completed rape and attempted rape are prohibited by this policy.
 - Oral or anal sexual intercourse (i.e., penile penetration) with another person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
 - To use an object or instrument (i.e. an inanimate object or body part other than a penis) to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
 - **Fondling:** The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity (for the purpose of this definition, "private body parts" include breasts, buttocks, or genitals whether clothed or unclothed).

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by New Hampshire law.
 - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent (In NH, the age is 16, refer to applicable statutes for further details).
- **Dating Violence:** Violence on the basis of sex committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. For the purposes of this policy, violence is defined as intentionally or recklessly causing physical, emotional, or psychological harm. Legitimate use of violence in self-defense is not chargeable under this policy if the purpose is safety, not harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.
 - The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length/type of relationship and the frequency of interaction between the persons involved in the relationship.
 - Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
 - **Domestic Violence:** Felony or misdemeanor crimes committed on the basis of sex committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is or has been cohabitating with the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse under the domestic or family violence laws of the state of New Hampshire, or by any other person against an adult or youth Complainant who is protected from that person's acts under domestic or family violence laws of the state of New Hampshire. To categorize an incident as domestic violence, the relationship between the Respondent and Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.
 - **Stalking:** Engaging in a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition, course of conduct means two or more acts including but not limited to acts in which the Respondent directly, indirectly, or through third parties by any action, method, device, or other means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant. Substantial emotional distress means significant mental suffering or anguish that may but

does not necessarily require medical or other professional treatment or counseling. For the purposes of this definition, a 'course of conduct' requires more than one incident and conduct directed at a specific person. Merely annoying conduct, even if repeated, may be a nuisance but is not typically chargeable as stalking.

Sexual Misconduct is defined under NH RSA 188-H as all forms of sexual harassment under Title IX, Title VII or State law and any other incident of sexual violence, gender-based violence, or violence based on sexual orientation or gender identity or expression.

- **Sexual Exploitation** is an individual taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited that does not constitute sex-based harassment as defined above. Examples of behavior that could constitute sexual exploitation include but are not limited to the following:
 - Recording or capturing through any means images (i.e., video, photography) or audio of another person's sexual activity, intimate body parts, or nudity without that person's knowledge and consent;
 - Distributing or sharing images (i.e., video, photography) or audio of another person's sexual activity, intimate body parts, or nudity without that person's consent;
 - Viewing or allowing others to view another person's sexual activity, intimate body parts, or nudity in a place where that person would have a reasonable expectation of privacy without that person's consent;
 - Engaging in sex trafficking and/or prostituting another person;
 - Knowingly making an unwelcome disclosure or threatening to disclose an individual's sexual orientation, gender identity, or gender expression;
 - Engaging in sexual behavior with knowledge of an illness or disease (HIV or STI) that could be transmitted by the behavior without disclosing that to the other person prior to sexual relations;
 - Causing or attempting to cause the incapacitation of another person through alcohol, drugs, or other means for the purpose of compromising that person's ability to give consent to sexual activity or to make that person vulnerable to nonsexual activity;
 - Misappropriation of another person's identity online or in-person situations designed for dating and/or sexual connections;
 - Creating and/or disseminating synthetic images (i.e., video, photography) or audio of an individual's sexual activity, intimate body parts, or nudity without that person's consent.
- **Retaliation** is intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, informal resolution, proceeding, or hearing regarding prohibited conduct. Retaliation is strictly prohibited.

Intimidation, threats, coercion, or discrimination including charges against an individual for code of conduct violations that do not involve sex discrimination, sex-based harassment, or sexual

misconduct but arise out of the same facts/circumstances as a sex discrimination, sex-based harassment, or sexual misconduct report or formal complaint for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any adverse action taken against a person because they made a good faith report of prohibited conduct or participated in any proceeding under this policy.

Retaliation may include intimidation, threats, coercion, harassment, or adverse employment or educational actions that would discourage a reasonable person from engaging in activities protected under this policy. Charging an individual with a code of conduct violation for making a materially false statement in bad faith during a grievance process under this policy does not constitute prohibited retaliation, provided however, that a determination regarding responsibility is not alone sufficient to establish that any party made a materially false statement in bad faith. The College will not engage in and will investigate/address reports of retaliatory conduct. The exercise of rights protected under the First Amendment does not constitute retaliation.

Any person who believes they have been subjected to retaliation should report their concerns to the Title IX Coordinator. Such reports will be handled under the process outlined below. Retaliation under this policy may be found whether or not the underlying complaint is ultimately found to have merit. Unauthorized Disclosure is distributing or otherwise publicizing materials created or produced during an investigation or resolution process except as required by law or as expressly permitted by the College or publicly disclosing a party's personally identifiable information without authorization or consent. This does not restrict either party from obtaining and presenting evidence or restrict them from speaking to witnesses (as long as it does not constitute retaliation under this policy), consult with their family members, confidential resources or advisors, or otherwise prepare for or participate in the resolution process.

Consent

Consent for sexual activity is a clear indication, either through verbal or physical actions, that parties are willing and active participants in said sexual activity. Such authorization must be made free of force, threat, intimidation, or coercion and must be given actively and knowingly in a state of mind that is conscious, rational, and not compromised by alcohol or drug incapacitation. Only a person of legal age can consent. As included for Clery/VAWA Sec. 304 compliance purposes, the NH state definition of consent, which is applicable to criminal prosecutions for sex offenses, may differ from the definition used by the College to address policy violations.

Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to sexual activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Going beyond boundaries of consent is prohibited. Engaging in activities such as slapping, hitting, hair pulling, strangulations, or other physical roughness without obtaining consent may constitute dating violence or sexual assault. Consent in the context of the relationship is considered. When parties consent to certain forms of kink, non-consent may be shown using a safe word. Resistance, force,

violence, or even saying “no” may be part of the kink and may be consensual. The totality of the circumstances will be evaluated.

Incapacitation due to alcohol or drugs is where an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act (understanding the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if they're asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person, but warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility.

In evaluating whether a lack of consent due to incapacitation is present, the College will use the objective standard of whether the respondent knew or whether a sober, reasonable person in the respondent's position should have known based on the reasonably apparent indications of incapacitation that the other person was incapacitated.

Coercion is unreasonable pressure for sexual activity when someone makes it clear they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction and the continued pressure is sufficiently severe. Coercion is evaluated based on frequency, intensity, isolation, and duration of the pressure involved.

Consent must still be attained even if:

- The Respondent is someone known by the Complainant.
- The individuals have engaged in consensual sexual activity with each other previously.
- Either or both individuals are under the influence of alcohol or drugs.
- There was no weapon involved.
- There was no evidence of a struggle or resistance.
- There are no other witnesses.

Online Sexual Harassment and/or Retaliation

These policies are written and interpreted to include online manifestations of any of the prohibited behaviors listed above when those behaviors occur in or have an effect on the complainant's education program and activities or when they use the College's network, technology, or equipment. The College does not and cannot control websites, social media, or other venues through which harassing communication can occur but will respond to such reports and engage in a variety of means to address/mitigate the effects.

Any online posting or other electronic communication by students including cyber-bullying, cyber-stalking, or cyber harassment occurring completely outside of the College's control (not on College network, websites, or between school email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption. This policy is not intended to

infringe upon or limit a person's right to free speech. Supportive measures for complainants can be provided, but legally protected speech cannot be subjected to discipline.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the College only when such speech is made in an employee's official or work-related capacity.

Inclusion Related to Gender Identity/Expression

CCSNH strives to ensure that all individuals are safe, included, and respected in their work and learning environments regardless of their gender identity or expression. This includes intersex, nonbinary, transgender, agender, two-spirit, and gender-diverse students and employees. Discrimination and harassment on the basis of gender identity or expression is not tolerated by CCSNH. If a member of the community believes they have been subjected to discrimination under this policy, they should follow the reporting steps outlined below.

In upholding the principles of equity and inclusion, CCSNH supports the full integration and healthy development of those who are transgender, transitioning, nonbinary, or gender-diverse and seek to eliminate any stigma related to gender identity and expression. CCSNH is committed to fostering a climate where all identities are valued, which contributes to a more vibrant and diverse community. As our societies understanding of gender evolves, so do CCSNH processes and policies.

Misgendering or mispronouncing is the intentional or unintentional use of pronouns or identifiers that are different from those used by an individual. Unintentional misgendering can often be resolved with an apology if someone clarifies their pronouns. Intentional misgendering is inconsistent with the type of community CCSNH upholds and may constitute a policy violation if the effect is greater than de minimis harm.

Deadnaming can be harmful to a person who is transgender, transitioning, nonbinary, or genderdiverse. This is using someone's birth assigned name rather than the name they have chosen for themselves. Unintentional deadnaming can also often be resolved with an apology and an effort to use the person's chosen name. Intentional deadnaming could be a form of harassment.

This policy should be interpreted to be consistent with the goals of maximizing inclusion of students and employees. This includes maintaining the privacy of all individuals consistent with the law and ensuring students and employees have equal access to all educational programs, activities, and facilities, including restrooms and locker rooms. When conflicts arise between the rights of those in our community to be free from gender identity discrimination and those exercising their right to religious freedom, the College will try to balance rights and interests to find mutually agreeable outcomes/compromises. When that is not possible, the College will offer solutions or enforce policy as needed.

PROCEDURES

CONTACT INFORMATION

Anyone may seek advice, information, or guidance on sex discrimination, sex-based harassment, and sexual misconduct by contacting the Title IX Coordinator:

Ann-Marie Hartshorn, NHTI Title IX Coordinator
26 College Drive
Concord NH, 03303
Ph: 603-230-3595
Email: AHartshorn@ccsnh.edu

IMMEDIATE RESPONSES TO SEX DISCRIMINATION, SEX-BASED HARASSMENT, AND SEXUAL MISCONDUCT COVERED BY THIS POLICY

The College recognizes that complainants can choose whether or not they wish to make a report of misconduct covered by this policy. There may be circumstances where the College decides to proceed with an investigation or disciplinary action when deemed necessary, despite the wishes of the Complainant.

Once an incident or complaint of sex discrimination, sex-based harassment, or sexual misconduct retaliation is reported to the Title IX Coordinator, they will inform the complainant of the options of criminal prosecution, medical assistance, the use of this policy to file a complaint or report, and other information detailed below.

The Title IX Coordinator, public safety, and/or other College personnel will assist the complainant with these contacts if requested. In addition, confidential counseling, support services, academic assistance, and alternative housing (for students if applicable) can be coordinated as appropriate through the Title IX Coordinator.

The College recognizes that making the decision to report often takes time. Nevertheless, pending the decision to report, students are strongly encouraged to take immediate steps to preserve all evidence that might support a future report. Such steps may include:

- Obtaining a forensic sexual assault examination (before 120 hours or as soon as possible)
- Preserving any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags)
- Preserving any related electronic communications (text messages, emails, Facebook, Instagram, Snapchat, TikTok, or other social media posts to the extent that they can be captured/preserved)
- Preserving any photographs (including those stored on smartphones or other devices)
- Preserving any voicemail messages and other physical, documentary, and/or electronic data that might be helpful or relevant in an investigation

Contact information for immediate response resources include the following:

- **PUBLIC SAFETY CONTACT INFO:**
Campus Safety Department
1 Institute Drive
Concord, NH 03301
Email: NHTIcampussafety@ccsnh.edu

603-230-4042 (Daytime)
603-224-3287 (Nights/Weekends/Emergencies)

- **TITLE IX COORDINATOR CONTACT INFO:**

Ann-Marie Hartshorn, NHTI Title IX Coordinator
26 College Drive
Concord NH, 03303
Ph: 603-230-3595
Email: AHartshorn@ccsnh.edu

- **LOCAL HOSPITAL CONTACT INFO:**

Concord Hospital
250 Pleasant St.
Concord, NH
603-225-2711

- **LOCAL DV/SV AGENCY CONTACT INFO:**

Crisis Center of Central New Hampshire
603-225-7376 Non-Emergency Contact
1-866-841-6229 Emergency Contact
info@cccnh.org
<https://cccnh.org/>

- **LOCAL PD CONTACT INFO:**

New Hampshire State Police – Troop D
139 Iron Works Road
Concord, NH 03301
603-271-3636 or (603) 271-1162

EMERGENCY REMOVAL AND ADMINISTRATIVE LEAVE

Emergency Removal in Title IX Cases

The College can act to remove a respondent entirely or partially from its educational program or activities (including College employment) on an emergency basis when an individualized violence risk assessment has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. See violence risk assessment section of policy.

The CCSNH Director of Risk Management will review requests for an emergency removal from the Title IX Coordinator as well as review the completed violence risk assessment to make a determination under this policy to implement or stay an emergency removal and to determine the conditions/duration of said emergency removal. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

In all cases in which an emergency removal is imposed, the respondent will be given notice of the action and the option to request to meet (in person or virtually) with the CCSNH Director of Risk Management as soon thereafter as reasonably possible to show why the order of removal should be revoked/modified. This meeting is not a hearing on the merits of the reported allegations. If this meeting is not requested within 48 hours of issuance of a decision, objections to the emergency removal will be deemed waived. A respondent can later request a meeting to show why they are no longer an imminent and/or serious threat because conditions have changed. A complainant and their advisor may participate in this meeting if the Title IX Coordinator determines it may be equitable to do so. Either party may provide information, including expert reports, witness statements, or other communications for consideration. The CCSNH Director of Risk Management will communicate a final decision in writing within three (3) business days of either of these meetings.

A respondent may be accompanied by an advisor of their choice when meeting with the CCSNH Director of Risk Management. The respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

At the discretion of the Title IX Coordinator and when deemed appropriate, alternative coursework options may be pursued to promote a respondent's access to College academic programs.

The Title IX Coordinator may determine emergency actions outside of removal, including but not limited to, removing a student from a residence hall, restricting student access to or use of facilities or equipment, allowing a student to withdraw or take an incomplete without financial penalty, dismissing or suspending a student from extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

The Title IX Coordinator may also recommend actions such as temporarily re-assigning an employee and/or restricting employee access to or use of facilities/equipment to the CCSNH Director of Human Resource who will present to the College President and/or CCSNH Chancellor to decide on.

Suspension or Administrative Leave in Title IX Cases

The College always maintains the discretion to place an employee respondent on suspension or administrative leave during the pendency of an investigation and resolution process as outlined below. The Title IX Coordinator may recommend this action to the CCSNH Director of Human Resources who will present to the College President and/or CCSNH Chancellor to decide on.

The College may place student-employee respondents on administrative leave from their employment during the pendency of an investigation and resolution process where deemed appropriate as a supportive measure and under circumstances where it would not unreasonably burden the student-employee respondent. Any such decision shall be made in compliance with any applicable disability laws, including the Americans with Disabilities Act and the NH Law Against Discrimination.

REPORTING OPTIONS

CCSNH encourages individuals to report incidents covered under this policy so that they can get the support they need, and the College can respond appropriately while maintaining a safe and secure campus. Although strict confidentiality may not be guaranteed, in all cases the College will handle

information in a sensitive manner and will endeavor to protect the privacy of individuals to the extent it can do so consistent with its obligations to respond to reports of sex discrimination, sex-based harassment, or sexual misconduct.

This section is intended to inform students, faculty, staff, and covered third parties of the confidential and non-confidential reporting avenues available so that they can make informed choices about where to go for assistance. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination/harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a complainant has requested the information be shared.

If a complainant expects formal action in response to their allegations, reporting to any nonconfidential resource can connect them with the appropriate resources. These mandatory reporters will promptly pass reports to the Title IX Coordinator (and/or police if desired by complainant), who will take action as provided in this policy.

Confidential Resources and Confidentiality

If an individual would like to confidentially report an alleged violation of this policy, they should contact a confidential resource. A confidential resource is an individual who is legally and ethically bound to keep confidential all information shared with them on the course of providing counsel and support, except under the circumstances noted below.

In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional, religious advisor, or trained sexual assault advocate. The medical, mental health, and religious professionals (individuals acting in their religious professional capacity through a College office) at the College respect and protect confidential communications from student's faculty, and staff to the extent they are legally able to do so. These professionals may have to breach confidence when they perceive a serious risk of danger or threat to any person or property. In addition, medical and mental health professionals may be required by law to report certain crimes (such as allegations of sexual and/or physical abuse of any person under 18).

An individual who speaks to a confidential resource must understand that if they want to maintain complete confidentiality, the College will be unable to investigate the particular incident or pursue disciplinary action against the alleged perpetrator. However, confidential resources may assist the individual in receiving supportive measures or other forms of protection and support such as victim advocacy, academic accommodations, disability, health, or mental health services, and changes to living, working, or transportation arrangements.

LOCAL DV/SV AGENCY CONTACT INFO:

Crisis Center of Central New Hampshire
603-225-7376 Non-Emergency Contact
1-866-841-6229 Emergency Contact
info@cccnh.org
<https://cccnh.org/>

Campus Resource Advisors: New Hampshire State law §188-H:7 permits CCSNH to establish confidential resource advisors. These are privileged individuals designated by the College that are not required to notify the College Title IX Coordinator or a law enforcement agency when they learn about potential incidents of sexual misconduct. Confidential resource advisors receive training in the awareness and prevention of sexual misconduct and trauma-informed response. The designated confidential resource advisor for NHTI is:

Crisis Center of Central New Hampshire

603-225-7376 Non-Emergency Contact

1-866-841-6229 Emergency Contact

info@cccnh.org

<https://cccnh.org/>

April 2024 Title IX regulations contemplate that certain information will generally be treated as confidential except as qualified by statements in those regulations. For example, the regulations provide that colleges must maintain as confidential any supportive measure provided to complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the institutions to provide the supportive measures. The regulations also provide that colleges must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, sex-based harassment, or sexual misconduct including any individual who has made a report or filed a formal complaint, any individual who has reported to be the perpetrator, and any witness except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g, or FERPA regulations 34 CFR part 99, or required by law, or to carry out the purposes of Title IX regulations including conducting any investigation, hearing or judicial proceeding arising under those regulations.

