2015 ANNUAL
SECURITY & FIRE
SAFETY REPORT
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INTRODUCTION

The Dean of Students Office prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (The ‘Clery Act’).

The Clery Act requires colleges and universities to:

- Publish an annual security and fire safety report by October 1 that includes three years of campus crime and fire safety statistics, campus security policies and procedures, and information regarding programs available to educate the University community on safety and crime prevention
- Report crime statistics for campus, non-campus buildings or property, or public property that are within the campus or immediately adjacent to and accessible from the campus
- Report fire statistics for each on-campus student housing facility
- Establish policies and procedures relating to campus security and fire safety
- Provide “timely warning” notices of those crimes that are considered to “represent a threat to students and employees”
- Establish and implement emergency notification procedures in the event of emergencies that pose an “immediate threat to the health or safety of students or employees occurring on campus”
- Maintain a public, written crime log that records crimes reported to campus security which occur on campus, on non-campus buildings or property, or public property that are within the campus or immediately adjacent to and accessible from the campus
- Maintain a public, written fire log that records any fires that occurred in an on-campus student housing facility

The full text of this report can be found on the Montserrat College of Art website at http://montserrat.edu/student-life/security-fire-safety.php. This report is prepared in cooperation with the local law enforcement agencies surrounding our Beverly campus.

Each year, an e-mail notification is made to all enrolled students and current faculty and staff members that provides the web site link to access this report. Copies of the report may also be obtained at the Dean of Students Office.

ABOUT CAMPUS SECURITY

Montserrat College of Art contracts with Northeast Security, Inc. to provide on-campus security, 24 hours per day, 365 days per year. There is one guard per shift, including a Site Manager who serves the campus as the Security Manager. The guards answer calls, provide directions and answer questions when stationed in the main lobby of the Hardie Building. The guards are required to make frequent foot patrols of the campus. During these tours, the guards assist community members, check all campus building doors, secure the interiors of non-residence halls and address any suspicious activity. Security personnel also take reports of criminal activity from community members.

The jurisdiction of the security staff is limited to campus buildings and the immediately adjacent property. They call Beverly Police for assistance when needed.

The guards have a good working relationship with the Beverly Fire and Police Departments. The guards carry a cellphone at all times. The Campus Security Office is currently located on the first floor of the Hardie Building, but the guards are usually stationed at the Main Reception Desk on the first floor of the Hardie Building.

The Campus Security cell phone number: 978-778-8231
Beverly Fire and Police Emergency number: 911
TIMELY REPORTING AND EMERGENCY NOTIFICATIONS

Timely warnings
The Dean of Students, or designee, provides timely warning notices to the community whenever an incident is considered by the College to represent a threat to the community. Notices are made to the entire campus via the campus-wide e-mail system and posted notices on campus, including in campus residence halls.

Emergency notification
Montserrat College of Art uses “e2Campus”, a system which allows for instant communication to members of the college community through their cell phones and emails in the case of a safety issue or school closing. All students, faculty and staff are strongly encouraged to sign up for this system. In addition, the College utilizes the campus-wide e-mail system to notify the campus community about immediate threats to the health and/or safety of students or employees. The campus-wide e-mail system is designed to reach all active members of the campus community.

ACCESS TO CAMPUS FACILITIES

Consult the notice at the reception desk for building access hours. No unauthorized personnel are allowed on the premises during the hours when the College is closed. All visitors, including vendors and contractors, must sign in at the Main Reception Desk. Suspicious persons or activities on campus should be reported to Campus Security immediately at 978.778.8231 or other appropriate authorities. Students are expected to respect the need for security on campus. Students are expected to take proper care of keys to studios and apartments, to refrain from propping doors open to labs, residences or campus buildings. It is a serious breach of security to lend a key to anyone, or to duplicate a key. Actions that compromise security and the safety of self and others may result in disciplinary action being taken.

Access to College Housing
Students are expected to respect the need for security in college housing. Students are expected to take proper care of keys/key cards to apartments and to refrain from propping doors open to campus residences. It is forbidden to lend a key to someone else, either student or non-student, or to duplicate a key for someone else. It is unlawful to have copies made of keys marked “Do not duplicate.” Failure to respect security compromises the safety of self and others, and thus may result in disciplinary action.