Reporting and Non-Confidential Resources

Individuals seeking to report incidents of sex discrimination, sex-based harassment, or sexual misconduct to the College may do so using any of the following options:

- Utilizing the online reporting form which can be found at NHTI Title IX Reporting Form . Reporting via this online form allows the College to reach out to the reporter and/or complainant to request further information, offer supportive measures, and provide information about resolution options. This does not oblige a complainant to participate in a resolution process. CCSNH strives to respect a complainant's wishes regarding the pursuit of formal resolution procedures unless there appears to be a compelling threat to their or the community's health and/or safety. The complainant is largely in control and should not fear loss of privacy by making a report that allows the College to discuss the matter with them and provide supportive measures. If an online reporting form is completed anonymously with no identifying information for the complainant, the College's ability to offer supportive measures, appropriately investigate the incident, and/or pursue disciplinary action against the alleged may be limited.
- Report, give verbal notice of formal complaint, or file a formal complaint with the Title IX Coordinator. Such a report may be made at any time (including nonbusiness hours) by using the telephone number, email address, or mailing address listed for the Title IX Coordinator or any other listed official. Directly contact the Title IX Coordinator at the following contact information:

Ann-Marie Hartshorn, NHTI Title IX Coordinator
26 College Drive
Concord NH, 03303
Ph: 603-230-3595
Email: AHartshorn@ccsnh.edu

- **Reporting to a mandatory reporter:** all CCSNH employees are deemed mandatory reporters for purposes of this policy. Mandatory reporters include any administrator, supervisor, and faculty member who does not have a statutory privilege of confidentiality by law or who has not otherwise been designated as a confidential resource advisor. Mandatory reporters who learn of an incident of sex discrimination, sex-based harassment, or sexual misconduct involving a student or employee are required to report that information to the Title IX Coordinator as soon as possible. Information reported to a mandatory reporter will be shared with others only to the extent necessary to respond to the situation and support the parties and in accordance with state/federal law. Mandatory reporters who themselves are a target misconduct under this policy are not required to report their own experience, though encouraged to do so. If a Mandatory reporter fails to comply/report an incident or interferes with an investigation, that employee may be subject to disciplinary action. General inquiries to mandatory reporters about policies and procedures and conversations where the alleged perpetrator is not named or implied from the circumstances would not constitute reports for the purpose of this policy. These types of inquiries should nonetheless be referred to the Title IX Coordinator.
- **Time Limits on Reporting:** There is no time limitation on reporting or providing notice/complaints to the College. However, if the respondent is no longer subject to the College's jurisdiction or if significant time has passed, the ability to investigate, respond, and/or provide remedies may be limited.

When a Complainant Does Not Wish to Proceed and Requests Confidentiality

If an individual discloses an incident of sex discrimination, sex-based harassment, or sexual misconduct to a mandatory reporter but does not wish for their information to be shared, does not wish for an investigation, or does not wish for a formal complaint to be pursued, the Title IX Coordinator will make every effort to respect this request and will evaluate the request against the Colleges responsibility to provide a safe, nondiscriminatory environment for all students, faculty, and staff, including the complainant. The College designates its Title IX Coordinator as the individual responsible for evaluating confidentiality requests with the ability to consult as necessary with other College officials such as public safety or other threat assessment officials. As previously noted, there are times the College may not be able to honor this type of request.

If a confidentiality request is honored, the College's ability to appropriately investigate the incident and pursue disciplinary action against the alleged may be limited. The College's decision could, for example, be based on results of a violence risk assessment that indicates there appears to be a compelling risk to health and/or safety and requires the College to pursue formal action to protect the community. Factors that may be considered in determining whether confidentiality should be maintained may include but are not limited to:

- The increased risk that the alleged perpetrator will commit additional acts of prohibited conduct or other violence such as:
 - Whether there have been other prohibited conduct complaints about the same alleged perpetrator;
 - Whether the alleged perpetrator has a history of arrests or records from a prior institution indicating a history of violence;
 - Whether the alleged prohibited conduct was allegedly committed by multiple alleged perpetrators;
 - Circumstances that suggest there is an increased risk of future acts of prohibited conduct.
- Whether the alleged prohibited conduct was allegedly perpetrated or facilitated with a weapon; and
- Whether the alleged victim is a minor.

The presence of one or more of these factors or other factors as deemed appropriate may prompt an investigation and adjudication under the College's policies and may result in disciplinary action. If none of these factors are present, the College will likely honor the individual's request for confidentiality. The College must also consider the effect that non-participation by the complainant may have on the availability of evidence and the College's ability to pursue a formal grievance process fairly and effectively.

If the College determines that they cannot maintain an individual's request for confidentiality, they will inform the reported complainant prior to conducting an investigation (unless extenuating circumstances are present). When the Title IX Coordinator signs a formal complaint, they do not become the complainant. The complainant is the individual who is alleged to be the victim of the conduct that would constitute a violation of this policy. CCSNH will not require the reported complainant to participate in any investigation or disciplinary proceeding. The complainant may have as much or as little involvement in the process as they wish. The complainant retains all rights of a complainant under this policy irrespective of their level of participation. The Title IX Coordinator will provide certain notices to the complainant regarding the status of the investigation as required by the 2024 Title IX regulations.

When responding to reports, if the College determines it is obligated to take any action that would involve disclosing a reporting individual and/or a complainants' identity to the respondent or take an action from which the reporting individual and/or complainant may be easily determined by the respondent, the individual and/or complainant will be informed before the action is taken unless extenuating circumstances are present. If the individual requests that the respondent be informed that they requested that there be no investigation or disciplinary action, the College will endeavor to honor this request and inform the respondent that the College made the decision to investigate this matter.

The College will offer supportive measures as described below when requested and reasonably available that are designed to prevent/address retaliation against individuals whose requests for confidentiality have not been honored and to respond to their needs for support, services, and accommodations. Note that the College's ability to remedy and respond to a report may be limited if the complainant does not want the College to proceed with an investigation and/or grievance process. The goal is to provide the

complainant with as much control over the process as possible while balancing the College's obligation to protect its community.

If the College determines that it can respect the individual's request for confidentiality, the College will offer informal resolution options, supportive measures, and remedies to the complainant and the community to the extent possible where such measures are requested and reasonably available. If the complainant initially requests that the College take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, the complainant has the right and can expect to have allegations taken seriously by the College and to have incidents investigated and properly resolved through these procedures.

Disclosure During Internal Investigations and Adjudications and Unauthorized Disclosure of Information

Consistent with 2024 Title IX regulations and required confidentiality provisions described above, the College will handle information related to alleged violations of this policy with sensitivity and discretion. However, the College may need to disclose information relating to an incident (including the identity of parties, witnesses, or others) to the extent necessary to conduct a fair, thorough, and impartial investigation, and adjudication process for all involved parties.

Parties and advisors are prohibited from unauthorized disclosure of information obtained by the College through the resolution process to the extent that the information is the work product of the College (produced, compiled, or written by the College for the purposes of investigation and resolution of a complaint). It is also a violation of College policy to publicly disclose work product or a party's personally identifiable information without authorization or consent. Violation is subject to sanction.

Timely Warnings and Disclosure Required by Law and Federal Statistical Reporting Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the College must issue timely warnings for incidents reported to them that pose a serious or ongoing threat to the campus community. The College will ensure that a complainant's name and other identifying information is not disclosed while still providing enough information for community members to make safety decisions in light of any serious or ongoing threat. Additionally, the College will not include the names of complainants, respondents, or other identifying information in publicly available reports that are compiled as required by the Clery Act.

Clery officers are also required to report all Violence Against Women Act enacted in 1994 and codified in part at 42 U.S.C. sections 13701 through 14040 crimes, which include sexual assault, domestic violence, dating violence, and stalking. All personally identifying information is kept private, but statistical information regarding types of incident and general locations (on or off campus) must be shared by the College with the campus Clery officer for publication in the annual security report.

Disclosure to Law Enforcement

In certain circumstances, the College may need to report an incident to law enforcement authorities. Such circumstances include, but are not limited to, incidents that warrant the undertaking of safety and

security measures for the protection of the individual and/or campus community, situations in which there is a clear and imminent danger, and/or when a weapon may be involved. Complainants may choose to notify authorities directly with or without the College's assistance.

SUPPORTIVE MEASURES

Students and employees seeking services and/or accommodations in connection with issues related to potential prohibited conduct (collectively "supportive measures") should direct their requests to a confidential resource or the Title IX Coordinator. Their request will be evaluated and responded to by the Title IX Coordinator or designee after consultation as needed with other College officials. As noted in the confidentiality section above, the College will maintain as confidential any supportive measures to the extent possible while allowing for implementation of such requests.

It is not necessary to file a formal complaint, participate in an adjudication process, or file a criminal complaint to request supportive measures from the College. Both parties may request and receive supportive measures which are non-disciplinary, non-punitive individualized services offered as appropriate, as available, and without fee or charge. Violations of certain supportive measures may be referred to the conduct office for processing.

Supportive measures may include but are not limited to:

- Educational conversations which allow the Title IX Coordinator to address allegations with the respondent in a meeting to discuss concerning behavior and institutional policies/expectations. These are non-disciplinary and non-punitive. Respondents are not required to attend such meetings or compelled to provide any information if they attend. The Title IX Coordinator will update the complainant after the conversation is held and the complainant may be satisfied and choose to not pursue the report further or choose to file a formal complaint to initiate the resolution process. If the complainant is satisfied with the results of the educational conversation but the alleged behavior later persists, they may discuss with the Title IX Coordinator additional options and/or file a formal complaint to initiate the resolution process;
- Mutual no contact orders restricting communications (not distance) between parties;
- Campus no trespass orders;
- Academic accommodations, including to not limited to, deadline extensions, excused absences, incompletes, course changes/late drops, or other arrangements as appropriate;
- If applicable, residential accommodations including but not limited to, arranging for temporary housing assignments or new housing assignments as appropriate;
- Changing transportation or work arrangements or providing other employment accommodations as appropriate;
- Public safety campus escort services (as available) and safety planning steps;
- Assistance in accessing support services including (as available) victim advocacy, academic support, counseling, disability, health or mental health services, visa/immigration assistance, student financial aid services, and legal assistance both on and off campus as applicable;
- Informing the individual of the right to report a crime to local law enforcement and/or seek orders of protection, restraining orders, or relief from abuse orders from courts in the United States or courts outside of the United States as applicable, and assisting with contacts. The

College will also work with complainants and others as appropriate to respect such orders on premises that it owns or controls as necessary and appropriate.

Both parties are provided with a timely opportunity to seek modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. These requests must be made in writing to the Title IX Coordinator. The CCSNH Director of Internal Audit or other designee appointed by the Title IX Coordinator will assess these requests for inconsistencies with the definition of supportive measures in §106.2 of the 2024 Title IX Regulations and determine if supportive measures need to be provided, denied, modified, or terminated. The College will also provide parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances change materially. The College will typically render decisions within seven (7) business days of receiving the written request. The decision will be provided in writing and provided to the impacted parties and Title IX Coordinator.

PURSuing A CRIMINAL COMPLAINT

In addition to or instead of the College processes and procedures, any student, employee, or covered third party who wishes to report sex discrimination, sex-based harassment, or sexual misconduct under this policy has the option to pursue criminal charges with local, state, or federal law enforcement agencies. The College will offer and upon request provide assistance to students, employees, and covered third parties in contacting law enforcement agencies. These options are available regardless of whether an individual chooses to file a formal complaint with the College. Individuals have the option to notify such agencies with or without the assistance of the College.

In addition, individuals may also have the right to pursue orders of protection, restraining orders, and/or relief from abuse orders from the court system. The College will respect such orders to the extent applicable. In addition, the College can also impose mutual no contact orders on students, employees, and third parties over whom it has some measure of control.

The Title IX Coordinator may agree to a short delay in its launch of a formal investigation if requested by the complainant and law enforcement to allow for evidence collection in a criminal case. The College's processes are not otherwise altered by a concurrent criminal/civil investigation as they are separate processes.

MEDICAL CARE AND EVIDENCE PRESERVATION

Any individual who may be experiencing or has experienced sex discrimination, sex-based harassment, or sexual misconduct is encouraged to immediately seek any necessary medical care and to seek help from appropriate College personnel, law enforcement, and/or medical personnel even if they are uncertain about whether to ultimately pursue a complaint, criminal charges, or seek a protective order. It is important for individuals to protect their own health and safety. Individuals are recommended to preserve all possible evidence in case they decide at some point to file a report of any nature. Therefore, if at all possible, individuals should refrain from changing clothes, showering or otherwise changing their physical state after an incident until after consulting with medical and/or law enforcement about how to best preserve evidence.

OTHER POLICY VIOLATIONS

If a report of sex discrimination, sex-based harassment, or sexual misconduct covered by this policy also involves a report of misconduct prohibited by other College policies, the other misconduct will be investigated to the extent that they are related to the allegations of misconduct prohibited by this policy. The College will determine at its discretion whether other policy violations allegedly committed in circumstances related to alleged prohibited conduct under this policy will be investigated and resolved in the Title IX investigation, which the College reserves the right to do, or will be addressed through separate procedures. Allegations of all misconduct that will be subject to investigation and adjudication in the procedures outlined in this policy will be included in the Notice of Allegations and Investigation sent out to all parties.

UNETHICAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between persons in unequal positions, such as faculty member-student or supervisor-employee. Even when parties have initially consented to romantic or sexual involvement, the possibility of a later allegation of a relevant policy violation still exists. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the College's goals and policies. However, for the personal protection of members of our community, relationships in which power differentials are inherent are generally discouraged. In instances of these relationships, consultations will be made to Human Resources to determine if any applicable policy has been violated.

AMNESTY

The College's primary goal when responding to complaints involving students is safety, addressing the misconduct, and preventing it from recurring. A student should not hesitate to report due to a concern that the investigation process may indicate they were under the influence of alcohol or drugs at the time of the incident. Amnesty for violations of College policies on the personal use of alcohol and drugs will be provided to parties and witnesses engaged in the resolution process as long as they are acting in good faith. However, the College may provide purely educational options with no official disciplinary finding. Amnesty may not apply to more serious allegations such as physical abuse or drug distribution.

The College, at its discretion and in consultation with the CCSNH Director of Human Resources, may also offer employees amnesty from certain policy violations on a case-by-case basis. Individuals should understand that the use of alcohol or drugs never makes them at fault for sex discrimination, sex-based harassment, or sexual misconduct, nor does it mitigate accountability for committing these prohibited behaviors against others.

RECORD KEEPING

For a period of at least seven (7) years following the conclusion of a resolution process, the College will maintain records of:

- Each sex discrimination, sex-based harassment, and retaliation resolution process documentation, including any final determination regarding responsibility or appeal, and any audio or audiovisual recordings or transcripts required under federal regulation;
- Any disciplinary sanctions imposed on the respondent;
- Any supportive measures provided to the parties and any remedies provided to the complainant or the community designed to restore or preserve equal access to the College's education program or activity;
- Any appeal and the result;
- Any informal resolution and the result;
- All materials used to train members of the Title IX team, which will be available upon request;
- All materials used to train employees consistent with the requirements of the 2024 Title IX regulations.
- All records in compliance with NH:188H

Records are kept private/confidential in accordance with FERPA. All records are stored securely and electronically through Maxient software accessible only by the Title IX Coordinator, CCSNH Title IX Coordinator, the CCSNH Director of Risk Management, and the CCSNH Director of Internal Audit.

Student parties may request access to their Title IX file in writing to the Title IX Coordinator. The Title IX Coordinator will provide a copy within forty-five (45) days of the request with appropriate redactions of personally identifiable information of all other parties/witnesses.

ACCOMMODATIONS

The College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process. Anyone needing such accommodations or support should contact the Title IX Coordinator who will work with the accessibility coordinator to review requests and determine which accommodations are appropriate/necessary for full process participation.

The College will also address reasonable requests for language services/interpreters, access assistance for the use of technology throughout the resolution process, and other supports deemed reasonable and necessary to facilitate participation in the resolution process.

PROVIDING FALSE INFORMATION

Intentionally making a false report or providing false information in connection with a report, complaint investigation, or adjudication of a matter covered by this policy will not be tolerated. A complainant whose factual allegations are truthful to the best of the complainant's knowledge but are not found by the College's process to substantiate a violation of this policy is not false information within the meaning of these guidelines. Students found to have intentionally provided false information will be subject to an investigation through the College conduct office.

Counterclaims

The College is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. The College allows the filing of counterclaims but will assess the complaint for good faith. If what is alleged arises from the same set of facts as the original complaint, they may be investigated together at the discretion of the Title IX Coordinator. The counterclaim may also be investigated separately if arising from a different set of facts, which may cause case delays.

RIGHT TO AN ADVISOR

All parties are entitled to an advisor of their choosing to guide and accompany them through all resolution processes. The advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them that is available. "Available" means a party cannot insist on an advisor who doesn't have the inclination, time, or availability. The advisor cannot have institutionally conflicting roles. A party who chooses an advisor who is also a witness may anticipate that issues of potential bias could be explored by the decision maker.

The College maintains a pool of (non-attorney) advisors who are available. A list of said advisors will be provided during the intake process. College officials are not required to serve as an advisor if they choose not to do so. Outside advisors can request to be trained by the College.

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present including intake, interviews, hearings, and appeals. The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney but the other party does not or cannot afford an attorney advisor, the College is not obligated to provide one. All advisors are subject to the same requirements whether they are attorneys or not.

Advisors are not permitted to speak for, represent, appear in lieu of, address any other party other than the one they are advising, or otherwise actively participate directly in a meeting, interview, or other proceeding unless given specific permission to do so. Parties are expected to ask and respond to questions on their own behalf throughout the resolution process. If a party requests to be fully represented by their attorney advisor, the College will comply at the discretion of the Title IX Coordinator.

Advisors may communicate with their advisee in a manner that is not disruptive to the meeting or proceeding at hand. For longer or more involved discussions, the party and their advisor should ask for breaks to allow for private conversation. Advisors may request to meet in advance of any interview or hearing with the Title IX Coordinator for the purpose of answering general questions they may have about the process.