Each resident student will receive keys to the front door and apartment of their assigned residence. If a student loses or permanently misplaces this key, duplicates may be obtained from the Campus Life Office. Students must return the key upon moving out of the space. For security purposes, when keys are not returned, we are required to change the locks and new keys. Failure to return keys will result in the cost of lock change(s) and new keys being charged to the student’s account.

College personnel are authorized to enter an apartment/room at any time and under the following conditions: to respond to an emergency; to conduct regular and scheduled health and safety inspections announced in advance; and/or to perform preventive maintenance, repair damages and take care of building needs. College personnel will accompany contractors or vendors into residence halls, when occupied, to complete necessary work.

Staff (defined as Resident Assistants, Director/Assistant Director of Campus Life, Resident Director/Campus Life Assistant or other College official) may enter a room for policy enforcement if there is reasonable belief that a violation of College regulations has occurred or is occurring. In all cases, reasonable care will be taken to protect the privacy of the students’ apartment and belongings. A staff member will knock before entry. Denying entrance or interfering with any College personnel, including RAs, who requests entry as part of carrying out their duties will call for disciplinary action.

REPORTING CRIMINAL ACTS OCCURRING ON CAMPUS

Students or others who are victims of a criminal act or have knowledge of criminal activities are expected to report this to the College administration. There are several trained Campus Security Authorities on campus. These students and staff members are required to report crimes to the Dean of Students and/or the Campus Security Manager. The College will investigate such reports and file further reports with law enforcement agencies when necessary. Since the College does not maintain its own police force, members of the Montserrat community should also report all crimes to civil authorities, such as the City of Beverly Police Department. In order to maintain a safe campus, the cooperation of all members of the College community is requested in reporting such incidents. Students who have knowledge of criminal activities are expected to report this to the College administration, and may be held accountable if not reported.
Crimes should be reported to one of the following:

Dean of Students: 978-921-4242, ext. 1130
Campus Security Manager: 978-778-8231

Campus Security Authorities: (in addition to the Dean of Students)
Director of Campus Life 978-921-4242, ext. 1135
Assistant Director of Campus Life 978-921-4242, ext. 1134
Resident Director/Campus Life Asst. 978-921-4242, ext. 1133

The above can also be reached through the Administrator on Call phone.

All 13 Resident Assistants (RA) 978-880-2804 (on call phone)
All Security Guards 978-778-8231

Beverly Police Department: 978-922-1212 (non-emergency), 911 (emergency)

Criminal activity may be reported to any member of the community with the understanding that the information should be passed along to one of the offices listed above. The Counseling Psychologist on campus is the ONLY staff member who is legally bound by confidentiality and who is not required to share any information that she receives.

CRIME PREVENTION PROGRAMS

Emergency Call Boxes
Montserrat College of Art is equipped with emergency call boxes around the Student Village residence hall. The emergency call boxes dial directly to the campus security cell phone that the on duty guard carries. These call boxes are located at each entrance and one is located at the rear of the Village.

New Student Orientation
Educational sessions on personal and campus safety and security are made by the Montserrat Security Manager during new student orientation. New students also learn about the Health Center and Counseling Center during new student orientation through education sessions presented by the staff in those areas. New students are informed on sexual violence prevention through mandatory workshops held during New Student Orientation. These sessions were presented by our colleagues at the North Shore Rape Crisis Center (NSRCC) and the Healing Abuse, Working for Change (HAWC) organization.

Programming throughout the academic year
Programs are offered to the campus community throughout the year. These programs are offered in the form of workshops (such as personal safety/self-defense workshops) for all students or through educational outreach such as e-mail notification and/or educational tabling. The College works closely with agencies such as the North Shore Rape Crisis Center, HAWC and the Beverly Police Department to provide timely and helpful workshops for the campus community.

Because we are a very small campus, there is a lot of one-on-one or small group/house 'programming' with appropriate staff, whether with Campus Security or Student Affairs staff on matters related to crime prevention.

Identification Cards (IDs)/Card Access
In the first weeks of the semester, identification cards (ID cards) are issued and/or updated. All students are required to obtain ID cards and carry them while on College premises. ID cards must be presented to Campus Security and/or other College officials when requested.

These cards are not transferable. Lending an ID card or falsifying information on an ID card are considered serious infractions and will be handled through the College conduct process.

Lost ID cards must be reported to Campus Security immediately. All students are required to get a replacement card. Temporary identification cards are available from Campus Security. These cards must be returned to Campus Security within 72 hours.
ALCOHOL AND DRUG POLICY

In compliance with the Federal Drug-Free Schools Act, Montserrat College of Art maintains a drug-free campus. This applies to controlled substances, illicit possession and/or abuse of prescription drugs, and the abuse and/or unlawful use of alcohol. In order to foster the College’s role as an educational institution and to protect members of its campus community, Montserrat College of Art restricts the use of alcohol. Montserrat students are not allowed to possess or use alcohol or other drugs on campus. No drugs or alcohol are allowed on the premises for student events or in College Housing. This applies to all students, resident students, and their guests, including those over 21 years of age. Campus Life staff, including RAs, will document violations of alcohol and drug policy that occur in the campus residences and will confiscate any alcohol or drugs.

Students are expected to conform to all state and local laws including those pertaining to possession and use of alcohol and drugs. Any violation of state and local drug and alcohol regulations, which takes place on campus or in the vicinity of the campus, will also be considered a violation of Montserrat’s drug and alcohol policy and will be addressed by Student Conduct. Possession of empty containers is taken as evidence of possession of alcohol. Possession of a large number of empty containers (or keg) is also taken as evidence of a serving violation. Providing alcohol to persons under 21 is a violation of state law and will be grounds for disciplinary action whether it takes place on campus or off.

Smoke/strong odor/smell of marijuana in a residence hall will be considered as marijuana use, and will be reported by the Campus Life staff accordingly. Possession of drug paraphernalia is illegal in Massachusetts and is considered an infraction of college policies as well.

The following behaviors are prohibited:
• Possession, use, or distribution of any controlled substance or illegal drug
• Possession, use, or distribution of any drug paraphernalia
• Illegal use, possession, or distribution of alcoholic beverages
• Use, possession, or distribution of alcoholic beverage in campus residences
• Unauthorized use of alcoholic beverages in campus facilities
• Public intoxication
• Drunk and disorderly conduct

(A) State Law & Alcohol Use
The Commonwealth of Massachusetts regulates possession, sale and use of alcohol. Persons under the age of twenty-one (21) are prohibited from the possession and/or use of alcohol; providing alcohol to persons under twenty-one is prohibited. Violation is subject to severe sanctions including arrest and criminal prosecution. Driving under the influence of alcohol or with open containers of alcohol is illegal for all persons and is similarly subject to arrest and criminal prosecution. A person in possession of an open container of an alcoholic beverage on public property may be arrested.

A person under twenty-one who is in possession of an alcoholic beverage may be arrested and fined. (M.G.L. c.90 section 24). A person under twenty-one who operates a motor vehicle containing any alcoholic beverage may be arrested fined and have their driver’s license suspended for three months. (M.G.L. c.90 section 24).

Persons under 21 years old who purchase, attempt to purchase alcohol, make arrangements with another to purchase or procure alcohol, misrepresents their age, alters or falsifies his I.D. with intent to purchase alcohol shall be punished by a fine of $300. A conviction of this crime will result in a driver’s license suspension of 180 days. (M.G.L. c. 138 section 34A)

Any person under 21 years of age who knowingly possesses, carries, or transports alcohol shall be punished by a fine of $50 for a first offense and $150 for any subsequent offense. A conviction of this crime will result in a driver’s license suspension of 90 days. (M.G.L. c. 138 Section 34C).

A person operating a motor vehicle under the influence of alcohol or any other drug, first offense, may be imprisoned for two years, fined one–thousand dollars and have their driver’s license suspended. Punishments greatly increased for any offense after this. (M.G.L. c.90 section 24). Persons using false identification, identification of another, or altered it or falsely obtained ID cards may be arrested, imprisoned for three months and fined. (M.G.L. c.90 section 24).

The City of Beverly Police Department practices zero tolerance for underage drinking. Order 94-2 issued by Beverly Police states that when an officer comes in contact with underage persons using or in possession of alcohol, they can arrest or issue a summons to the underage person, as well as notify the parents or guardians and confiscate all alcoholic beverages. If the person is over 17, the officer proceeds according to the normal adult procedures. The City of Beverly follows all state laws for alcohol use.
(B) Social Host Law
Massachusetts has a social host law, (M.G.L. c.138 section 34), which imposes potential liability on social hosts as a result of their serving alcohol to obviously intoxicated persons or persons under 21 years of age. Students who provide alcohol to minors, including students living in off campus residences, will be subject to disciplinary action by the College in addition to possible charges by the state punishable by a fine of not more than $2,000 or by imprisonment for not more than one year, or both.