Advisors are expected to refrain from interference with the investigation and resolution process. Any advisor who steps out of their role or causes a disruption will be warned that they are doing so. If the advisor continues to disrupt or otherwise fails to respect the limits of their role, the advisor will be asked to leave the meeting. Subsequently, the Title IX Coordinator will determine whether the advisor may be reinstated.

Parties may wish to have the College share documentation and evidence related to the allegations with their advisors. Doing so may help the parties participate more meaningfully in the resolution process.

The College provides a consent form that authorizes such sharing of documentation related to the allegations with their advisor of choice. Advisors are expected to maintain the privacy of records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College.

Additionally, communication regarding the investigation and resolution process will be directed to the involved party and not the advisor except in circumstances in which the Title IX Coordinator has granted an exception for special circumstances. If a party requests that all communication be made through their attorney advisor instead of the party, the College will comply at the discretion of the Title IX Coordinator.

The College generally expects an advisor to adjust their schedule to allow them to attend meetings when planned but may change scheduled meetings to accommodate an advisors inability to attend as long as doing so does not cause an unreasonable delay. The College will make provisions to allow for alternative forms of meeting including telephone, video, & virtual meeting.

Parties may elect to change advisors during the process by providing timely notification to the Title IX Coordinator. A new release must be submitted and consent to share information with the previous advisor is assumed to be terminated.

INVESTIGATION AND RESOLUTION PROCESS

When information about an incident of sex discrimination, sex-based harassment, and/or sexual misconduct is brought to the attention of Title IX staff, they will promptly contact the complainant to arrange an intake meeting. At a promptly scheduled meeting and/or through initial communications with the complainant, the Title IX Coordinator will discuss and/or communicate the availability of supportive measures and inform the complainant that supportive measures are available with or without filing a formal complaint. The Title IX Coordinator may be excused from carrying out their duties under this policy in the event of a conflict of interest or other legitimate reason. In the absence of the Title IX Coordinator, the Deputy Title IX Coordinator, CCSNH Title IX Coordinator, or other designee will serve as acting Title IX Coordinator for the purposes of the specific case.

Standard of Proof: The College operates with the presumption that the respondent is not responsible for the reported misconduct unless and until through the applicable resolution process the respondent is determined to be responsible for a policy violation by a preponderance of the evidence (whether it is more likely than not that the respondent is in violation of the alleged policy violation).

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with College policy.

Application to Employees

This policy and below procedures apply only to employee complaints when the allegations fall within the jurisdiction of Title IX. When allegations involving an employee complainant fall outside Title IX jurisdiction, the complaint/report will be sent to the CCSNH Human Resources Director who will consult with the College President and/or CCSNH Chancellor.

When an employee of the College is a party or witness to an investigation and resolution through this policy and its procedures, the employee shall have the right to have a representative who shall act as a consultant present in all related meetings. The Title IX Coordinator will coordinate with the CCSNH Director of Human Resources throughout the grievance process to ensure that any obligations under other applicable laws and regulations are met. Employees who are parties in Title IX matters will receive all (but no more than) the rights that such employees must be provided under the 2024 Title IX regulations, but all other aspects of their relationship with the College and the handling of the matter will be governed by otherwise applicable College employment practices and policies.

If the respondent is a student and an employee, the Title IX Coordinator will determine which procedures apply based upon the facts and circumstances, such as whether the respondent's status as a student or an employee predominates in context of the prohibited conduct. If a student-employee is found to have engaged in prohibited conduct, they may be subject to sanctions both in connection with their employment and in connection with their student status as appropriate under these and other applicable procedures.

Initial Meetings with Title IX Staff

- **Complainant**

Within seven (7) days of receiving a report or formal complaint, the Title IX Coordinator will contact the complainant to schedule an intake meeting. During the intake meeting, the Title IX Coordinator will do the following as applicable:

- Discuss the policy and complainant's rights under the policy;
- Discuss local resources and on-campus resources, including but not limited to mental health services, health services, and victim advocacy;
- Discuss confidentiality standards;
- Discuss College policy on retaliation and the potential consequences;
- Consider possible supportive measures and determine if any need to be put into place, with or without the filing a complaint;
- Discuss the importance of preserving relevant evidence and/or documentation;
- Discuss potential resolution processes including informal and formal resolutions;
- Explain the steps in a formal grievance process;
- Explain the right to an advisor;
- Learn of the complainant's desire for a resolution.

- **Respondent**

If the complainant or Title IX Coordinator submit a formal complaint, (The Title IX Coordinator may facilitate conversations with the respondent without a formal complaint, such as with educational conversations.) the Title IX Coordinator will send the respondent a notice of allegations and investigation (NOAI) detailed below.

Included in the email notification of the NOAI will be a meeting time with the Title IX Coordinator and the following information:

- Information about the College's formal and informal resolution processes;
- A statement of the allegations of behavior potentially constituting prohibited conduct, including sufficient detail. This includes the identity of the parties involved if known, the conduct alleged, and the date/location of alleged incident if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notification that parties may have an advisor of their choice who may be but are not required to be an attorney;
- Notification of existing counseling, health, and mental health services available on campus and/or in the community;
- Notification that taking any retaliatory action (directly or through others) against any person because they are involved in the investigation is prohibited and will be considered a separate violation of College policy.

The complainant will also receive a copy of the NOAI. If during the course of an investigation the College decides to investigate allegations about any party that are not included in the notice described above, it will provide notice of the additional allegations to the parties whose identities are known and issue an amended NOAI.

At the initial meeting with the respondent after sending the NOAI, the Title IX Coordinator will do the following as applicable:

- Discuss details of the complaint filed, including (if known) the name of the complainant, date, location, and nature of the alleged misconduct;
- Discuss respondents' rights under the policy;
- Discuss on and off campus resources;
- Discuss the policy and College procedures for resolution of the complaint;
- Explain the steps of a formal Title IX investigation;
- Explain the right to an advisor;
- Discuss confidentiality standards;
- Discuss College policy on retaliation and the potential consequences;
- Inform the respondent of any supportive measures that have been put in place with the complainant that directly affect the respondent and determine whether the respondent desires any supportive measures; and
- Learn of the respondent's willingness to engage in an informal resolution.

Violence Risk Assessment

The Title IX Coordinator may determine that a violence risk assessment should be conducted as part of an initial assessment or otherwise in connection with a report, investigation, or resolution process. A violence risk assessment can aid in several determinations, including but not limited to:

- Emergency removal of a respondent on the basis of an immediate threat to an individual and/or campus communities physical health/safety;
- Whether the Title IX Coordinator should sign a formal complaint even if not requested by a complainant;
- Whether reported circumstances may involve a pattern of prohibited conduct and/or climate-related issues;
- Whether it is appropriate to try to resolve a complaint through informal resolution and what modality may be most successful and appropriate;
- Whether a no-trespass order is needed.

The Title IX Coordinator will appoint a member of the College who has been trained to perform this assessment. A violence risk assessment completed by the College is not an evaluation for an involuntary behavioral health hospitalization or a psychological/mental health assessment. A violence risk assessment assesses the risk of actionable violence, often with a focus on targeted predatory escalations. CCSNH typically utilizes the NABITA training model and uses the SIVRA-35 structured interview for violence risk assessments.

Formal Complaints

When a complainant requests an investigation, the Title IX Coordinator will promptly upon receipt (verbal or written) of a formal complaint:

- Determine whether the conduct as alleged would, if proved, constitute sex discrimination, sex-based harassment and/or sexual misconduct as defined above;
- Determine whether the conduct allegedly occurred in the College's educational program or activity or if the College has substantial interest;
- Determine whether at the time the formal complaint was made if the complainant was participating or attempting to participate in a College program or activity.

If the alleged conduct in the formal complaint would, if proved, satisfy all above elements, and is filed verbally, signed by a complainant, or signed by the Title IX Coordinator, it will be investigated and resolved through the procedures applicable to Title IX.

If some but not all of the conduct alleged in the complaint satisfies these elements and a formal complaint is received from a complainant or signed by the Title IX Coordinator, the College will address the entire matter through the procedures outlined in this policy, but may also, to promote efficiency, address other relevant alleged misconduct in mixed cases so that all related misconduct may be addressed through one investigation and resolution process.

Dismissal

The College may dismiss a formal complaint or any allegations if at any time during the

investigation or resolution process:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations;
- The respondent is no longer enrolled at or employed by the College;
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination;
- The College determines the conduct alleged in the complaint would not constitute a policy violation if proven true.

If a formal complaint is dismissed by the College under the circumstances described above, the College will simultaneously provide to both parties written notice (by electronic or other means) of the dismissal, the reasons for the dismissal, and notice of the parties opportunity to appeal such dismissal as outlined below. A complainant who decides to withdraw a complaint may later request to reinstate or refile their complaint. A decision maker can recommend dismissal to the Title IX Coordinator if they believe the grounds are met.

Complainants may appeal a dismissal of their complaint and respondents may also appeal if dismissal occurs after they have been made aware of the allegations. All dismissal appeals must be filed within three (3) business days of the notification of dismissal. The Title IX Coordinator will notify the parties of any filed appeals. If the complainant appeals but the respondent was not yet notified of the complaint, the Title IX Coordinator must then provide the respondent with a NOAI and then notify the respondent of the appeal with an opportunity to respond. Throughout the dismissal appeal process, the college will:

- Implement dismissal appeal procedures equally for the parties;
- Assign a dismissal appeal decision maker who did not take part in the investigation of allegations or dismissal of the complaint;
- Provide the parties a reasonable and equal opportunity to make a statement in support of or challenging the dismissal; and
- Notify the parties of the result of the appeal and rationale for the result.

Grounds for dismissal appeals are limited to:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when dismissal was decided;
- The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against either or both parties that would change the outcome;
- The dismissal was erroneously granted or denied.

Upon receipt of a written dismissal appeal, the Title IX Coordinator will share the appeal with the other party and provide three (3) business days for the other party to respond. The appeal should specify at least one of the grounds above and provide reasoning/supporting evidence for why the ground is met. At the conclusion of the response period, the Title IX Coordinator will notify the parties of the appointment of the dismissal appeal decision maker, then forward the appeal and responses to the dismissal appeal decision maker. If the request for appeal does not provide information that meets the

grounds above, the request for appeal will be denied by the dismissal appeal decision maker. The parties, advisors, and Title IX Coordinator will be notified of this in writing with rationale. If the appeal grounds are met, then the dismissal appeal decision maker will notify the parties, advisors, and Title IX Coordinator in writing with rationale. The effect will be to reinstate the complaint.

Appeals will be confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The dismissal appeal decision maker has seven (7) business days to review and decide. Extensions can be granted at the discretion of the Title IX Coordinator and the parties will be notified. Dismissal Appeal decision makers may consult with the Title IX Coordinator on questions of procedure or rationale for clarification if needed. The Title IX Coordinator will document all such consultation.

Withdrawal or Resignation before Complaint Resolution

Should a student respondent decide not to participate in the resolution process, the process will proceed regardless of their participation. If a student respondent withdraws from the College or transfers to another CCSNH campus, the resolution process may continue or the Title IX Coordinator may exercise their discretion to dismiss the complaint. If the complaint is dismissed, the College will still provide reasonable supportive measures, as necessary. If the student attempts to return, they may not do so until the complaint is resolved and any sanctions imposed are satisfied. If the student respondent takes a leave of absence for a specified period of time, the resolution process may continue remotely.

If an employee respondent chooses not to participate in the resolution process, the process will proceed regardless of their participation. If an employee leaves their employment with unresolved allegations, the resolution process may continue or the Title IX Coordinator in consultation with the CCSNH Director of Human Resources and CCSNH Chancellor/College president may exercise their discretion to dismiss the complaint. If the employee attempted to return to CCSNH in any capacity, they may not do so until the complaint is resolved and any sanctions imposed are satisfied. At the discretion of the CCSNH Director of Human Resources and CCSNH Chancellor/College president, a note may be placed in the employees file that they resigned with pending allegations.

Resolution of Reports Without a Formal Process

Reports that fall within the scope of this policy may be resolved without a formal investigation and resolution process in one of two circumstances:

- When the parties resolve the matter through an alternative resolution mechanism or;
- When the respondent accepts responsibility for violating policy and desires to accept an assigned sanction and end the resolution process

Informal Resolution

Informal resolution is a voluntary and remedies-based resolution that does not involve taking disciplinary action against a respondent. The aim of informal resolution is not to determine whether there was intent to engage in conduct violating this policy, but rather to ensure that the alleged offending behavior ceases and that the matter is resolved promptly at an appropriate level. The College will not require the parties to engage in this type of process. It is not necessary to pursue informal resolution first in order to

then pursue a formal resolution process. Any party participating in informal resolution can stop the process at any time prior to completion and begin/resume the formal resolution process. Informal resolution is available once a formal complaint has been initiated and an NOAI has been issued.

At the Title IX Coordinators discretion, the parties may agree, as a condition of engaging in informal resolution, on what statements made or evidence shared during the informal resolution process will/will not be considered if a formal process resumes. The parties may not want discussions from informal resolution to be admissible in a later resolution process, but essential facts must and do transfer. Disclosing something in an informal setting to shield it from formal admissibility is something the Title IX Coordinator will consider & discuss with the parties to ensure an informed decision is made by the parties. Parties do not have the authority to stipulate restrictions or obligations for individuals or groups not involved in the informal resolution process. The Title IX Coordinator will determine whether additional individual or community remedies are needed to meet compliance obligations.

Informal resolution may involve but is not limited to:

- Agreement to pursue individual or community remedies;
- Targeted or broad-based educational programming or training;
- Supported direct conversation between parties or through shuttled communication and/or technology-facilitated communications; and
- Restorative practices administered by trained facilitators.

The College may facilitate an informal resolution process at any time prior to reaching a determination regarding responsibility. Prior to facilitating informal resolution, the College will provide the parties with an NOAI, the requirements of the informal resolution process including circumstances under which the College precludes the parties from resuming a formal complaint arising from the same allegations (the College generally permits parties to withdraw from the informal resolution process and begin/resume a formal investigation and resolution process at any time before the informal resolution process is complete/any informal resolution is agreed to in writing by the parties), and any consequences resulting from participating in the informal resolution process. This includes information regarding any records that will be maintained or shared by the College. The notice will also state that parties have the right to be accompanied by an advisor.

The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through informal resolution before proceeding and will not pressure the parties to participate in informal resolution. The College will not offer or facilitate informal resolution to resolve allegations for employees. Upon successful resolution of a matter through informal resolution, all parties who have participated will be provided a notice of completion of informal resolution which will state the terms of the resolution and parties agreement to those terms.

The Title IX Coordinator may look to the following factors to assess whether informal resolution is appropriate or to determine which form of informal resolution may be the most successful for the parties:

- The parties amenability to informal resolution;
- Likelihood of potential resolution taking into account any power dynamics between the parties;
- Party motivation to participate;
- Civility of the parties;

- Any violence risk assessment and/or ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is or was needed;
- Complaint complexity;
- Goals of the parties; and
- Adequate resources to invest (time, staff, etc.)

If at any point during an informal resolution process either the complainant or the respondent communicates dissatisfaction with the process and the Title IX Coordinator deems it appropriate, the Title IX Coordinator can terminate the informal resolution and begin/resume a formal investigation and resolution process. The Title IX Coordinator has the discretion to make the ultimate determination of whether informal resolution is available or whether a particular proposed solution agreement resolves a matter appropriately.

Once parties have agreed upon and signed a written informal resolution agreement, the formal resolution option is no longer available with respect to the allegations resolved in the agreement. Results of complaints resolved by informal resolution are not appealable. The Title IX Coordinator maintains records of any resolution that is reached and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (dissolution of the agreement and resumption of the formal resolution process or referral to the conduct office).

Respondent Accepts Responsibility

A respondent may, after receiving written notice of the allegations, their rights to request supportive measures, and their right to participate in a formal resolution, accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the respondent indicates intent to accept responsibility for all or part of the alleged misconduct, the formal process will be pause and the Title IX Coordinator will determine whether an informal resolution can be used to resolve the matter. If so, the matter will proceed to informal resolution and the parties will receive all notices and procedural rights outlined in the informal resolution process above.

The Title IX Coordinator will determine whether all parties and the Title IX Coordinator are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. No appeal of the finding of responsibility or sanctions will be available in such circumstances. If the parties cannot agree on all terms, the resolution process will continue/resume.

Formal Investigations

The College may consolidate formal complaints and allegations against more than one respondent, by more than one complainant against one or more respondents, or by one party against another party where the allegations of such prohibited conduct arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party", "complainant", or "respondent" include the plural as applicable.

The Title IX team includes those who serve in roles at the discretion of the Title IX Coordinator that includes facilitating intakes, advisors, informal resolution facilitators, investigators, hearing facilitators,

decision makers, appeal decision makers, and other designees in the Title IX process. These team members are trained annually and will be appointed by the Title IX Coordinator in consultation with the CCSNH Title IX Coordinator.

Notice of Allegations and Investigation: Prior to an investigation, the Title IX Coordinator will provide the parties with a detailed written NOAI. Amendments and updates may be made as more information becomes available and a new NOAI will be issued. For climate/culture investigations that do not have an identifiable respondent, the NOAI will be sent to the department/office/program head for the area/program that is being investigated. NOAI's typically include:

- A meaningful summary of all allegations
- The identity of the parties (if known)
- The precise misconduct being alleged
- Date and location of alleged incident(s) (if known)
- Specific policy/offense implicated
- A description of/link to/copy of applicable procedures
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- A statement that the College presumes the respondent not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that retaliation is prohibited
- Information about the confidentiality expectations during the process
- Information about advisors and how they may be obtained

Notification will be made in writing and delivered via the parties' college-issued email address or in person/by mail to all parties.

The College will make a good faith effort to complete investigations within 90 business days, which may be extended as necessary for appropriate cause. The timeline may also take longer for complex/larger investigations, witness availability, intervening semester breaks, law enforcement involvement, and/or other factors. The College may also undertake short delays when requested by law enforcement or due to health conditions of either party. The parties will receive regular updates, including for extensions/delays, and can request additional updates from the Title IX Coordinator at any time.