(C) State Law & Drug Use
Federal, state and local laws prohibit the manufacture, distribution, possession and/or use of controlled substances (illegal drugs) and the illicit use of prescription drugs. Violation of these laws is a criminal offense subject to arrest and criminal prosecution in state and/or federal courts.

The penalties for possession of the substances outlined in Massachusetts General Law, chapter 94C, section 34 are punishable by one (1) year or less of imprisonment or by a fine of not more than $1,000 or both. Possession of heroin is punishable by two (2) years or less in a house of correction or by a fine of not more than $2,000 or both for the first offense. Possession of marijuana or a Class E substance is punishable by not more than six (6) months in a house of correction or a $500 fine or both. Possession of all other controlled substances is punishable by up to one year incarceration or a fine of $1,000 or both. (M.G.L. c. 94C Section 34).

Sanctions for violation of alcohol and drug policy
The sanction for a specific violation of the alcohol and drug policy will reflect the seriousness of the infraction. The sanctions can include fines, campus service, and removal from housing (if applicable) and/or separation from the College. Student Conduct may also require that students participate in a Drug and Alcohol Education Program. Students suspected of violating the College drug policy might be interim suspended from the residence halls or the college pending a final determination. Sanctions range from fines and campus service, and removal from College Housing and/or the College when applicable. Students who have violated the College drug policy may also be subject to criminal prosecution under applicable state and federal laws.

Providing and serving alcohol in a context that encourages excessive consumption, such as drinking games, is considered very serious. Montserrat holds students responsible for what happens in their residences and for the behavior of their guests. Students are responsible for the activities in their residences of other students and non-student guests. If alcohol is consumed in a College residence, the College considers the resident to be “hosting” and will sanction accordingly. Note: Failure to seek medical assistance for a fellow student who has passed out from alcohol or drugs is extremely serious and can be life threatening. All students are to call for assistance without fear of discipline.

SEXUAL ASSAULT POLICIES AND PROCEDURES
It is the goal of Montserrat College of Art to promote an environment that is free from all forms of unlawful harassment, discrimination and sexual misconduct. Sexual harassment, including sexual misconduct, occurring in the classroom, residence halls, or in other campus or off-campus settings in which students may find themselves in connection with their status as Montserrat College of Art students, is unlawful and will not be tolerated by the College.

All portions of the Sexual Misconduct Policy apply to:
• All students alleging sexual misconduct carried out by other students, employees of the College or a third party
• All acts of sexual misconduct whether the act occurred on campus or off campus
• All students regardless of sexual orientation or sexual identity
• Any online behavior that may affect the education experience for any student

The policies that the College has developed and follows are not a substitute for the law. Montserrat College of Art supports any student who reports any criminal activity to local law enforcement agencies. The College will respond promptly to all complaints. Where it is determined that such inappropriate conduct has occurred, the College will act to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Sexual Harassment is prohibited under the Title VII of the Civil Rights Act of 1964, Title IX of the Higher Education Amendments of 1972, the Violence Against Women Act of 1994, and Chapter 151B and 151C of the Massachusetts General Laws.

(A) Definition of Sexual Harassment
“Sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly as terms or condition of employment or as a basis for employment decisions; or
(b) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all examples of conduct that constitutes sexual harassment under the definition, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comments on an individual’s body, comments about an individual’s sexual activity, deficiencies or prowess, suggestive or insulting comments of a sexual nature;
- Displaying sexually suggestive objects, pictures, cartoons, emails, websites etc.;
- Unwelcome leering, whistling, brushing against the body, sexual gestures;
- Inquiries into one’s sexual experiences; and
- Discussion of one’s sexual activities.

In addition, the College specifically prohibits the dissemination of sexually explicit voicemail, email, and/or graphics.

(B) Sexual Misconduct

Montserrat College of Art is committed to providing a learning community free of all forms of sexual misconduct. ‘Sexual misconduct’ is defined as a form of discrimination based on sex or gender that violates Title IX regulations. In some cases, sexual misconduct behavior may be criminal in nature including sexual harassment, rape, dating violence, domestic/intimate partner violence, sexual assault and stalking.

Sexual misconduct may occur between a female perpetrator and male victim, male perpetrator and female victim or between a perpetrator and victim of the same gender. Regardless of gender or sexual orientation of the parties involved, all sexual misconduct is a violation of college policy.

Montserrat College of Art will address all reports of sexual misconduct. Any report of sexual misconduct will be investigated and may result in a student conduct hearing. The College will work with the community and other resources to provide on-going education around the issue of sexual misconduct.

(C) Definitions: The following are educational definitions used by the College and are not intended to mirror Massachusetts General Laws.

- **Rape (Non-consensual Sexual Intercourse)**
  Entering into, engaging in, or continuing to engage in sexual intercourse, which involves an act of vaginal, oral, or anal penetration with another person when it occurs against that person’s will/without that person’s consent. Acquaintance rape (committed by a date, friend, or someone the victim knows casually) is defined the same as above.

- **Dating Violence**
  Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type and frequency of interaction. (adopted from VAWA legislation)

- **Domestic/Intimate Partner Violence**
  Any person regardless of age or sex, who has been abused by a spouse or partner, former spouse or partner, household member (roommate), former household member, past or present in-laws, step children, or a blood relative.

- **Sexual assault**
  Any sexual activity without consent. Sexual assault includes: penetration of any orifice by any object, force or threat of force, perpetration (unwanted touching of an intimate part of another’s body) against the will of the victim.

- **Stalking**
  A willful and malicious pattern of conduct that seriously alarms and would cause a reasonable person to suffer substantial emotional distress. A stalker must directly threaten the victim.

- **Consent**
  An informed, freely and actively given, mutually understandable communication that clearly indicates willingness to participate at every stage of a sexual encounter. An absence of no does not indicate consent. Consent cannot be given if one of the participants is: under the age of consent (16 years old in MA), mentally disabled, intoxicated by drugs or alcohol, unconscious, asleep, unaware, or physically helpless. Furthermore, consent is not effective if a person is coerced, pressured, intimidated or threatened.
(D) Suggested Steps to Follow if You Experience Sexual Misconduct

• Go to a safe place as soon as you can.
• Contact someone you trust, a close friend, family member, staff member or a resident assistant, to be with you and support you.
• It is important to preserve all physical evidence since this may be necessary in the proof of a criminal sexual assault. If possible, do not wash, eat, drink, douche, clean, use the bathroom, or change clothes. If you do change clothes, put all clothing you were wearing at the time of the attack into an unused or a clean paper bag.
• Get medical attention as soon as possible. A medical examination can provide any necessary treatment and collect important evidence. Injuries may not be immediately apparent. Student Affairs personnel can assist in transporting you to the hospital. The North Shore Rape Crisis Center (www.nsrc.org) can provide a trained advocate to meet a survivor at a local hospital. In addition, the NSRCC has a 24-hour hotline for survivors of sexual assaults - 800.922.8772. These services are free.
• Report the incident. Students are strongly encouraged to report all forms of sexual misconduct. Students may contact the Title IX Coordinator or the Deputy Title IX Coordinator.

Title IX Coordinator: Christin Bouranis, Human Resources Generalist, 248 Cabot Street, 1st floor. 978-921-4242, ext. 1171.

Deputy Title IX Coordinator: Maureen Wark, Dean of Students, Hardie Building, 1st floor, 978-921-4242 ext. 1130. Students may also report a sexual assault or sexual misconduct and pursue possible criminal prosecution. Any of the resources listed above can help you arrange initial contact with local police or, you may contact law enforcement directly by calling 911.

Confidentiality: A survivor may speak confidentially with the College’s Counseling Psychologist (978-921-4242, ext. 1200) or an off-campus resource such as the North Shore Rape Crisis Center (800-922-8772).

Although every effort will be made to ensure confidentiality, Montserrat College of Art’s policy prohibiting sexual harassment/sexual misconduct does not guarantee confidentiality in all cases. In some instances, the College may be bound by the law or otherwise required to initiate an investigation to ensure the safety of all community members.

In the Annual Security and Fire Safety Report is compiled COMPLETE confidentiality is guaranteed in the report. No one is ever identified in the reporting of crime statistics.