Any individual materially involved in the administration of the resolution process may neither have nor demonstrate a conflict of interest or bias for any party. A party may raise concerns of bias/conflicts of interest to the Title IX Coordinator or the CCSNH Title IX Coordinator. The resolution process involves an objective evaluation of all available relevant and not otherwise impermissible evidence. Credibility determinations may not be based solely on an individual's status or participation as a complainant, respondent, or witness.

Unless specifically provided otherwise below, the following procedures will apply generally to cases involving allegations of sex discrimination, sex-based harassment, and/or sexual misconduct:

- The Title IX Coordinator will assign or retain an investigator. A notice of investigator appointment letter will be sent to both parties. In this letter, the full name of the investigator will

be provided. Each party will have 48 hours to object to the investigator's appointment on the grounds that the investigator has a bias for or against complainants or respondents generally or a particular party or has a conflict of interest. Objections must be made in writing and sent to the Title IX Coordinator who will decide whether to appoint an alternative investigator. This process will be repeated until an investigator is selected. After this objection timeframe passes, all relevant information to the case will be transferred to the appointed investigator.

- The investigator is authorized to access relevant records, including personnel, grievance, and student records except those deemed confidential or privileged by law. The investigator is authorized to contact any and all individuals without limitation. Both parties will be provided with timely notice of any meeting related to this process that they are invited to or expected to attend. This will include written notice of the date, time, location, participants, and purpose of the meeting with sufficient time for the party to prepare to participate. Meetings will be scheduled in conjunction with the party's academic course schedule to ensure that neither party miss classes due to a meeting related to this process. Additional meeting times will be included in notifications sent by the Title IX Coordinator at least 24 hours prior to the scheduled meeting. If a party is unable to attend, they must notify the Title IX Coordinator with the reason for the conflict and offer alternative meeting times.
- The parties will be asked to identify all witnesses with whom they wish the investigator to speak with and what questions they wish the investigators to ask of other parties or witnesses. The investigator will interview those witnesses who are believed by the investigator to have first-hand knowledge of the incident or otherwise relevant information. The investigator is not otherwise required to interview any particular witnesses even if identified by one of the parties. The investigator will include in the investigative report a rationale for why they did not interview a particular witness identified by one of the parties. The investigator will provide the draft investigative report to the Title IX Coordinator for their review/feedback.
- Prior to the conclusion of the investigation, the Title IX Coordinator will provide the parties and their advisors (if so desired by parties) an electronic copy of the draft investigative report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation, including evidence the College does not intend to rely on in reaching a determination. The parties will have ten (10) business days to review and comment so that each party may meaningfully respond to the evidence. The parties may elect to waive all or part of the review period. Any responses should be submitted to the Title IX coordinator within this 10-day period. The Title IX Coordinator will make any party's response available for any other party to review.
- The investigator will consider the parties comments, if any, and incorporate relevant elements of the parties written responses into the final investigative report as deemed appropriate at the investigators discretion. This includes adding any additional relevant evidence, making necessary revisions, asking any additional questions of witnesses and/or parties, and finalizing the report.
- At the conclusion of the investigation, the investigator will send the final investigative report to the Title IX Coordinator.

- The final investigative report created by the investigator will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the investigator. The investigator will not offer recommendations regarding whether the policy was violated. At least ten (10) calendar days prior to the hearing referenced below, the College will send to each party and applicable advisors the final investigative report and exhibits in an electronic format for their review.

Recording of Interviews

The investigator may utilize audio and/or video record interviews at their discretion. No unauthorized audio or video recording of any kind is permitted during investigation meetings. All involved parties must be made aware of audio and/or video recording. Parties may review the recordings upon request. Transcripts, if used, will be included in the investigative report.

Evidentiary Considerations in the Investigation

Investigators will only consider relevant evidence, which is defined as evidence which may aid in determining whether an allegation occurred or whether the behavior constitutes a violation of policy. Investigators will not consider impermissible evidence, including:

- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior (unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged or if questions/evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent);
- Information protected under a legally recognized privilege (such as privileged communications between parties and their physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a treatment capacity or privileged communications between a party and their attorney) unless the person holding such privilege waives the privilege.

Previous disciplinary action of any kind involving the respondent may not be considered unless there is an allegation of a pattern of related misconduct. This information of pattern can also be considered when determining an appropriate sanction. Investigations and determinations can consider character evidence, if offered, but that type of evidence is unlikely to be relevant unless it is fact evidence or related to a pattern of conduct.

Formal Resolution Procedures

CCSNH utilizes one formal resolution procedure to resolve allegations that fall within the scope of this policy. For allegations that, if true, would constitute a violation of this policy the College utilizes a formal grievance process (known as a formal hearing resolution procedure) that complies with the 2024 Title IX regulations and follows the outline below of a decision maker led live hearing.

Formal Hearing Resolution Procedure

- As noted above, upon receipt of the final investigative report, the Title IX Coordinator will send both parties (In complaints involving more than one complainant and/or respondent,

the default procedure will be to hear allegations jointly. The Title IX Coordinator may permit separate hearings if there is a compelling reason to do so.) and their advisors (16 Advisors may not be called as witnesses to testify to what their advisee has told them during their role as an advisor.), if applicable (may be an attorney), the final investigative report and evidence in an electronic format for their review and written response if the parties so chose to submit one. Any written response a party wishes to provide must be submitted to the Title IX Coordinator within ten (10) days of receiving the final investigative report and evidence. The final report and party written responses, if any, will be provided to the decision maker in advance of the hearing. Deadlines for party review of information and submission of comments may be extended upon request for good cause and at the discretion of the Title IX Coordinator.

- Once the final investigative report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing and appoint a decision maker as well as a hearing facilitator. The Title IX Coordinator will select the appropriate decision-maker depending on whether the respondent is an employee or a student. Each party will have 48 hours to object to the appointment on the grounds that the decision maker and/or hearing facilitator is biased against one or both parties or has a conflict of interest. Objections must be made in writing and sent to the Title IX Coordinator who will decide whether to appoint an alternative decision maker and/or hearing facilitator. This process will be repeated until a decision maker and/or hearing facilitator is selected. After the objection timeframe passes, all relevant information to the case will be transferred to the appointed decision maker.
- The decision maker may consider arguments from the parties on evidence being relevant or impermissible in the parties written response to the final investigative report. The decision maker will rule on these arguments pre-hearing and will exchange those rulings with the parties prior to the hearing. The decision maker may consult with the Title IX Coordinator regarding questions of admissibility.
- The decision maker, after any necessary consultation with the parties/investigator/Title IX Coordinator, will provide the names of persons who will be participating in the hearing (This may include anyone authorized to provide accommodations, interpretation, and/or assistive services.), all pertinent documentary evidence, the final investigative report, and a hearing schedule/Zoom link to the parties at least seven (7) business days prior to the hearing in an email notice to all parties. Witnesses will be notified at least five (5) days before the hearing of the time they are asked to attend. Other pertinent information will be shared with the parties and witnesses in this notification. Witnesses will only be present during their portion of questioning. If the decision maker and both parties agree, they may decide that certain witnesses do not need to be present if their testimony can be adequately summarized in the final investigative report and their presence is not essential. Hearings will be scheduled into the summer as needed to avoid lengthy delays and may be scheduled over several days depending on witness schedules.
- At least two (2) days before the hearing, the parties may submit to the decision maker a written statement that identifies the facts they dispute and questions they believe the

decision maker should ask of the parties and/or witnesses so that the decision maker may question the parties about these facts during the hearing. Facts that are undisputed by all parties may be relied upon by the decision maker even if they are not directly discussed at the hearing. The decision maker is not required to ask questions they deem irrelevant and/or impermissible. The decision maker will share with all parties these submitted statements as well as reasoning for not asking irrelevant/impermissible questions. The decision maker may consult with the Title IX Coordinator on questions of admissibility regarding these determinations.

- Ordinarily, but subject to the discretion of the decision maker, hearings will open with the hearing facilitator explaining the upcoming process and schedule, followed by an opening statement from the parties (but not their advisors) if they so choose. The decision maker will then ask their questions of the parties. Witnesses will be questioned in this same format. Advisors will not be permitted to make opening/closing statements or participate actively in the hearing but may request breaks to consult with the party. If parties and/or witnesses do not appear at the hearing, the hearing may continue without the party/witness or an attempt to reschedule may be made at the discretion of the Title IX Coordinator.
- After the decision maker asks questions of each party and witness, the hearing facilitator will permit a short recess (most often in the format of a Zoom breakout room) so that the parties may discuss with their advisor if they would like the decision maker to ask any follow-up questions. The parties may waive this recess or choose not to participate if the other party does not waive this recess. Advisors will submit these electronically to the decision maker via email and the decision maker will briefly deliberate and make a relevance/impermissible determination. The Decision maker may consult with the Title IX Coordinator in making these determinations on questions of admissibility. These will be shared with the parties. The decision maker will then ask any follow-up questions they deem relevant/permissible.
- Any party or witness may choose not to offer evidence and/or answer questions at the hearing either because they do not attend or because they attend but refuse to participate in some or all of the questioning. The decision maker can only rely on whatever relevant evidence is available through the investigation and hearing in making ultimate determination of responsibility. The decision maker may not draw any inference solely from a party or witness's absence or refusal answer questions.
- At the end of the hearing, the parties (not their advisors) may consult with their advisors in a recess and make closing statements. The hearing facilitator will then close the hearing.

Introduction of New Evidence or Witnesses at the Hearing

Any witness scheduled to participate in the hearing must have been first interviewed by the investigator unless all parties and the decision maker agree to the new witness's participation in the hearing. The same holds true for any evidence that is first offered in the pre-hearing statement made to the decision maker. If both parties and the decision maker do not assent to the admission of a new witness or newly

offered evidence at the hearing, the decision maker has the discretion to delay the hearing to allow parties to review the new evidence or instruct that the investigation be re-opened to include that evidence if deemed relevant and permissible.

Recorded Hearings

All hearings conducted by the Title IX office will be virtual to accommodate the many different schedules and locations of participants and will be recorded for the purpose of review in the event of an appeal. The decision maker and the parties must be able to simultaneously see and hear a party/witness while they are speaking. The parties may not record the proceedings and no other unauthorized recordings are permitted. The decision maker, parties, advisors, hearing facilitator and other administrators will be permitted upon request to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission from the Title IX Coordinator.

Notice of Outcome

- After the hearing, the decision maker will determine whether the respondent is responsible or not responsible for policy violations in question with the preponderance of evidence standard (whether the evidence considered establishes that it is “more likely than not” that the policy was violated). In cases where there is more than one respondent, a separate notice of outcome will be written for each respondent.
- Within ten (10) business days after the conclusion of the hearing, the decision maker will prepare and deliver to the Title IX Coordinator a written notice of outcome regarding whether the respondent is or is not responsible for the policy violations in question. The notice of outcome will include:
 - Identification of the sections of the Colleges policy alleged to have been violated;
 - A description & dates of the procedural steps taken from the receipt of the complaints through the determination;
 - Specified findings for each alleged policy violation;
 - A detailed rationale for the findings of each allegations including determination regarding responsibility;
 - All applicable sanctions;
 - Identification of the College’s procedures and permissible bases for the parties to appeal (as outlined below). The determination regarding responsibility becomes final if an appeal is filed on the date the College provides the parties with the written determination of an appeal. If an appeal is not filed, the determination regarding responsibility becomes final on the date on which the appeal would no longer be considered timely; and
 - The determination will notify parties whether remedies designed to restore or preserve equal access to the College’s education program or activity will be provided to the complainant but will not provide details about such remedies.
- In cases where the decision maker determines the respondent is responsible for a policy violation, the Title IX Coordinator will share the decision maker’s determination and sanction assignments with the appropriate personnel who will implement sanctions. For employee

respondents, the College President and/or CCSNH Chancellor in consultation with the CCSNH Director of Human Resources will assign sanctions. Student respondent sanctions may require student conduct, registrar's office, and other appropriate offices to be notified in order to carry out assigned sanctions.

- The Title IX Coordinator will share the notice of outcome with the parties simultaneously via email, mail, or in person.

The time periods prescribed in this procedure for actions by the Title IX Coordinator or investigator are intended not as rigid rules, but rather as guidelines to which all are expected to adhere in good faith to the extent practicable. The Title IX Coordinator may exercise reasonable discretion to extend deadlines when they consider necessary or appropriate and will provide notice to the parties if that occurs. Parties may request investigative updates at any time throughout the process.

Appeal Process

Appeals must be submitted in writing to the Title IX Coordinator within five (5) business days of receipt of the notice of outcome. An appeal will not be considered if submitted after the allotted five days have elapsed. The other party will be notified of the appeal and the grounds the appeal was filed under. Any sanctions imposed in the notice of outcome are paused during the appeal process. The appeals decision maker may consult with individuals as deemed necessary to reach their decision. They will communicate their decision to the parties in writing within five (5) days of the date of the appeal with a copy to the Title IX Coordinator. Appeals are limited to the following grounds:

- A procedural irregularity that would change the outcome.
- New evidence that would change the outcome and that was not reasonably available at the time of determination.
- A Title IX team member of the resolution process had a conflict of interest or bias that would change the outcome.
- The sanctions are not appropriate for the level of the policy violation and/or cumulative disciplinary record.

Appeal Procedure

Any party may appeal a determination regarding responsibility under the grounds set forth in this policy. Supportive measures may be continued or reinstated by the Title IX Coordinator during the appeals process. If no appeal is filed or an appeal is not timely, the original finding will stand effective on the date the appeal period ends. The appeal procedures are implemented equally for all parties.

- Upon delivery of the notice of outcome, both parties may submit an appeal to the Title IX Coordinator within five (5) business days. An appeal must articulate the specific grounds for the appeal and provide a statement and/or evidence.
- The Title IX Coordinator will appoint an appeal decision maker to determine if the request meets the grounds for an appeal. This will be an independent person from the previous process including from any dismissal appeal that may have been heard earlier in the process. The parties will have 24 hours to object to the appointment of the appeal decision maker, in writing, on the basis of perceived bias or conflict of interest. The Title IX Coordinator has the sole authority to

determine whether to replace an appeals decision maker and that decision is final.

- If the request does not meet the grounds for appeal, the request will be denied and the appeal decision maker will notify the parties, their advisors, and the Title IX Coordinator in writing of the denial and rationale.
- If the request does meet the grounds for appeal, the appeal decision maker will notify the parties, their advisors, and the Title IX Coordinator in writing as well as investigators/original decision maker when appropriate.
- If both parties submit appeals (cross-appeals or counter appeals), the same appeal decision maker will decide both appeals individually but at the same time. The same appeal decision maker will decide any appeals arising from the same facts and circumstances.
- Following this notification, the non-appealing party has five (5) business days to submit a written response to the appeal which will be provided to the appealing party.
 - No party may submit any new requests for appeal after this time period.
- An appeal is typically confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The appeal decision maker will defer to the original findings and determination, remanding only when there is clear reason to do so or modifying the outcome/sanctions only when there is a compelling justification to do so. An appeal is not an opportunity for the appeal decision maker to substitute judgement because they disagree with the original decision maker. The appeal decision maker may consult with the Title IX Coordinator on questions of procedure, rationale, or additional clarification.
- The appeal decision maker may take one of three possible actions on appeal:
 - Dismiss the appeal for failure to meet the grounds of appeal, therefore upholding the initial outcome and sanctions (if applicable).
 - Remand to the investigator or decision maker with specific instructions on the remanded issue(s).
 - In rare circumstances where an error cannot be cured by the original investigator, decision maker, and/or Title IX Coordinator (in cases of bias), the appeal decision maker may order a new investigation and/or determination with new members serving in the affected roles.
 - Modify the outcome and/or sanction with a rationale supporting the modification.
- Within five (5) business days of the date of appeal, a notice of appeal outcome will be sent to all parties, their advisor, and the Title IX Coordinator simultaneously via email or mail which includes the decision on each ground cited and rationale for each decision. The notice of appeal outcome will provide specific instructions for remand or reconsideration, any sanctions, and the rationale supporting the essential findings.
- The appeal decision maker's decision is final and there are no further appeal options (except in the case of a new determination or new sanction, which can be appealed one final time).

- If a sanction is imposed, the Title IX Coordinator will coordinate the implementation of the sanction. They will also coordinate and implement remedies owed to the complainant and implement any other long-term supportive measures, as necessary.

Sanctions

If it is determined that this policy has been violated, sanctions will be reasonably calculated to attempt to prevent reoccurrence and promote/restore the complainant's equal access to the College's education programs and activities. Factors taken into consideration include prior violations of College policy and sanctions, impact on parties, and the circumstances/nature/severity of the violation. Violations of this policy sanctions range from reprimand to expulsion/termination.

Sanctions against employee respondents, who are found to have committed the alleged conduct and thereby violated this policy, will be based on the circumstances and seriousness of the offense, and decided by the College President and/or CCSNH Chancellor. Sanctions against CCSNH faculty and staff will be handled in accordance with employment policies or collective bargaining agreements governing discipline and dismissal. Sanctions may include, but are not limited to, mandated training, position reassignment, imposed workplace conditions, written warning, disciplinary suspension without pay, demotion, or dismissal.

Sanctions may include but are not limited to:

- Change of job or class assignment (removing a person from being in a position to retaliate or further affect the complainant);
- Writing a letter of apology to the complainant;
- Mandatory attendance at an appropriate educational class, program, or training;
- Written reprimand or other form of disciplinary documentation;
- Relevant community service;
- Prohibiting a student from holding an officer position or participating in student activities (including sports for a specified time period);
- Restriction from other relevant activities or locations, such as a gym or recreational space;
- Transferring a student to different housing or banning them from College housing facilities (if applicable);
- Student group or organization warnings, loss of privileges, probation, suspension, or termination;
- Disciplinary probation, which would provide for more severe disciplinary sanctions in the event the student is found in violation of any other institutional policy for a specified period of time;
- Suspension, typically not to exceed two (2) years, from CCSNH colleges;
- Termination or dismissal from CCSNH colleges.

In addition to the above listed potential sanctions, a respondent or any other party may at any time be referred to another College disciplinary process due to relevant information obtained from the complaint resolution process. Non-disciplinary measures as deemed appropriate in the discretion of the College (including but not limited to no contact orders or housing relocation) may be implemented even in cases where a policy violation was not found.