Faculty and Staff Obligation to Report. Staff and faculty of Montserrat, outside of the Counseling Psychologist, are obligated to report incidents of sexual misconduct to the Title IX Coordinator or the Deputy Title IX Coordinator within a timely manner, preferably not to exceed 72 hours. Such reports may be made as third party reports if the survivor so chooses not to disclose their identity and/or the identity of the accused.

Interim measures may be requested/taken to ensure the well-being of the survivor and the safety of all community members when a report of sexual misconduct is received. Those measures (available for the duration of an investigation) include, but are not limited to:

• A change of an on-campus student’s housing to a different on-campus location.
• A change of class sections when possible.
• A change in on-campus employment schedule
• Additional academic support through the Center for Academic Support
• Assistance in exploring incompletes, a leave of absence, or withdrawal from the College.

(E) Reporting the incident for investigation.

Students who wish to have an incident of discrimination, harassment or misconduct investigated should file a written report with the appropriate person listed below. The report should summarize the alleged discrimination, harassment or misconduct, should identify the person who allegedly committed the discrimination, harassment or misconduct and should describe the resolution sought.

• If the person alleged to have committed the violation is a faculty member, please file the report with Laura Tonelli, Dean of Academic and Faculty Affairs.
• If the person alleged to have committed the violation is a staff member, please file the report with Christin Bouranis in Human Resources.
• If the person alleged to have committed the violation is a student or non-community member, please file the report with Maureen Wark, Dean of Students.
Any staff member above can assist you in contacting the local police if that is your wish. They can also put you in contact with the Title IX Coordinator or Deputy Title IX Coordinator who can answer questions about the processes associated with these matters.

Although your privacy will be protected when you report through these offices, people who need to know may be told and information may be shared as necessary to investigate and adjudicate the matter. All efforts will be made to protect your privacy to the greatest extent.

(F) Campus investigation procedures

When the College receives the complaint, the College will investigate the allegation in a fair and timely manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint, the person alleged to have committed the violation and with witnesses. All parties involved should refrain from discussing any and all aspects of the investigation.

When the College has completed its investigation, it will inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation, simultaneously. If it is determined that inappropriate conduct has occurred, the College will act to eliminate the offending conduct, and when appropriate, impose disciplinary action on the offending individual.

During the entire process, the survivor will have:

• The right to be treated with dignity and respect
• The right to have a support person or persons of his/her choice accompany them throughout the disciplinary proceedings. This person is a ‘silent’ supporter during meetings, etc. who may not verbally participate in or interrupt the proceedings.
• The right to request a modification to the hearing setting during their testimony.
• The right, as established in Massachusetts Law, not to have his/her personal sexual history (including that with the accused student) discussed during the hearing
• The right to make a “victim impact statement” if the accused is found in violation of the Sexual Misconduct conduct code
• The right to be notified of the outcome of any disciplinary proceedings pursuant to the Campus Security Act, Sexual Assault Bill of Rights (April 29, 1994).

During the entire process, the accused will have

• The right to be treated with dignity and respect
• Written notification of the alleged charges in a timely manner
• The right to review substantive evidence to be used against them
• The right to have a support person or persons of his/her choice accompany them throughout the disciplinary proceedings. This person is a ‘silent’ supporter during meetings, etc. who may not verbally participate in or interrupt the proceedings.
• The right to be notified of the outcome of any disciplinary proceedings pursuant to the Campus Security Act, Sexual Assault Bill of Rights (April 29, 1994).

(G) Disciplinary Action

If it is determined that inappropriate conduct has been committed by a College employee, student or third party, the College will take such action as is appropriate under the circumstances. Recommendations for disciplinary action may range from counseling to termination from employment; or from disciplinary probation to removal from Housing and/or the College. It may be recommended that a third party be banned from being on/working on (vendor) the campus. Other forms of disciplinary action may be imposed as deemed appropriate under the circumstances.

In order to create an environment that encourages victims to report and pursue action relative to incidents of sexual misconduct, the College may choose not to pursue student conduct violations committed by the complainant (such as alcohol violations) related to the sexual misconduct incident. In those rare instances where violations are processed, they will be addressed through the use of educational methods such as counseling, community service, and/or educational workshops. Victims will not be subject to fines or removal from housing or the College.