Sanctions will be implemented as soon as possible once a determination is final, either upon outcome of an appeal or the expiration of the window to appeal. Failure to abide by sanctions/actions imposed by the date specified, whether by refusal, neglect, or for any other reason may result in additional sanctions/actions including suspension, expulsion, or termination.

Remedies

Following the conclusion of the resolution process and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or campus community that are intended to stop harassment, discrimination, and/or retaliation, remedy the effects, prevent reoccurrence, and promote or restore the complainant's equal access to College programs and activities. These remedies/actions may include but are not limited to:

- Referral to counseling and health services
- Referral to the employee assistance program
- Education to the individual and/or community
- Permanent alteration of housing assignments (if applicable)
- Alteration of work arrangements for employees
- Provision of campus safety escorts
- Policy modification and/or training
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, retroactive withdrawals, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the parties even if no policy violation is found. When no policy violation is found, the Title IX Coordinator will address any remedies owed by the College to the respondent to ensure no effective denial of educational access. The College will maintain the privacy of any long-term remedies/actions/measures provided privacy does not impair the College's ability to provide these services.

PREGNANCY, RELATED CONDITIONS, AND PARENTING INDIVIDUALS

CCSNH does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by the Title IX of Education Amendments of 1972. The College prohibits members of the College community from adopting or implementing any policy, practice, or procedure which treats individuals differently on the basis of current, potential, or past pregnancy, related conditions, or parental status. This policy applies to all pregnant persons, regardless of gender identity or expression.

Relevant Definitions

- **Familial Status** is the configuration of one's family or one's role in a family.
- **Parental Status** is the status of a person who, with respect to another person who is under the age of 18 (or a person who is 18 or older but is incapable of self-care because of mental or

physical disability.), is a biological, adoptive, foster, stepparent, legal custodian or guardian, in loco parentis with respect to such person, or actively seeking legal custody, guardianship, visitation, or adoption of such a person.

- **Pregnancy and Related Conditions** are the full spectrum of processes and events connected to pregnancy, including pregnancy, childbirth, termination of pregnancy (The Department of education interprets 'termination of pregnancy' to include miscarriage, stillbirth, or abortion. 89 F.R. 33474 April 29th, 2024, codified at 34 C.F.R. 106), lactation, related medical conditions, and recovery therefrom.
- **Reasonable Modifications** are individualized modifications to the policies, practices, or procedures that do not fundamentally alter the College education program or activity.

Information Sharing Requirements

Any College employee who becomes aware of a student's pregnancy or related condition is required to provide the student with the Title IX Coordinators contact information and communicate that the Title IX Coordinator can help take specific actions to prevent discrimination and ensure equal access to the College's education program and activity. If the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the Title IX Coordinator's contact information to the student.

Upon notification of a student's pregnancy or relate condition, the Title IX Coordinator will contact the student and inform them of the College's obligations to:

- Prohibit sex discrimination;
- Provide reasonable accommodations;
- Allow access, on a voluntary basis, to any separate or comparable portion of the institutions education program or activity;
- Allow a voluntary leave of absence;
- Ensure lactation space availability;
- Maintain a resolution process for alleged discrimination;
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purpose.

The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation.

Reasonable Modifications for Students

Students who are pregnant or are experiencing related conditions are entitled to reasonable modifications to prevent sex discrimination and ensure equal access to the College's education program and activity. Any student seeking reasonable modifications must contact the Title IX Coordinator to discuss appropriate and available reasonable modifications based on their individual needs. Students are encouraged to request these as promptly as possible, though retroactive modifications may be available in some circumstances. Reasonable modifications are voluntary and a student can accept or decline the offer. These may include (and may not be appropriate in all contexts):

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online education
- Changes in class schedules
- Time extensions for coursework and rescheduling of tests
 - Allowing a student to sit or stand and carry/keep water nearby
 - Changes in physical space or supplies (such as a larger desk)
 - Elevator access if applicable
 - A larger uniform or other required clothing/equipment
 - Other changes as determined by the Title IX Coordinator

In situations such as clinical rotations, performances, labs, and group work, the College will work with the student to devise an alternative path to completion if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. Students are encouraged to work with their faculty members and the College Accessibility Coordinator to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize academic impact, and get back on track as efficiently as possible. The Title IX Coordinator will assist with plan development/implementation as needed.

Supportive documentation for reasonable modifications will only be required when it is necessary and reasonable under the circumstances to determine which reasonable modifications to offer to ensure equal access. Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the reasonable modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the ADA or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like other students with a temporary disability. The Title IX Coordinator will consult with the College ADA Coordinator to ensure the student receives reasonable accommodations for their disability as required by law.

Certification to Participate

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physical able to participate in the program or activity unless:

- The certified level of physical ability or health is necessary for participation;
- The institutions requires such certification of all students participating; and
- The information obtained is not used as a basis for pregnancy-related discrimination.

Lactation Space Access

The College provides students and employees with access to lactation spaces that are functional,

appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of other. Lactation space is located in the following location: Sweeney Room 121.

Leave of Absence

Students

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity. In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least thirty (30) days prior to the initiation of the leave or as soon as practical. The Title IX Coordinator will work with the Registrar and any other necessary employees to ensure the student fills out the correct paperwork. Students may register as "on leave/inactive" to continue their eligibility for certain benefits (including health insurance or residing in College housing if applicable and subject to the payment of applicable fees).

To the extent possible, the College will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they left. Continuation of the students' scholarships, fellowships, or similar College-sponsored funding during their leave term will depend on registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility by exercising their rights under this policy. When requested, the College will provide any necessary documentation for financial aid agencies and external scholarship providers.

Employees

Employees should work with Human Resources to determine their eligibility for leave. If an employee, including a student-employee, is not eligible for leave because they do not have enough leave time available or have not been employed long enough to qualify for leave, they are eligible to qualify for pregnancy or related conditions leave under Title IX without pay for a reasonable period of time. Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without negative effect on employment privilege or right.

Student Parents

Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of a child or placement of a foster child may request an academic modification period from the Title IX Coordinator during the first six months from the time the child entered the home. Extensions may be granted when additional time is required by medical necessity or extraordinary responsibility. During this academic modification period, the students' academic requirements will be adjusted/postponed as appropriate in collaboration with the appropriate staff, the students' academic advisor, and appropriate academic departments.

The student is encouraged to work with their advisors and faculty members directly to reschedule course assignments, lab hours exams, or other requirements as appropriate once authorization is received from the Title IX Coordinator. If the student is unable to work with these staff to obtain the appropriate modifications, the student should alert the Title IX Coordinator as soon as possible, and they will help facilitate.

In timed degree, certification, or credentialing programs, students seeking modifications upon birth or placement of their child will be allowed an extension of up to 12 months to prepare for and take preliminary and qualifying examinations and an extension of up to 12 months toward normative time to degree while in candidacy to the extent those deadlines are controlled by the College. Longer extensions may be granted in extenuating circumstances. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence. While receiving academic modifications, students will remain registered and retain benefits accordingly.

Housing

A pregnant student's housing status will not be altered based on pregnancy status unless requested by the student. Parenting students' access to housing is governed by other applicable policy.

Policy Dissemination and Training

A copy of this policy will be made available to faculty and employees in annually required training and posted on the College's website. The College will alert all new students about this policy in new student training. The Title IX office will make educational materials available to all members of the College community to promote compliance with this policy and familiarity with its procedures.

EDUCATION, COMMUNICATION, AND TRAINING

All students and employees within our campus community deserve to feel safe and supported. CCSNH works year-round to provide education, tools, resources to recognize concerning or harmful behavior, strategies for intervening, and to help others get the support they need. As part of these efforts, CCSNH provides primary prevention and awareness campaigns for all incoming students and new employees as well as ongoing prevention and awareness campaigns for all students and employees in compliance with the 2024 Title IX regulations, VAWA, and NH RSA 188:H. These programs are comprehensive, intentional, and integrated initiatives, strategies, and campaigns intended to combat relevant Title IX issues. CCSNH considers each individual campus unique and designs its programs to fit each community to ensure they are culturally relevant, inclusive of diverse communities/identities, sustainable, responsive, and informed by research.

CCSNH also considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal level so that we can address actual issues that may influence how/if violence is occurring within our own community and how these programs can meet our collective need. All these programs will reinforce that dating violence, domestic violence, sexual assault, stalking, and sexual misconduct are unacceptable and prohibited within our campus communities.

Primary Prevention and Awareness

Primary Prevention programs are those that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships/sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy/safe directions. Awareness programs are programs that are community-wide or audience specific that increase knowledge and share information/resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention

Bystander intervention involves safe and positive options that might be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence sexual assault, or stalking. This can include:

- Recognizing situations or potential harm;
- Understanding institutional structures and cultural conditions that facilitate violence;
- Overcoming barriers to intervening;
- Identifying safe and effective intervention options; and
- Taking action to intervene.

Safety is your top priority when intervening. Before jumping into a potentially dangerous situation, be smart and think about your own safety. Ask how can I keep myself safe? What are all options available? Who else might be able to assist me? Aside from safety in numbers, you may have more influence on the situation when you work together with someone else or even several people. Remember the 3“D”'s of bystander intervention:

- **DIRECT:** Directly confront the inappropriate behavior Point out threatening or inappropriate behavior in a safe, respectful manner.
- **DISTRACT:** Draw away or divert attention Make up an excuse to help a friend get away from someone who might pose danger (Let’s go dance! Can you come to the bathroom with me?).
- **DELEGATE:** Reach out to someone else for help, like public safety or the police. Alert a bartender or party host that someone has had too much to drink

Risk Reduction

Risk reduction refers to tools/strategies/behaviors/options that decrease perpetration, bystander inaction, and promote victim empowerment. This definition includes giving bystanders tools to overcome barriers that might lead them not to intervene, so all tips provided above can generally be used for risk reduction as well. It is up to the CCSNH community to look out for one another and create the safe environment that our students and employees deserve.

Below are some suggestions that can help individuals reduce their risk of being victimized and reduce the risk of being accused of sexual misconduct. CCSNH does not condone victim-blaming and acknowledges that only those who commit violence are responsible for their actions.

Reducing the Risk of Victimization

- Make any limits/boundaries you have known to your partner as early as possible.
- Clearly and firmly articulate consent or lack of consent.
- Remove yourself, if possible, from an aggressor's physical presence.
- Reach out for help, either from a person who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
- Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability for sexual victimization.
- Look out for friends and ask them to look out for you. Respect them and ask them to respect you but be willing to challenge each other about high risk choices.

Reducing the Risk of Being Accused of Sexual Misconduct

- Show your potential partner respect if you are in the position of initiating sexual behavior.
- If a potential partner says "no", accept it and don't push. Do not proceed without clear permission.
- Clearly communicate your intentions to your potential sexual partner and give them a chance to share their intentions/boundaries with you.
- Respect personal boundaries. If you are unsure what is OK in any interaction, ask.
- Avoid ambiguity. Don't make assumptions about consent, whether someone is attracted to you, how far you can go with someone, or if the individual is physically/mentally able to consent. If you have questions or are unclear, you don't have consent.
- Don't take advantage of the fact that someone may be under the influence of alcohol or drugs, even if the person chose to become that way. Other's loss of control does not put you in control.
- Be on the lookout for mixed messages. That will be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen.
- Respect timelines for sexual behaviors with which others are comfortable and understand they are entitled to change their minds at any time.
- Recognize that even if you don't think you are intimidating, our potential partner may be intimidated by or fearful of you because of sex, size, social capital, or position of power/authority.
- Don't assume that someone's silence or passivity is an indication of consent. Pay attention to verbal and non-verbal signals to avoid misreading intentions.
- Understand that consent to one type of sexual behavior does not automatically grant consent to other types of sexual behavior. If you are unsure, stop and ask.
- Understand that exerting power and control over another through sex is unacceptable conduct.

Programs Offered

Below is information for NHTI program offerings. For more information or to request a program/training, contact the Title IX Coordinator at:

Ann-Marie Hartshorn, NHTI Title IX Coordinator
 26 College Drive
 Concord NH, 03303
 Ph: 603-230-3595
 Email: AHartshorn@ccsnh.edu

- Title IX New Student Training – Mandatory training completed online or in person at the start of every academic year that reviews College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction.
- Title IX Employee Training – Mandatory training completed online or in person at the start of every academic year that reviews mandatory reporter expectations, how to take/submit reports to the Title IX office, College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction.
 - Also completed for all new employees upon hire
- USafeUS App – A free and confidential 24/7 online safety and prevention tool in response to Title IX related offenses that includes fake text/call features, GPS tool alerts with friends, drink recipes to alert bartenders for help, contact information for campus reporting and local resources, College policy overview, and nationally available resources.
 - Download the app in the App store or Google Play & select your College campus
- Title IX Refresher – Training offered upon request that can be done for campus clubs, student groups, classes, employees, etc. Material can be tailored to individual needs and can generally include College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction.
- Stalking Awareness Training – Training offered upon request that focuses on the Title IX offense of stalking, general awareness, case discussion online safety measures, safety planning, bystander awareness/intervention, and reporting options.

In addition to the above programming/training that is offered every year, the College also hosts local domestic and sexual violence agencies on campus to engage in a variety of prevention and awareness programming each academic year. These change year to year to best address the needs of the community.

Title IX Team Training

All members of the Title IX team will receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX, and annually thereafter. Materials will not rely on sex stereotypes. Training topics include, but are not limited to:

- The role of the Title IX Coordinator scope of the policy;
- The Resolution Process and how to conduct a sex discrimination resolution process consistently, including issues of disparate treatment, disparate impact, sex-based harassment, quid pro quo, hostile environment harassment, and retaliation;
- How to conduct/coordinate investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability;

- Implicit bias, confirmation bias, and treating parties equitably;
- Reporting, confidentiality, and privacy requirements;
- Applicable laws, regulations, and federal regulatory guidance;
- How to implement appropriate and situation-specific remedies;
- How to investigate/coordinate investigations in a thorough, reliable, timely, and impartial manner;
- Trauma-informed practices pertaining to investigations and resolution processes;
- How to uphold fairness, equity, and due process as well as how to weigh evidence;
- How to conduct questioning, assess credibility, and use impartiality and objectivity;
- How to render findings and generate clear, concise, evidence-based rationales;
- The definitions of all prohibited conduct;
- How to conduct a grievance process, including administrative resolutions, hearings, appeals, and Informal Resolution Processes;
- How to serve impartially by avoiding prejudice of the facts at issue, conflicts of interest, and bias against respondents and/or for complainants;
- Technology to be used at a live hearing
- The meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the Title IX Regulations;
- Issues of relevance and creating/coordinating an investigation report that fairly summarizes relevant and not impermissible evidence;
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations;
- Recordkeeping, Clery Act/VAWA requirements applicable to Title IX, and obligations under Title IX;
- Training for informal resolution facilitators on the rules and practices associated with the Informal Resolution process;
- Supportive Measures and reasonable modifications and specific actions to prevent discrimination and ensure equal access for pregnancy or related conditions;
- How to apply definitions with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with Policy; and
- Any other training deemed necessary to comply with Title IX.

QUESTIONS, NOTICE, AND SUPERSEDING OF PRIOR POLICIES

This policy is effective August 1st, 2024. Complaints or notices of alleged policy violations, inquiries, or concerns regarding this policy and procedure may be made to the Title IX Coordinator. This policy is subject to change to comply with changes in relevant laws or College operating procedures. If government laws, regulations, or court decisions change in ways that impact this document, this document will be construed to comply with the most recent government regulations or holdings. This policy supersedes all previous College policies and procedures that covered some or all of the areas addressed in this policy.

Sexual Assault Victims and Trauma

Sexual assault victims experience profound emotional trauma. Although victims react in different ways, common responses include feelings of shock and disbelief; intense fears about personal safety; preoccupation with recurrent intrusive thoughts about the assault; sleep disturbances; anxiety and impaired concentration; mood swings; depression; and feelings of anger, shame and self-blame. These reactions are called “post-traumatic stress disorder” or “rape trauma syndrome”.

Victims of acquaintance rape often experience intense feelings of shame and self-blame. Many also feel betrayed because they have been violated by someone they may have initially trusted. Some victims lose confidence in their own judgment and find it hard to learn to trust again.

The most prevalent form of Sexual Assault/Rape on college campuses is acquaintance rape. The acquaintance may be a date or an intimate partner of the victim, or someone the victim knows only casually from his/her residence hall, a class, or through mutual friends.

Regardless of the relationship between them, if one person engages in any type of sexual contact or behavior where consent is not obtained from the other person it is defined as a sexual assault. This includes but is not limited to lack of consent obtained through force, coercion, physical or mental incapacitation and/or by age. The same criminal laws and penalties apply in cases of rape regardless if the perpetrator is known to the victim or not.

Employee Guidance when Receiving a Report

Employees who come in contact with an individual that states they are a victim of sexual misconduct/harassment, should take the following steps:

Provide support for the victim. The guidelines that follow are for providing emotional support to a rape/sexual assault victim;

- Bring victim to a safe location.
- Advise victim you are required to report to the NHTI Title IX Coordinator what they tell them.
- Support and listen carefully to the victim.
- Realize that the wide variety of behaviors displayed is not necessarily indicative of how the victim is dealing with the assault.
- Avoid making decisions and doing “for” them.
- Do not “victim blame” or place blame for the assault.
- Avoid pressuring the student into pursuing any of the options presented to them.
- Offer to assist them in gaining access to the resources they need.

Provide information and guidance to the victim. The collection of evidence does not obligate the victim to prosecute. If the student wishes to leave open the opportunity to prosecute, follow the procedures below:

- Notify the Title IX Coordinator by contacting via email at ahartshorn@ccsnh.edu
- or phone at 603-230-3595 during normal business hours.
- Call Campus Safety, (603) 224-3287, who will contact the appropriate agencies as requested and document the incident. Campus Safety will also provide the victim with a VAWA/Sexual Assault/Sexual Violence Victim Informational letter outlining their rights throughout the process.

- Advise victim and at their request call the Crisis Center of Central New Hampshire through the Confidential Crisis Line at 1-866-841-6229.
- Advise individual if a victim of Sexual Assault (if just occurred) not wash, douche, change or wash clothes. Anything handled by the attacker should not be touched to preserve evidence.
- Advise the individual does not delete any voicemail, electronic or other social media communications which may be preserved as evidence.
- Advise victim of NHTI Counseling resources at (603) 230-4043 to advise them of the situation, recommend victim follow up with counseling and they can also provide other resources.
- Recommend that the victim they should have at a minimum medical exam for treatment and/or collection of physical evidence (if the sexual assault recently occurred). Seeking medical attention after a sexual assault does not obligate a victim to report the crime, however prompt treatment can aid in prevention of Sexually Transmitted Infections and prevention, etc. Sexual Assault exams can be done on an anonymous basis. However, if the victim is under age 18, the assault will be reported to the police.

The Title IX Coordinator, or the Campus Safety Department must be notified of all cases of rape or sexual assault, whether the individual wishes to press charges or not.

Guidance for Sexual Assault, Dating, Domestic Violence, and/or Stalking Victims

Sexual assault, domestic violence, dating violence, and stalking are a violation of law and the NHTI Student Code of Conduct, and are prohibited at NHTI. Students who learn of an incident involving a member of the NHTI community are encouraged to report all cases of sexual assault, domestic violence, dating violence and stalking to the following:

At any time 24 hours a day/ 7 days a week for immediate response:

Reporting Information

Title IX reports can be sent to the following:

To the Title IX Coordinator at:

Ann-Marie Hartshorn, NHTI Title IX Coordinator
 26 College Drive
 Concord NH, 03303
 Ph: 603-230-3595
 Email: AHartshorn@ccsnh.edu
NHTItitleix@ccsnh.edu

To NHTI Campus Safety at:

NHTIcampussafety@ccsnh.edu
 603-230-4042 (Daytime)
 603-224-3287 (Nights/weekends/emergencies)

The following suggestions are steps you may wish to take if you are the victim Sexual Assault, Dating/Domestic Violence or Stalking:

- Go to a safe place.
- Seek out support
- Anyone who is a victim of sexual assault or dating, domestic violence or stalking should report the incident to one of the following individuals:

| | |
|-----------------------------|---------------------|
| Campus Safety | (603) 224-3287 |
| Director of Health Services | (603) 230-4043 |
| Director of Counseling | (603) 230-4043 |
| Resident Director | |
| • Langley Hall | (603) 271-6484x4378 |
| • South Hall | (603) 271-6484x4382 |

Contact **Confidential** support resources:

Crisis Center of Central NH through the Confidential Crisis Line, 1-866-841-6229.

- Call 911. Once a victim reports the crime, police will begin an investigation.
- Seek medical attention immediately. Emergency Departments throughout NH can examine and treat any injuries you may have received. Emergency rooms can also prescribe emergency antibiotics to prevent the spread of some STIs as well as emergency contraceptives to prevent unwanted pregnancy; the effectiveness of some of the treatments/antibiotics diminish within 24-72 hours of assault.
- Complete a Sexual Assault Forensic Examination Kit. This kit, provided by the NH Attorney General's Office free of charge to the victim, collects evidence that could be helpful if you decide to report the assault to the police. Kits can be completed in any NH Emergency Department even if the victim chooses not to proceed legally. If you are thinking about completing a kit, please note the following:

Most NH hospitals employ specially trained Sexual Assault Nurse Examiners (SANE). Some SANEs need to be called in to the hospital, so it may be helpful for victims (or advocates) to call ahead to notify the hospital that a victim will be arriving.

Evidence diminishes over time. Time, washing, changing one's clothes or "cleaning up" after the assault will all increase the likelihood that valuable evidence will be destroyed. However, anyone reporting a sexual assault to emergency department personnel should be offered the option of completing a Sexual Assault exam up to five (5) days after the assault. It's important to bring a complete change of clothing if at all possible. Clothing worn at the time of the assault may contain evidence and will, in all likelihood, be taken as part of the Sexual Assault Evidence Kit. If you have changed out of the clothing that was worn during the sexual assault, place the clothing in a paper bag and bring to hospital with you.

Victims may choose to complete the Sexual Assault Evidence Kit anonymously. The kit will be referenced with an identification number and stored by the State for 60 days. At any time during this period, the victim can report the crime and the kit will be brought forward to the NH Crime Lab for analysis.

N.H. hospitals are required to immediately call an advocate from the local crisis center whenever someone seeks services for sexual assault. It is your choice whether or not to speak with she/he at that time.

Receive testing for date rape drugs. If you believe that you may have been drugged as part of the assault, you can ask emergency department staff to test for the presence of drugs in your system. Because date rape drugs decompose quickly within your system, blood tests must be done within 48 hours of ingesting the substance. A urine test may contain evidence up to 72 hours after ingestion; Results of these tests will not be made available to a victim unless a police report is filed. Receive follow-up testing and care for pregnancy and/or STI's.

Off-Campus Resources

- Rape and Incest National Network (RAINN) Website: www.rainn.org
- The Joyful Heart Foundation Website: www.joyfulheartfoundation.org
- No More Website: www.nomore.org
- It Happened to Alexa Website: www.ithappenedtoalexa.org
- Peace over Violence Website: www.peaceoverviolence.org
- Military Rape Crisis Center Website: www.stopmilitaryrape.org
- Love is Respect Website: www.loveisrespect.org
- National Network to End Domestic Violence Website: www.nnedv.org
- National Center on Domestic and Sexual Violence Website: www.ncdsv.org
- The Battered Women's Justice Project Website: www.bwjp.org
- National Online Resource Center on Violence Against Women (VAWNet) Website: vawnet.org
- National Resource Center for Young Adult/Teen Dating Violence Awareness Month Website: nrcdv.org/dvam/tdvam
- Break the Cycle Website: www.breakthecycle.org
- The National Sexual Violence Resource Center Website: www.nsvrc.org
- National Violence against Women Prevention Research Center Website: <https://mainweb-v.musc.edu/vawprevention>
- Concord Hospital Emergency Department
- New Hampshire State Police

Campus-Focused

- Students Active for Ending Rape (SAFER) Website: www.safercampus.org
- Clery Center for Security on Campus, Inc. Website: www.clerycenter.org
- Campus Outreach Services Website: campusoutreachservices.com

Male-Focused

- Male Survivor Website: www.malesurvivor.org
- The White Ribbon Campaign Website: www.whiteribbon.ca
- Men Can Stop Rape Website: www.mencanstoprape.org
- Men Stopping Violence Website: menstoppingviolence.org

- 1in6 Website: 1in6.org

LGBTQA-Focused

- The GLBT National Help Center Website: www.glbthotline.org
- The Network/ La Red (English and Spanish)
Website: www.tnlr.org
Hotline: 1(800) 832-1901
- Forge Website: www.forge-forward.org/

Confidential Resources

- New Hampshire Coalition Against Domestic and Sexual Violence: www.nhcadsv.org
 - 24 hour Domestic Violence Hotline: 1-866-644-3574
 - 24 hour Sexual Assault Hotline: 1-800-277-5570
- The Crisis Center of Central New Hampshire Website: cccnh.org
 - 24 hour Crisis Line: 1-866-841-6229

On-Campus Resources

Support Services:

- NHTI CARE Team

Reporting Resources:

Report an incident to Campus Safety at [Report an Incident - NHTI](#)

Offices and Departments to report to:

- NHTI Title IX Coordinator
- NHTI Campus Safety Department
- NHTI Residence Life Office
- Office of Cross-Cultural Education & English for Speakers of Other Languages (ESOL)
- NHTI Veterans Certifying Official/Club Advisor
- All NHTI Club Advisors

Alcohol and Illegal Drugs

Enforcement of Alcohol and Drug Laws

NHTI-Concord's Community College is committed through both CCSNH and NHTI policy and when warranted the involvement of law enforcement authorities in the enforcement of all state alcohol related laws. This includes, but is not limited to, the illegal manufacture, sales, distribution, facilitation of "alcohol house parties" with minors present, providing alcohol to person under twenty-one and the possession (both physical and internal) of alcohol by persons under twenty-one.

NHTI-Concord's Community College is committed through both CCSNH and NHTI policy and when warranted the involvement of law enforcement authorities in the enforcement of all federal and state drug related laws. This includes, but is not limited to, the illegal manufacture, sale, distribution, use of both illegal drugs, misuse of legally prescribed drugs and legal instruments determined to be used as drug paraphernalia, misuse of other substances, including over the counter medications and/or household chemicals for intoxicating effect.

NHTI Alcohol and Other Drug Policy

NHTI-Concord's Community College is committed to maintaining an environment of teaching and learning that is free of illicit drugs and alcohol. For many years, the College has had in place a policy to assist those with substance abuse, and a list of agencies available to support faculty, staff, and students is provided in various NHTI publications. The Drug-Free Schools and Communities Act Amendments of 1989 require that NHTI-Concord's Community College, as a recipient of federal funds, including federally provided student financial aid, notify its students and employees annually that the unlawful possession, use, or distribution of illicit drugs and alcohol on College property is prohibited.

This policy is intended to provide the NHTI community with information about alcohol and other drugs, and is distributed as part of the college's compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (PL101226) and the Drug-Free Workplace Act of 1988.

1. All NHTI students and guests are expected to comply with all NHTI policies including the NHTI Alcohol and Other Drug Policy.
2. This policy applies to all NHTI sponsored events (social, cultural, athletic, and academic, etc.), whether on or off campus, including overnight trips.
3. The following policy pertains to alcohol consumption at NHTI.
 - Alcoholic beverages may be consumed by students of legal drinking age who are (a) living in the residence halls, (b) at off-campus NHTI sponsored events or activities, or (c) at on-campus events or activities as designated by Presidential waiver.
 - For health, sanitation, and security reasons, residence hall students of legal drinking age can only consume beer and wine in their assigned residence hall room with the door closed.
 - A. The following behaviors pertaining to alcohol consumption are prohibited at NHTI:
 - Purchasing, possessing, consuming, transporting, or being under the influence of alcoholic beverages under 21 years of age.
 - Serving, distributing, furnishing or otherwise providing alcohol to individuals under 21 years of age.

- Possessing, consuming or manufacturing alcoholic beverages in areas on campus other than where expressly permitted by College policy, including in the room of an underage student, in the public or similar common areas of residence halls and other college buildings, outdoors on campus, etc. Residence hall students of legal drinking age can only consume beer and wine in their assigned residence hall room with the door closed.
 - Any level of intoxication that represents a danger to personal health or safety.
 - Possession of excessive amounts of alcohol. "Excessive" is defined as amounts more than 72 ounces of beer or wine per resident of the room that is of legal drinking age. Hard liquor is not permitted.
 - Serving or consuming alcohol from common-source containers (e.g. kegs, barrels, pails, punch bowls, etc.), except when expressly authorized by the College.
 - Hosting, facilitating or otherwise participating in drinking games.
 - Using devices or engaging in physical activities/actions designed for the rapid consumption of alcohol (e.g. funnels, beer bongs, etc.).
 - Improper disposal of alcohol containers.
 - Displaying full or empty alcohol containers in Residence Hall room.
- B. Students who know or should know that they are in the presence of an alcohol or other drug violation may also be found in violation of the Alcohol and Other Drug Policy.
- C. NHTI shall not be responsible for treatment or medical expenses for any student or guest who is discovered to be in need of medical attention and/or transported to the hospital via ambulance.
- D. No NHTI Student Organization funds are to be used to purchase alcoholic beverages.
- E. Alcohol, alcohol containers, etc. that are in violation of this policy may be confiscated and disposed of by an appropriate authority of NHTI, to include but not limited to, Campus Safety, Residence Directors, Residence Assistants, Coaches, etc.
4. The following has been established pertaining to drug use/misuse at NHTI.
- A. Illegal drugs as defined by State or Federal Laws are prohibited on campus and at any NHTI sponsored off campus activity.
- B. Any student having illegal drugs or paraphernalia in their possession may be referred to civil authorities and face sanctioning pursuant to the Student Code of Conduct and Judicial Process.
- C. The following behaviors pertaining to drug use/misuse are prohibited at NHTI:
- Illicit drug use, possession, manufacturing, or distribution is prohibited on campus and at any NHTI sponsored off campus activity. Illicit drug use is defined as the use or abuse of illegal drugs and the misuse of prescription medications, synthetic drugs, household or other mind-altering substances.
 - Misuse, alterations to, or the redistribution of medications and substances which have been prescribed by a licensed prescriber. Medications and substances which have been prescribed by a licensed prescriber may be utilized only as prescribed.
 - Marijuana, regardless of whether it is legally possessed for therapeutic use is not permitted and may not be used on NHTI property.

- Over-the-counter medication may be utilized in the manner intended by the manufacturer. Using prescribed and/or over-the-counter medications for any purpose other than those intended by the prescriber or manufacturer is prohibited.
 - Possession of drug paraphernalia including but not limited to, bong, hookahs, bowls, etc.
- D. Confiscated drugs and paraphernalia will be turned over to the Campus Safety Department for proper disposal following protocols established by NHTI.
5. Staff, Faculty, Coaches, and Resident Assistants are not permitted to transport students in need of medical attention or under the influence of alcohol or other drugs to off campus medical treatment facilities. Campus Safety or 911 should be called immediately for assistance.
 6. Students shall not transport students who are experiencing a medical condition related to alcohol or other drugs due to the serious nature of these types of incident which require the attention of a medical professional. NHTI will not be held liable if a student transports another student experiencing a medical emergency.
 7. NHTI Employees - NHTI employees should refer to CCSNH Policies Section 300 – Human Resources – Drug Free Workplace Policy# CCS 382.1 for information related to alcohol and drugs use.
 8. Presidential Approval for Alcohol Distribution and Sales
 - A. The President may approve alcoholic beverages for appropriate functions on campus. The rules and regulations to be followed are:
 - Alcoholic beverages will be permitted in segregated areas which provide for controlled checking of driver's licenses or other approved identification card. Such areas will be available only to individuals of legal drinking age, and alcoholic beverages will be consumed only in these areas.
 - The sale or raffle of alcoholic beverages on campus is prohibited. Exceptions to this policy may be made by the President in accordance with New Hampshire State Law.
 9. Alcohol and Other Drug Sanctions
 - Fines
The following fine structure applies to all NHTI Students.
 - First Violation - \$50.00
 - Second Violation - \$100.00
 - Third Violation - \$200.00
 - Failure to pay the fine will result in the student being placed on College Probation. If the fine is not paid, the student will be removed from the residence halls and will be banned from all Residence Halls and placed on the Persona Non Grata list until the fine is paid in full. Fines are subject to change.
 - A. General Sanctions
 - The student will meet with/contact the appropriate staff member as indicated on the Incident Report Form.
 - A Letter of Notice may be sent to the parent/guardian of students who are under the age of 21 indicating the student has violated college policy.

- Substance Abuse Education – The student will be required to participate in the appropriate number of education sessions provided through the NHTI Substance Abuse Education Program.
 - **First violation** – minimum 1 educational session, unless more are recommended by a college official.
 - **Second violation** – minimum 2 educational sessions.
 - **Third violation** – minimum 4 educational sessions.
 - Failure to participate in sessions will result in removal from the residence halls, placement on the Persona Non Grata list, and being placed on College Probation until this requirement is fulfilled.
 - At the discretion of college officials, students may be required to fulfill additional alcohol/drug education, restorative justice programming and/or seek further evaluation by a community-based professional which will be at the student’s expense. If such evaluation is required, students will also be required to provide the NHTI Counseling Office with a signed release of information to facilitate verification that this requirement is fulfilled.
 - Residence Hall Students
 - **Third violation** – Residence Hall students will be removed from the residence halls and placed on the Persona Non Grata List. If the third violation occurs on or before the posted mid-semester warning due date, the student will be removed from the residence halls and placed on the Persona Non Grata list until the end of the current semester. If the third violation occurs after the posted mid-semester warning due date, the student will be removed from the residence halls until the end of the following semester. In either case, the student may apply for consideration for readmission to housing for the semester following the end of this sanction. The summer semester is excluded from the process of consideration for readmission.
 - **Fourth violation** – If the fourth violation of the Alcohol and Other Drug Policy occurs on or before the posted mid-semester warning due date, the student will be removed from NHTI until the end of the current semester. If the fourth violation occurs after the posted mid-semester warning due date, the student will be removed from NHTI until the end of the following semester. In either case, the student may apply for consideration for readmission to the NHTI for the semester following the end of this sanction. The summer semester is excluded from the process for consideration for readmission.
 - A. Non-NHTI Individuals - Individuals not enrolled at NHTI who are found to be in violation of the college’s policy will be banned from campus and placed on the Persona Non Grata list. NH State Police may be contacted if the ban is violated.
10. Medical Amnesty
- NHTI encourages its students to seek and/or call for assistance for themselves or others when someone is in need of medical assistance due to alcohol and/or drug use. Amnesty is available

to the student calling as well as the student needing assistance. A call for assistance should be made promptly because the health, safety and well-being of the student who is potentially in danger is paramount. A call for assistance may be directed to NHTI Campus Safety, Residence Life staff (Residence Director or Residence Assistant), or a local police officer or agency by calling 911.

Students involved in an incident, in which a call for assistance was made, will not be subject to official sanctions and conduct record under the Student Conduct process, however they will still need to meet with a member of the Student Affairs staff, as well as NHTI Health Services and Counseling.

11. Important Information Regarding Amnesty

- A. This policy applies only to those students seeking emergency medical assistance in connection with an alcohol or drug related medical emergency and does not apply to individuals experiencing an alcohol or drug related medical emergency who are found by College employees (e.g. Campus Safety, faculty, administrative staff, residence hall staff including RA's).
- B. If a student is repeatedly the subject of calls for assistance, there may be additional consequences as a result of the College's increased concern for that student, including additional counseling sessions, educational follow up with College administrators and/or a full behavioral assessment which may lead to a mandated leave of absence.
- C. Failure to complete appointments or follow-up as prescribed could result in the revocation of amnesty for the student and possible sanctions.
- D. Medical Amnesty is a NHTI policy and does not prevent the filing of criminal charges by external law enforcement.
- E. Medical Amnesty may not apply to a student who refuses to cooperate with medical, law enforcement or College personnel at the time of initial contact.
Students may be held responsible for additional violations to the Student Code of Conduct beyond the alcohol or drug violation.