False Claims: If it is determined that an individual falsified a claim of harassment, discrimination or misconduct, it may result in corrective actions up to and including dismissal from the College or release from employment.
(H) Retaliation
The College prohibits retaliation against any individual who reports harassment, discrimination, or misconduct or participates in an investigation of such reports. Retaliation against an individual for reporting harassment, discrimination, or misconduct or for participating in an investigation of a claim of harassment, discrimination, or misconduct is a violation of this policy and, like harassment, discrimination, or misconduct will be subject to disciplinary action.

(I) Campus Education/Prevention Programs
The College will work with the community and other resources to provide on-going education around the issue of sexual misconduct. There is a prevention workshop during New Student Orientation as well as on-going information sessions during the academic year.

(J) On-And Off-Campus Resources/Contacts

Medical Treatment
Local Emergency Service 911
Health and Wellness Center, ext. 1300
North Shore Rape Crisis Center (Someone can escort you to a hospital) 800.922.8772
Beverly Hospital, 85 Herrick St., Beverly, MA 978-922-3000
North Shore Medical Center, 81 Highland Ave., Salem MA 978-741-1200

Safety
Beverly Police Department 911
Beverly Police Department, Domestic Violence Unit, 978-922-1155

Counseling and Emotional Support
Counseling Center, 1st floor Hardie, ext. 1200
North Shore Rape Crisis Center, Lynn, MA 800.922.8772
Helping Abuse Working for Change, Salem, MA 800-547-1649
Lahey Behavioral Health Services, 978-921-1190

Campus Offices
Dean of Student Office, 1st floor Hardie, ext. 1130
Title IX Coordinator, 1st floor, 248 Cabot, ext. 1171
Campus Life Office, Student Village, Lower Level, ext. 1134 and 1st floor Hardie, ext. 1136 or ext. 1135

State and Federal Remedies for Formal Complaints
If you believe you have been subjected to harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 300 days; MCAD – 300 days).

Addresses & Contact Info
U.S. Equal Employment Opportunity Commission - Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000
Fax: 617-565-3196
TTY: 1-800-669-6820

Massachusetts Commission Against Discrimination (“MCAD”)
Boston Office:
One Ashburton Place, Room 601
Boston, MA 02108
Phone: 617-727-3990
Fax: 617-994-6024
TTY: 617-994-6196
CAMPUS SEX CRIMES PREVENTION ACT

The Federal Campus Sex Crimes Act requires college and universities to issue a statement advising the campus community how to obtain information concerning registered sex offenders from the appropriate state law enforcement agencies. In addition, the act registered sex offenders to provide appropriate state officials notice of each institution of higher education in that state at which the offender is employed or carries on a vocation.

Members of the Montserrat College of Art community may access this information by calling the Commonwealth of Massachusetts Sex Offender Registry Board at 978-740-6400 or by contacting the Beverly Police Department at 978-922-1212.

FIRE SAFETY

Throughout the year, Montserrat College of Art conducts unannounced fire drills across campus in compliance with state and local ordinances. Fire drills are an important part of planning for the safety of all members of the Montserrat community.

• During a fire drill, all persons must leave the building via one of the marked fire exits; there are no exceptions to this requirement.
• No one should re-enter the building until told to do so by personnel conducting the fire drill.
• Causing or reporting a false fire alarm is a criminal offense and the person doing so is subject to arrest, fines and additional College disciplinary action.

For residence halls

Behavior, which subjects campus residents to danger as a result of a fire is considered extremely serious and will be referred to student conduct. Sanctions may be assessed up to and including dismissal from the College. This includes disconnecting or disabling the smoke or fire alarms in campus buildings, as well as complete disregard or negligence of fire safety in cooking, smoking, or creating art. Residents are required to practice prudent and sensible fire-safety measures.

• Students should practice basic fire-safety while cooking. Do not leave the kitchen unattended when the stove is on and keep the stove clean, free of grease and other combustibles.
• Students are not permitted to hang tapestries, or other appendages from the ceiling, including the sprinkler heads. This will create interference with the sprinkler system. Students may not block a walkway with any object, including curtains, sheets or drapes.
• Students should avoid overloading of electrical outlets, and limit clutter and combustibles in their apartments.
• Additional 'appliances', including but not limited to, mini-fridges, microwaves, coffee makers, etc., must be kept in the common area of an apartment, preferably the kitchen area.
• Only UL listed power strips and extension cords are permitted.
• Under no circumstances may a student light a fire of any kind in or near college housing.
• Using a closet as a sleeping or studio space is prohibited.
• Fire doors (in hallways, stairwells, etc.) may not be blocked or kept open at any time or used as entry/exit doors by residents.
• Stairwell and fire exit lights must remain on at all times.
• Excessive littering is considered a fire hazard and will be treated accordingly.
• Hallways must be kept clean and clear.