Violations of the rules concerning use of alcohol and other drugs, as set forth in the NHTI Alcohol and Other Drug Policy located in the Student Handbook, may result in referral to the civil authorities and/or sanctioning through the NHTI judicial process. Any person wishing to request an appeal should refer to the current Student Handbook [Student Code of Conduct - NHTI](#)

Sanctions are cumulative during an individual's enrollment at NHTI. Students will be removed from Residence Life if it is determined he/she is selling and/or supplying drugs to any person and/or, supplying and/or selling alcohol to minors. The student will be brought before the Institute Judicial Committee to determine if they should be removed from NHTI.

Individuals not enrolled at NHTI who are found to be in violation of the college's policy will be placed on the Persona Non Grata list.

For a complete list of sanctions for violating the NHTI Drug and Alcohol Policy refer to the Student Handbook which can be accessed via [Alcohol-and-other-drugs-policy](#).

Any student in need of assistance with a personal problem with substance abuse may obtain assistance from the Counseling Services office, Health Services and any Residence Life staff member. These people are informed, interested in your welfare and will maintain confidentiality.

Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of Federal penalties for first and subsequent convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Benefits 21 U.S.C. 862

A Federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal Drug Trafficking convictions may result in denial of Federal benefits for up to 5 years for a first conviction, 10 years for a second conviction, and permanent denial of Federal benefits for a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to 1 year for first conviction and up to 5 years for subsequent convictions.

Forfeiture of Personal Property and Real Estate 21 U.S.C. 853

Any person convicted of a Federal Drug Offense punishable by more than 1 year in prison shall forfeit to the United States any personal or real property related to the violation including houses, cars, and other personal belongings. A warrant of seizure is issued, and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties 21 U.S.C. 841

Penalties for Federal Drug Trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties of subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$ 8 million.

Persons convicted on Federal charges of drug trafficking within 1,000 feet of a University (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Federal Drug Possession Penalties 21 U.S.C. 844

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000.

New Hampshire State Drug Penalties

Violating the State Controlled Drug Act can result in a misdemeanor or felony conviction, which carries a fine and/or incarceration. See [N.H. RSA 318-B:26](#) for the various penalties.

New Hampshire State Alcohol Laws

The legal drinking age in New Hampshire is 21. If you are under 21, it is illegal to:

- Have in your personal possession physically any alcoholic beverages.
- Who is intoxicated by consumption of an alcohol beverage with a blood alcohol concentration of .02 or higher
- Misrepresent your age for purpose of obtaining alcoholic beverages.
- Drive in a car having alcoholic beverages except when accompanied by a parent, guardian, and spouse 21 years of age.
- Be in an area where alcoholic beverages are served unless accompanied by person 21 years of age.

It is illegal for anyone to:

- Sell, give away or procure alcoholic beverage to a minor or individual who is intoxicated.
- Charge for alcoholic beverages without a license.
- Manufacture, sell, possess or use a falsified ID.
- To lend a driver's license to be used for unlawful purpose. Penalty: fine and/or jail sentences.
- Facilitate a drug or underage alcohol house party.

Unlawful Possession of Alcohol

Any person under 21 years of age who has in their possession any alcoholic beverages is guilty of a violation. A minor that is intoxicated with a BAC level of .02 or more (internal possession of alcohol) is guilty of a violation.

Individuals found in violation of Unlawful Possession will be fined a minimum of \$300. Any second and/or subsequent offenses will be fined at least \$600.

Additionally, if you are under the age of 21 and are found guilty of any offense involving sale, possession or abuse of alcohol or of a controlled drug you may have your driver's license revoked or denied for a minimum of 90 days up to 1 year for a first offense, and a minimum of 6 months up to 2 years for a subsequent finding or conviction.

(DWI) Driving While Intoxicated and Driving under the influence (DUI)

265-A: 2 Driving or operating under the influence of drugs or liquor; Driving or operating with excess alcohol concentration.

No person shall drive or attempt to drive a vehicle upon any way or operate or attempt to operate an OHRV:

- (a) While such person is under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drugs, prescription drugs, over-the-counter drugs, or any other chemical substances, natural or synthetic, which impair a person's ability to drive; or
- (b) While such person has an alcohol concentration of 0.08 or more or in the case of a person under the age of 21, 0.02 or more.

265-A: 3 Aggravated Driving While Intoxicated. -

A person shall be guilty of aggravated driving while intoxicated if the person drives, operates, or attempts to operate an OHRV, or if the person drives or attempts to drive a vehicle upon any way, or if the person operates or attempts to operate a boat:

I. While under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drug or drugs, prescription drug or drugs, over-the-counter drug or drugs, or any other chemical substance or substances, natural or synthetic, which impair a person's ability to drive and, at the time alleged:

- (a) Drives or operates at a speed more than 30 miles per hour in excess of the prima facie limit;
- (b) Causes a motor vehicle, boating, or OHRV collision resulting in serious bodily injury, as defined in RSA 625:11, VI, to the person or another;
- (c) Attempts to elude pursuit by a law enforcement officer by increasing speed, extinguishing headlamps or, in the case of a boat, navigational lamps while still in motion, or abandoning a vehicle, boat, or OHRV while being pursued; or
- (d) Carries as a passenger a person under the age of 16;

II. While having an alcohol concentration of 0.08 or more or, in the case of a person under the age of 21 at the time of the offense, 0.02 or more and, at the time alleged:

265-A: 18 Penalties for Intoxication or Under Influence of Drugs Offenses

I. Except as otherwise provided in this section: (a) Any person who is convicted of any offense under RSA 265-A:2, I shall be:

- (1) Guilty of a class B misdemeanor;
- (2) Fined not less than \$500;
- (3) Referred by the court to an IDCMP and, if a first-time offender, required to submit to an alcohol and drug abuse screening within 14 days of conviction, and, if testing demonstrates the likelihood of a substance use disorder, to submit further to a full substance use disorder evaluation within 30 days of conviction, to be administered by a service provider indicated by the IDCMP, and thereafter to follow the service plan developed from that substance use disorder evaluation by the IDCMP;
- (4) Required to complete a department of health and human services approved impaired driver education program prior to the restoration of the person's driver's license or privilege to drive; provided however, that if the person has previously completed such a program within the past 5 years and provides required proof, that shall serve as fulfillment of this requirement;
- (5) Required to pay all fees arising from services provided by the IDCMP and its referrals for the service plan; (To see complete list of possible penalties see NH RSA 265-A:18).

Facilitating a Drug/Underage Alcohol House Party

RSA 644:18 prohibit a person who owns or has control of a building or property to knowingly commit an overt act in furtherance of such the drug or underage alcohol house party. A drug or underage alcohol house party is defined as "a gathering of 5 or more people under the age of 21 at any occupied structure, dwelling, or curtilage, who are unrelated to the person who owns such occupied structure,

dwelling, or curtilage or has control thereof, where at least one person under the age of 21 unlawfully possesses or consumes an alcoholic beverage or controlled drug.”. **A Residence Hall room meets the definition of this law.**

NHTI Policy Governing Alcohol and Controlled Substances Use of Alcohol and Controlled Substances during Work Hours

NHTI is committed to ensuring a drug-free workplace. Legal Requirements: In accordance with the Drug Free Workplace Act of 1988 (Pub. L. No. 100-690, Title V, Subtitle D) employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance in the workplace. Chemical dependency can and does affect work performance and attendance.

Requirements: As a condition of employment employees are:

- Prohibited from the use, possession, distribution, dispensation, or unlawful manufacture of any controlled substance while on the property of the CCSNH or its colleges, during work hours, or while attending any CCSNH or college sponsored activity or function;
- Prohibited from consuming alcohol while on duty or in the workplace and from reporting to work while under the influence of alcoholic beverages or controlled substances (drugs);
- Driving any CCSNH or college owned vehicle, or driving a personal vehicle while on business for the CCSNH or its colleges, while under the influence of alcoholic beverages or controlled substances (drugs);
- Required to report in writing to the College or CCSNH Human Resources Office any criminal conviction based on the unlawful use, possession, distribution, dispensation or manufacture of a controlled substance where the violation occurred on CCSNH or its college premises or that occurs in the workplace. The reporting of such incidents must occur within five (5) calendar days from entry of the trial court’s decision, regardless of whether an appeal is taken.

Sanctions:

- Conviction of a drug-related crime shall be a basis for disciplinary action, up to and including termination.
- A notice of the drug conviction shall be placed in the employee’s personnel file in accordance with normal disciplinary procedures.
- Conviction of a drug-related crime shall require the employee to utilize the services of the CCSNH’s employee assistance program and successfully complete an approved drug abuse assistance or rehabilitation program recommended by the EAP as a condition of continued employment.

Programs:

The CCSNH and its colleges shall initiate a drug-free awareness program which informs CCSNH employees of the dangers of drug abuse in the workplace; the CCSNH rules and policies requiring a drug-free workplace; or the availability of employee assistance programs; and of the penalties that may be imposed for abuse violations occurring in the workplace.

Alcoholism and Drug Addiction

- NHTI-Concord's Community College views alcoholism and drug addiction as highly complex diseases which, once they have been recognized, can be halted by appropriate treatment, and for which the same consideration is given to faculty and staff as in the case of other illnesses. The Employee Assistance Program is available to any seeking help in dealing with this illness.
- Supervisors who have documentation of a faculty or staff member's deficient or deteriorating performance which they believe may be related to use of alcohol or drugs must discuss options for handling the problem with the Human Resource Director or other official designated by the college. Supervisors shall not engage in diagnosis or establishing treatment plans for employees. The employee must then be confronted and asked to seek medical assistance. The decision to undertake treatment through qualified sources is the responsibility of the individual faculty or staff member.
- The individual's employment status will in no way be affected by the decision to seek treatment. He or she will continue to be covered by applicable personnel policies. If cooperation in obtaining treatment does not occur and work performance continues to be deficient, or if treatment does not result in evident improvement of performance within a reasonable period, a performance review will be conducted to allow for appropriate determination concerning the individual's future employment status, within the framework of existing policy. In cases where such action is taken, it will be based on evidence of poor job performance, such as frequent absences and neglect of duties and responsibilities, drastically altered moods, physical or verbal abuse, and deterioration of working relationships.

NHTI Policy on Drug-Free Workplace

NHTI-Concord's Community College as an employer strives to maintain a workplace free from illegal use of controlled substances. Unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by NHTI employees on College premises or off our premises while conducting College business is prohibited. Violation of this policy will result in disciplinary action, up to and including termination and may have further legal consequences.

- The College recognizes controlled substances dependency as an illness and a major health as well as potential safety or security problem. Employees are encouraged to seek assistance by contacting the CCSNH contracted Employee Assistance Program KGM the program does have 24/7 support, or by utilizing health insurance and appropriate leave of absence plans.
- To contact KGA
 - 1-800-648-9557
 - [KGA Inc.](#)

Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a drug criminal statute. A report of a conviction must be made to the immediate supervisor within five (5) working days after the conviction. If the employee is covered by a grant or

contract, the College must notify the contracting agency within ten (10) days after receiving a notice of conviction. (These requirements are mandated by the Drug-Free Workplace Act of 1988.)

Description of Health Risks

Serious health and personal risks are associated with the use of illegal drugs, prescription drugs and abuse of alcohol. Most people take prescription medication responsibly. When misused or abused, prescriptions drugs can be as dangerous as illegal drugs. They may include temporary or permanent physical or mental impairment, and injury or death.

Use and abuse of such substances may also give rise to conduct which causes injury, death or damage to the user/abuser or to the person or property of others, resulting in criminal or civil prosecution and liability.

Use and abuse of such substances may also lead to unsafe and/or nonconsensual sex, unwanted pregnancy, and may cause defects, injury or death in unborn children. Consequences may also include temporary or permanent loss of educational or employment opportunities.

Assistance Services

NHTI-Concord's Community College is concerned about the use of and addiction to alcohol and other drugs. In order to assist individuals who struggle with this issue the following services are available:

- **For Employees:** Human Resources. (603) 230-4000 x4122, can provide assistance in area of policy clarification and options available, as well as information on benefits.
- **For Students:** NHTI Health & Counseling Services (603) 230-4043, can assist by providing referral information on in---- and out----patient treatment, and support groups, to individuals concerned about their own alcohol or other drug use or that of a family member. A resource library is also available for information.

Efforts to Address Alcohol and Other Drug Use by NHTI Students

Substance Abuse Education Programs

NHTI-Concord's Community College CARE teams offers a number of educational programs on wellness issues including alcohol, tobacco and other drugs (including prescription drug use/abuse). These are active programs, events and passive efforts (including tabling and use of traditional and social media) that are implemented by professional staff and students involved in peer education. In addition, the residence hall staff also provides active and passive programming in this area for their students.

The College addresses the use and abuse of alcohol, tobacco, and other drugs (ATOD) through a comprehensive effort that includes educational efforts, environmental management, counseling and support services. None of these efforts alone can address the complex issue of high-risk use of alcohol and other drug use/abuse and its impact on this campus community It is the nationally accepted best practice to use multiple prevention strategies to impact the alcohol and other drug issues within the campus community.

- **Orientation**
 - Spring and fall orientation (tables and campus administration speaks to parents).

- Brochures to encourage parents to talk with their students about alcohol, tobacco, and other drug (ATOD) use.
- Orientation leaders trained on ATOD policies, campus programs/services, reality of ATOD use on campus, etc.
- Residence Hall staff, at first floor meetings of the year, discuss ATOD policies.
- **Residence Halls** - Residential Life has educational focus areas which encourages students to seek out and maintain healthy living habits including use of ATOD. They provide education on ATOD, invite others staff into speak on these topics, sponsor alcohol/other drug fee activities.
- **Alcohol/Other Drug-Free Activities** - Sponsored by various campus departments, and student groups.
- **Caring for Students Requiring Medical Attention** - Students who require medical attention due to alcohol and/or other drug ingestion or incapacitation, are transported to the local hospital. These students are contacted by the CARE team for intervention meeting education and referral to community resources as appropriate.
- **ATOD Assessment and Education for Students Violating Alcohol/Drug Policies/Laws**
 - **First offense** - Assessment of sanction based on severity, IE: hospital transport, black out, etc. if high risk violation then Counselor refers to appropriate program which may include: referral to NHTI Counseling Services, , referral to community based LADC for assessment and/or community based treatment program - such as the FAST (First Time Alcohol and Substance Training Program) program offered by the Merrimack County Court system, or substance misuse programs through Riverbend Community Mental Health or Concord Hospital.
 - **Second-offense** - Assessment of sanction based on severity, IE: hospital transport, black-out, etc. if high risk violation then Counselor refers to appropriate program which may include: referral to NHTI Counseling Services, referral to community based LADC for assessment and/or community based treatment program - such as the FAST (First Time Alcohol and Substance Training Program) program offered by the Merrimack County Court system, or substance misuse programs through Riverbend Community Mental Health or Concord Hospital. In addition to completing the college required Substance Abuse Awareness Program. Minimum of Intake Session and two face—to-face counseling sessions with custom feedback worksheets.
 - **Third offense** - Assessment of sanction based on severity, IE: hospital transport, black-out, etc. if high risk violation then Counselor refers to appropriate program which may include: referral to NHTI Counseling Services, referral to community based LADC for assessment and/or community based treatment program - such as the FAST (First Time Alcohol and Substance Training Program) program offered by the Merrimack County Court system, or substance misuse programs through Riverbend Community Mental Health or Concord Hospital. In addition to completing the college required Substance Abuse Awareness Program. Minimum of four face-to-face counseling sessions with custom feedback worksheets and/or Alcohol 101+ computer program completion.

- **Academic Courses** - Various academic departments on campus offer courses that provide an opportunity for students to learn more about alcohol and other drugs and their impact.
- **Resource Library** - Health & Counseling Services contain a resource library that provides books, pamphlets, articles, and videos about ATOD issues.
- **Passive Education** - Educational information is available to students through brochures, articles, education tables, bulletin boards, various newsletters, advertisements, social media including Facebook, etc. The Health & Counseling Services Web site is a resource for the campus community for ATOD information that community members access for personal and academic reasons.

Policies and Enforcement

NHTI has a zero tolerance in the area of illegal alcohol sales, possession, and use and other drug use. Intervention efforts include:

- Campus Safety conducts vehicle patrols in conjunction with City of Concord Police Department, and the New Hampshire State Police who periodically patrol the NHTI Campus
- Campus Safety conduct high visibility foot patrols in all buildings and campus grounds
- Residential Life staff conducts training and enforcement of campus alcohol and other drug policies within the residence halls. Campus Safety responds when called to residence halls.

Alcohol, Tobacco, and Other Drug Committees

NHTI is committed to providing an environment that encourages individual responsibility for one's own health and that promotes healthy, low-risk choices for students, faculty, staff, and the community-at-large. As such, we offer all on-campus activities as substance free and smoking is allowed in designated areas only.

Social Norms theory is based upon the premise that students over-perceive harmful behaviors and under-perceive protective behaviors among their peers. These misperceptions have an impact on decisions to use substances. The aim of a social norms approach is to reduce misperceptions of substance use with a resulting decrease in use and consequences. More information regarding social norms theory may be obtained from The National Social Norms Resource Center at <http://socialnorms.org/>

CARE Team and Support Services

- **Counseling** - Students can receive short-term alcohol and/or other drug counseling from Health & Counseling Services. Students in need of long-term or in-patient care are referred to off-campus agencies.
- **Support to the Recovery Community** – Chemical free living option in the residence halls, Recovery Programs (peer support), support group information and referral.

FIRE SAFETY REPORT



Concord Fire Department

24 Horseshoe Pond Lane

Concord, NH 03301

(603) 225-8650

The Concord Fire Department is a full-time, professional, full-service fire department, on duty 24 hours per day, 365 days per year. The department responds to all types of fire, medical and hazardous material emergencies in the City of Concord and on the NHTI campus. The department provides EMS first response from EMT-Intermediate level up to the EMT-Paramedic level. Concord Fire Department has four fire stations located throughout the City on Concord.