Items which are not permitted in the residence halls include:

Halogen lamps, decorative lights/signs (unless UL certified), extension cords (unless UL certified), candles/incense, kerosene lamps, space heaters (unless furnished by the College in a situational basis), any items which creates an open-flame, flammable liquids or gases, including paint thinners, grills, gas or charcoal (also prohibited from the decks, backyards, porches and driveways of all residence halls), opened spray cans that contain flammable vapors such as fixatives and spray paints, any opened oil based media.
Studios and Classrooms

Studio and classroom doors cannot be blocked by furniture or art work.

There are safety cans in the painting studios for the disposal of flammable rags, oil-based waste, and solvents. Additionally, there are safety storage units for the storage of flammable materials. The law requires all containers (including but not limited to baby food and pickle jars) containing flammable liquids to be labeled with the contents, name of owner, and date stored. All containers should be glass and must have a fitted cap or lid. Students should never put a solvent into an unmarked container and store it.

Never put flammables (just mentioned), on top of, or next to radiators, space type heaters, hot plates, or close to any heat source.

Anything that creates a flame or ember is not allowed in the studios.

No smoking in studios, or in any campus building.

There are fire extinguishers in every classroom and at the end of every hall.

These are to be used only if fire blocks your exit from a building.

What to do in case of a fire

Sound the building alarm by pulling the alarm box located near an exit. Leave the building immediately.

Do not use elevators; use the fire exits only. Crawl to stay beneath smoke if necessary.

Do not open the door if the doorknob or door is warm. If you can’t leave a room, open windows at the top and bottom, hang something out the window to attract attention and shout for help.

Move away from and do not re-enter the building until permitted by the Fire Department officials.

We urge all students to become familiar with exit routes. All alarms are to be taken seriously and no one is to remain in the building for any reason when an alarm is sounding.

Fire Safety Education

Fire safety regulations and policies, as well as fire evacuation procedures, are reviewed during house meetings on the first week of each semester. Additional fire safety information is distributed to students throughout the year.

MISSING PERSONS POLICY

The Missing Person Policy is intended to comply with the Higher Education Opportunity Act of 2008 to respond to and assist with reports of missing students. This policy applies to students who reside on campus and are deemed missing or absent from the College for a period of more than 24 hours without any known reason or which may be contrary to usual patterns of behavior. Such circumstances could include, but are not limited to: reports or suspicions of foul play, suicidal thoughts, drug use, any life threatening situations, or where a student may be known to be with persons who may endanger the welfare of the student. In the beginning of the semester, all students will have the opportunity to designate an individual(s) as the missing person contact. All reports of missing resident students should be directed to the Dean of Student who, in conjunction with campus security, will conduct an investigation to determine whether the student is missing in accordance with this policy. Montserrat will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined missing in accordance with such procedures; and after the 24 hours Montserrat will initiate emergency contact procedures in accordance with the student’s designation.
**CRIME LOG**

A public, written crime log that records crimes which occur on campus, on non-campus buildings or property, or public property that are within the campus or immediately adjacent to and accessible from the campus and reported to Campus Security is maintained in the Security Office, 1st floor, Hardie Building, 23 Essex Street, Beverly, MA 01915.

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>UN CAMPUS</th>
<th>RESIDENTIAL FACILITIES</th>
<th>NON CAMPUS</th>
<th>PUBLIC PROPERTY</th>
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<tr>
<td>Murder/Non-negligent Manslaughter</td>
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Non-Campus and Public property statistics contain crime statistics from local police agencies.
FIRE LOG

A public, written fire log that records any fire that occurs in an on-campus student housing facility is maintained in the Security Office, 1st floor, Hardie Building, 23 Essex Street, Beverly, MA 01915.

Fire Statistics

<table>
<thead>
<tr>
<th>Name of Facility</th>
<th>Street Address</th>
<th>2012 Number of Fires</th>
<th>2013 Number of Fires</th>
<th>2014 Number of Fires</th>
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