Fire Safety Systems

Residence Halls

The NHTI residence halls are completely covered by integrated automatic sprinkler and fire alarm systems which are monitored 24 hours a day seven days a week by the Concord Fire Department and has redundant notification through Minuteman Security. The buildings are equipped with emergency lighting which are designed to automatically activate whenever there is a power outage. Backup power supplies support life safety detection systems, as well as lighting and exit signage, for a limited period during an outage of approximately 90 minutes which will, if the outage is prolonged, require building evacuation.

Academic and Academic Support Buildings

Academic and Academic Support buildings (except White Hall) have coverage with integrated automatic sprinkler and/ or fire alarm systems which are monitored 24 hours a day seven days a week by the Concord Fire Department. The buildings are equipped with emergency lighting which are designed to automatically activate whenever there is a power outage. Backup power supplies support life safety detection systems, as well as lighting and exit signage, for a limited period of approximately 90 minutes during an outage which will, if the outage is prolonged, require building evacuation. Little Hall is the only building currently with a backup generator.

Fire Safety Training

Basic fire safety instruction is provided to all students by multiple means. Each residence hall room is provided with an instructional sign located on the wall inside the doorway entrance that contains information on what to do during an emergency. Resident students also receive fire drills at least once per semester to ensure they understand the proper building evacuation procedures during an

emergency. Additionally, Resident Assistants receive specific training during their orientation on their responsibilities during both fire and medical emergencies.

The Campus Safety Department conducts a hands on fire extinguisher operations training live fire exercise for all Resident Directors and Resident Assistants at the beginning of each fall semester. This training is also extended to other campus staff members who would like to attend.

Residence Hall Fire Safety at NHTI

Before you start making your room "your new home," take a moment to consider the NHTI and state fire regulations. Each year thousands of people are hurt or killed in fires. Most of the deaths and injuries are needless because most fires are preventable. The best way to avoid fires is to avoid the hazards, which create them.

Appliances and Cooking

- Any appliance used in your room must be listed or recognized to a UL standard by a national recognized testing laboratory. This includes clocks, radios, stereos, computers, cables, etc.
- Appliances that are strictly prohibited in the residence halls include any item with a heating coil. I.e. toasters and toaster ovens, hotplates, electric fry pans, microwaves with an open heating coil and electric heaters.
- Appliances that may be used in your room but cannot be plugged in unattended include: curling irons and irons. These items have heated exposed surfaces that have caused fires.
- Extension cords may not be used for microwaves and refrigerators. If an adapter is used for a power strip or an extension cord, the ground lead must be connected.
- Microwaves and refrigerators need to be plugged directly into an outlet it must be of construction-grade quality (generally the same size or larger than the units' own cord).
- When cooking in residence halls kitchen areas you are required to be present at all times when cooking, use range vents, ensure that you turn off stoves and other equipment and report any cooking fires that may occur.

Decorations

- Wall or door posters or hangings, they should be used sparingly. No more than 50% of the surface of any wall or door may be covered (this does not include furniture against the walls). This precaution eliminates excess combustible material which could cause fires to spread.
- State fire code preclude the use of overhead hangings of any kind including items hung from the ceiling, walls or pipes running horizontally with the ceiling are strictly prohibited. If an item is hung from a wall, the item must be completely touching that wall. This precaution prevents the possibility of materials falling down during a fire.
- Candles, tarts, incense and other items with a wick (such as kerosene lamps) and other objects that create and hold a flame are prohibited. No exceptions will be made for cut wicks or removed wicks. Us also cannot use candle warmers as these are considered open coiled items. Candles have caused many serious rooms fires in the past and are one of the easiest ways for a fire to start.
- The State Fire Marshalls office prohibits the use of cut holiday trees and dry vegetation in Residence Halls (i.e. hay bales, corn stalks, etc.)

Electrical

- Multiple outlet adapters (splitters or cube taps) are prohibited. Power strips with a circuit breaker are required as extension cords.
- When using a power strip, it must match the same size and type cord supplied with the appliance. Use only Underwriters Laboratories (U.L.) listed cord sets.
- Any style lamp using a halogen type bulb is strictly prohibited. The intense heat generated by these lamps can cause a fire. All residence halls are provided with forced hot water heat (Langley, South and Strout Halls). No less than six inches is required between any furniture and the heater unit.
- The following electrical appliances are not permitted in resident rooms; air conditioners, heating units, sun lamps, halogen and lava lamps, toasters, grills, coffee pots, heating coils, hot plates and electric blankets.
- No wires may be run underneath a rug except low voltage wires such as telephone cords, speaker wire or cable wire.
- Decorative lights (i.e. holiday lights) are designated as temporary lights and can only be used for a 90-day period. (45 days before and after the holiday period). Additionally, no more than **three sets** of lights can be strung together.
- Lights that are decorative LED lights that are not UL rated are prohibited.
- All items must maintain their UL tag or label on the cord or product. If this is removed the item will not be considered UL rated and will be removed from the premises.

Pathways and Exits

- All pathways to exterior exit doors, room doors and windows must be kept clear at all times. This includes outside building as exits cannot be blocking clear path from building to nearest sidewalk, road or parking area.
- An item hanging to enclose or decorate a sleeping space is not permitted.
- Room doors must open at least 90 degrees.
- Entrances, hallways and stairs must be kept clear at all times.
 - Displays, furniture or other items should not protrude more than 12 inches into a hallway or egress path. All hallway widths are calculated to manage the occupancy limits of building for fire egress.
 - Bicycles, longboard, skateboards, or other items are not permitted in the hallways, entrances or stairwells.

Smoking/Vape Devices

- Smoking/vaping in any form is prohibited in all campus buildings and Residence Halls. Smoking is only allowed in the two designated smoking gazebos, or in an individual's privately owned vehicle. There are smoking gazebos located outside of Langley Hall and behind Little Hall.

Electric Bikes/Scooters

- Only purchase and use devices, batteries, and charging equipment that are listed by
- a nationally recognized testing lab and labeled accordingly.

- Always follow the instructions from the manufacturer.
- Only use the battery and the charger that were designed for, and came with, the device.
- Do not keep charging the device or device battery after it is fully charged.
- Only charge one device or device battery at a time to prevent overloading the circuit.
- Keep batteries at room temperature when possible. Do not charge them at temperatures below 32°F (0°C) or above 105°F (40°C).
- Do not store batteries in direct sunlight or inside hot vehicles, and keep them away from children and liquids.
- Store e-bikes, e-scooters, and batteries away from exit doors and anything that can get hot or catch fire.
- Only have device repairs performed by a qualified professional.
- Do not put lithium-ion batteries in the trash. Recycling is always the best option. Take the batteries to a battery recycling location or contact your local waste department for disposal instructions.
- Stop using the e-bike or e-scooter if you notice any of these problems with the battery: unusual odor, change in color, too much heat, change in shape, leaking, smoking, or not keeping a charge.

Other Regulations

- The building of structures in resident rooms (i.e. lofts) is prohibited.
- Open flames, candles, incense, are not allowed in any area of the residence halls and are strictly prohibited.
- Flammable items such as: stain, flammable cleaning solvents, butane, propane torches, gasoline, camping or cooking fuels, oil lamps, oil candles and kerosene lamps are all strictly prohibited in residence halls and academic buildings. Any of these items for use as part of campus operations must be properly secured and stored.
 - Kindling wood/quick lite fire burning sticks are prohibited inside buildings.
 - Hazardous chemicals/products: Motor vehicle fluids, other acids or alkalines which present a danger to persons or property, motor vehicle batteries, etc.
 - Couches/loveseats or futons per NH SFMO are prohibited in residence halls
 - All upholstered items (throw rugs, pillows, curtains, etc.) must meet Fire Safety classifications for Class 1 or Class 2 flammability rating and contain original label/tag stating meets flammability ratings.
- Empty trash frequently and into outside dumpsters to avoid it accumulating and becoming a fire hazard.
- Welcome mats and floor decorations are not allowed in residence hall hallways as these are egress paths and prohibit per fire code and insurance.
- In residence halls placing room trash in bathrooms, hallways or other common areas is prohibited as it creates a fire hazard.
- Hanging or tying any item to a fire safety device or equipment (emergency lights, smoke/CO2 detectors, and/or sprinkler heads) is prohibited.

- Tampering with any fire or safety device or equipment to include, but not limited, sprinklers, emergency lights, covering or tampering, in any way, a smoke/CO2 detector, pull stations, etc. is prohibited and are crimes in the State of NH if it occurs in a multi-unit residential facility.

Building/Room Inspections

- Safety inspections of student rooms for fire hazards and violations will be conducted several times per semester. (This inspection is held in conjunction with fire devices/smoke/CO2 detector testing, which is required by state law.) Room inspections are designed to point out hazards and violations that have been overlooked. As a result, if any of these conditions exist in your room you will be asked to address them, and may also be fined for the violation.
- Residence Life, Campus Safety and the Maintenance Department are among the departments that may inspect rooms for health and safety. Any questions about the fire safety room checks or policies may be directed to your Residence Hall Director, Director of Residence Life or the Director of Campus Safety.

This list is not all inclusive requirements under fire code and applicable laws and are subject to change at any time based on changes in federal, state laws or local ordinances and per applicable fire and life/safety codes.

These guidelines and regulations are in place for your safety and the safety of your neighbors. Fire Safety is everyone's responsibility; please do your part to help make the college community a safe place to attend class, work and live.

If a fire is discovered on campus or in any campus building.

In all buildings, except White Hall, the fire alarm system and area sprinkler systems should activate.

If the fire is small you may attempt to use a fire extinguisher to put out the fire. If you are unsure or there is a lot of smoke, immediately evacuate the area.

Immediately call 911, then call Campus Safety (603) 224-3287.

Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on campus student housing. These are fires for which you are unsure whether the NHTI Campus Safety Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

- NHTI Campus Safety (603) 230-4042
- Director of Residence Life (603) 230-4044

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

Fire Safety Equipment in the Residence Halls

Sprinkler, Fire Detection and Alarm Systems

| NHTI Residential Facilities | Fire Alarm Monitoring Done on Site (by Concord FD) | Partial 1 Sprinkler System | Full 2 Sprinkler System | CO/Smoke Detection | Fire Extinguisher Devices | Evacuation plans/ Placards | Number of Evacuation (Fire) Drills Each Academic Year |
|-----------------------------|--|----------------------------|-------------------------|--------------------|---------------------------|----------------------------|---|
| Langley Hall | X | X | X | X | X | X | 3 |
| South Hall | X | X | X | X | X | X | 3 |
| Strout Hall | X | X | X | X | X | X | 3 |

1. Partial Sprinkler System is defined as having sprinklers in the common areas only.

2. Full Sprinkler System is defined as having sprinklers in both the common areas and the individual rooms.

Each residence hall is protected by an automatic fire detection system that is connected directly to the Concord Fire Department. Upon receipt of an alarm activation, the Fire Department immediately responds to the residence hall. The fire protection system is comprised of smoke and heat detectors, sprinklers, and hallway manual pull stations. All boiler and resident rooms are equipped with Carbon Monoxide detectors. All rooms have a sprinkler and a local-sounding smoke detector. A charge of \$100 plus cost for any damages is assessed to the occupant(s) of a room for tampering with a smoke detector. If you suspect a smoke detector is malfunctioning contact your Resident Assistant immediately.

Malicious False Alarm

Anyone activating a fire alarm without cause by pulling a pull station or tampering with any of the automatic fire detection devices is responsible for a malicious false alarm. This is a serious offense. By initiating such a false alarm, one exposes both residents and firefighters to unnecessary risk. A charge of \$350 is assessed to any person who initiates a false fire alarm. Additionally, those caught causing a malicious false alarm may be arrested and prosecuted to the full extent of the law, violations of college policies and may be held accountable for any injuries or damage which occurs during a fire evacuation. Do not put up with anyone who "fools around" with fire or false alarms!

Fire Extinguishers

Fire extinguishers are found in hallways and common areas. These are the first line of defense in case of a fire and could save lives. Do Not Tamper with Fire Extinguishers. Eviction from the residence hall is a possible consequence for tampering with a fire extinguisher. There is a \$100 charge for resetting a fire extinguisher that has been misused.

NHTI Fire Safety Rules

Fire Prevention/Alarms/Equipment

Employees and students are expected to notify the Campus Safety Department of any fire and safety hazards and to report a fire promptly. All employees and students are expected to observe all fire safety procedures established for their building including participating in fire alarm/evacuation drills. All employees and students must leave the building during fire drills or be subject to disciplinary action. Fire extinguishers and alarm systems shall not be tampered with or tested by unauthorized persons nor

should anything cover, be attached to, or hung from detector, devices, conduit, or sprinkler heads. Employees and students are expected to help prevent false alarms and should report any tampering with fire safety equipment to the appropriate staff person. Students are financially responsible for charges assessed as of result of tampering with fire safety equipment.

Fire/Emergency Evacuation Drills

Residence Halls

The Campus Safety Department in conjunction with the Residence Life staff will conduct a minimum of three (3) fire drills in each occupied hall, annually. Once students have evacuated their hall they are instructed by Residence Life staff where they are to congregate in a designated area (a minimum of 150-200 yards away from building) to await further instructions.

Residence Hall Emergency Evacuation Drills Conducted 2022

| Building | Date |
|--|--------------------------------|
| Langley Hall | February 16, 2023 |
| South Hall | February 22, 2023 |
| Strout Hall | No Drill – Building Unoccupied |
| South Hall (Summer – Only Occupied Hall) | June 6, 2023 |
| Langley Hall | September 20, 2023 |
| South Hall | September 21, 2023 |
| Strout Hall | September 19, 2023 |

Academic Buildings

The Campus Safety Department will conduct periodic fire drills of academic buildings. Once employees and students have evacuated their respective building the are to congregate in a designated area (a minimum of 150-200 yards away from building) to await further instructions.

NHTI Administrative Policies and Regulations

Faculty, staff and students are expected to abide by the following Administrative policies, violation of those policies may result in disciplinary action, fines, etc.

False Fire Alarms

Making, causing or aiding in a false fire alarms, false reports of fires is prohibited per RSA 644:3-a. Offenders/violators will be prosecuted to the fullest extent of the law.

False Fire Alarms Resulting in Injury or Death

Making or causing to be made false fire alarms, false reports of fires that results in bodily injury or death is a felony violation of RSA 644:3-b. Offenders/violators will be prosecuted to the fullest extent of the law.

Fire Safety Equipment

Nothing shall obstruct any fire sprinkler head, or be hung from piping supplying sprinkler heads. Tampering, interfering with or impairs fire safety equipment or unauthorized removal of such equipment is prohibited per RSA 644:3-c.

The playing of hall sports, where objects are thrown, in residence halls is prohibited to protect fire safety equipment.

Evacuation

Failure to evacuate in the event of a fire alarm, hazardous, serious condition, or at the request of a College or fire official is prohibited.

Failure to Report

Failure to report serious or hazardous incidents including, but not limited to fire, accident, or illness is prohibited.

Failure to Obey Directives

Failure to obey directives or interference with the response of College officials and/or Emergency Response Personnel to emergency calls or in the carrying out of their regular responsibilities is prohibited.

Fire Hazards

Creating fire hazards or endangering the safety of persons or property, or improper use of electrical appliances or possession of hazardous flammable substances but not limited to gasoline, benzene, naphtha, and cleaning fluids is prohibited.

External Doors and Internal Fire Doors

Opening a clearly marked external emergency exit or security door, or deliberately propping open a door that is intended to be locked is prohibited. Students are also prohibited from obstructing or blocking openings of any interior fire door/stairwell door. Using wood or plastic door holders, chairs or other objects to prop open doors is prohibited.

NHTI Residential Facilities Fire Reports

2023 Annual Fire Safety Statistics in Student Housing

| Category | Residence Hall | | |
|---|--|-------------|-----------------------|
| | Langley Hall | Strout Hall | South Hall |
| Total Fires in each building | 1 | 0 | 1 |
| Fire # | 1 | 0 | 1 |
| Cause of Fire | Intentional – Burning of rubber doors stop | N/A | Cooking – Grease fire |
| # of injuries that required treatment at a medical facility | 0 | 0 | 0 |
| # of deaths related to a fire | 0 | 0 | 0 |
| Value of property damage caused by fire | \$4.50 | 0 | No Damage |

2022 Annual Fire Safety Statistics in Student Housing

| Category | Residence Hall | | |
|---|----------------|-----------------------------|------------|
| | Langley Hall | Strout Hall | South Hall |
| Total Fires in ea. Bldg. | 0 | 1 | 0 |
| Fire # | 0 | 1 | 0 |
| Cause of Fire | N/A | Intentional Fire - Arson | N/A |
| # of injuries that required treatment at a medical facility | 0 | 0 | 0 |
| # of deaths related to a fire | 0 | 0 | 0 |
| Value of property damage caused by fire | 0 | \$3.95 | 0 |

2021 Annual Fire Safety Statistics in Student Housing

| Category | Residence Hall | | |
|---|----------------|-------------|------------|
| | Langley Hall | Strout Hall | South Hall |
| Total Fires in ea. Bldg. | 0 | 0 | 0 |
| Fire # | 0 | 0 | 0 |
| Cause of Fire | N/A | N/A | N/A |
| # of injuries that required treatment at a medical facility | 0 | 0 | 0 |
| # of deaths related to a fire | 0 | 0 | 0 |
| Value of property damage caused by fire | 0 | 0 | 0 |

A Daily Fire Log is maintained by the NHTI Campus Safety Department located at 1 Institute Drive, Concord, NH, 03301. The log contains the following information;

- Incident Report Number(s)
- Reported Date and Time
- Occurred Date and Time
- Summary of the Fire Incident
- The Nature of the Fire
- General location of the fire

The Fire Log is available for review by anyone, whether or not they are associated with NHTI, during normal business hours, Monday-Friday between the hours of 8:00 am and 4:00 pm. Campus Safety maintains the Fire Logs for a period of seven years.