

**2018**  
**ANNUAL**  
**SECURITY AND 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 <https://www.montserrat.edu/wp-content/uploads/Security-and-Fire-Safety-Report-2018.pdf>. This report is prepared in cooperation with the local law enforcement agencies surrounding our Beverly campus.

Each year, an e-mail notification is sent to all enrolled students and current faculty and staff members that includes 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 Securitas Security Services USA, Inc. to provide on-campus security, 24 hours per day, 365 days per year. There is one officer per shift, including a Security Supervisor who serves the campus as the Director of Campus Safety. The officers answer calls, provide directions and answer questions while stationed at the main lobby of the Hardie Building (2017). The officers are required to make frequent foot patrols of the campus, using the Vision System, a compliance report management program that ensures critical areas on campus are checked and allows for tracking of incidents by category. During these tours, the officers assist community members, check all campus building doors, secure the exteriors of residence halls and interiors of academic/administrative buildings 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. Security staff calls Beverly Police for assistance when needed.

The officers have a good working relationship with the Beverly Fire and Police Departments. The officers carry a cellphone at all times. The Campus Security Office is currently located on the first floor of the Hardie Building.

The Campus Security cell phone numbers:	978-778-8231 or 978-430-7304
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 self-enroll in this system (<https://www.montserrat.edu/e2campus-sign-up/>).

In addition, the College utilizes the campus-wide e-mail system to notify the campus community about weather-related school closing and 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.

## REPORTING CRIMINAL ACTS OCCURING 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, including to Campus Security. 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.

**Campus Security Authorities (CSA)** are staff to whom crimes can – and should - be reported. Once received, the reports are given to the Dean of Students for determination of action to be taken. A CSA is 'to report allegations made in good faith to the reporting structure established by the institution'.

All Title IX reports are reported to the Title IX Coordinator, Christin Bouranis, HR Generalist (978-921-4242, ext. 1171) and/or the Deputy Title IX Coordinator, Maureen Wark, Dean of Students (978-921-4242, ext. 1130)

Crimes should be reported to one of the following:

Dean of Students:	978-921-4242, ext. 1130	<a href="mailto:maureen.wark@montserrat.edu">maureen.wark@montserrat.edu</a>
Campus Safety Director:	978-778-8231 or 978-430-7304	<a href="mailto:security@montserrat.edu">security@montserrat.edu</a>

Additional Campus Security Authorities:

Director of Campus Life	978-921-4242, ext. 1135
Associate Director of Campus Life	978-921-4242, ext. 1133
Graduate Assistant, Student Affairs	978-921-4242, ext. 1133

The above can also be reached through the Administrator on Call phone: 978-801-1135

All 12 Resident Assistants (RA)	978-712-0084 (on call phone)
All Security Officers	978-778-8231 or 978-430-7304

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.

## **ACCESS TO CAMPUS FACILITIES**

Consult the notice at the Security office for building access hours. No unauthorized personnel are allowed on the premises during the hours when the College is closed. Suspicious persons or activities on campus should be reported to Campus Security immediately at 978-778-8231 or 978-430-7304 or to 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**

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;
- To perform preventive maintenance, repair damages and take care of building needs.

Staff (defined as Resident Assistants, Director of Campus Life, Associate Director of Campus Life, Graduate 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.

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 against policy 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.

## **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 which is carried and answered by the officer on duty. 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 Campus Safety Director during New Student Orientation. New students also learn about the Health Center and Counseling Center during New Student Orientation through educational sessions presented by the staff in those areas. New students are educated on sexual violence prevention through mandatory workshops held during New Student Orientation. These sessions were presented by our colleagues at the YWCA of Northeastern Massachusetts.

### **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 YWCA of Northeastern Massachusetts 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 days of the semester, identification cards (ID cards) are issued and/or updated to students, faculty and staff. 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

### College Policy

The following behaviors are prohibited on the Montserrat College of Art campus:

- a. Possession, use, or distribution of any controlled substance or illegal drug, including marijuana
- b. Possession, use, or distribution of any drug paraphernalia
- c. Illegal use, possession, or distribution of alcoholic beverages
- d. Use, possession, or distribution of alcoholic beverage in campus residences
- e. Use, possession, or distribution of any controlled substance or illegal drug, including marijuana in campus residences
- f. Unauthorized use of alcoholic beverages and/or any controlled substance or illegal drug, including marijuana in campus facilities
- g. Public intoxication (alcohol and/or drugs)
- h. Drunk and/or disorderly conduct
- i. Being in the presence at the time any of the above actions occur

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. Although Massachusetts voters approved the legalization of marijuana in the state, marijuana is still illegal under federal law and since Montserrat College of Art receives federal funding, we must comply with the federal law. As such, it is still against college policy

for anyone to possess, grow, use, distribute and/or purchase marijuana on campus. Please also note that marijuana is legal only for people 21 and over (just like alcohol) and use of marijuana in public places in Massachusetts is still banned.

***(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 of age 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 any combination of the following:

*Warnings*

*Fines*

*Loss of housing privileges*

*Loss of visiting any on-campus housing for any non-resident student*

*Restitution of Damages*

*Educational assignments/programming*

*Behavior Agreements*

*Disciplinary Probation*

*Removal/Suspension from on campus housing*

*Interim suspension*

*Suspension from the College*

*Expulsion from the College*

Students who have violated the College's alcohol and/or 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 and/or illegal drugs used in a college residence, the College considers the resident to be "hosting" and will proceed 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, prohibited 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***

1. Go to a safe place as soon as you can.
2. Contact someone you trust, a close friend, family member, staff member or a resident assistant, to be with you and support you.
3. 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.
4. 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.nsrcc.org](http://www.nsrcc.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.

5. 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 Contact Information**

**Title IX Coordinator:** Christin Bouranis, Human Resources Generalist, 24 Essex St., 2<sup>nd</sup> floor. 978-921-4242 ext.1171.

**Deputy Title IX Coordinator:** Maureen Wark, Dean of Students, Hardie Building, 1<sup>st</sup> 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 confidentiality with the College's Counseling Psychologist or an off-campus resource such as the North Shore Rape Crisis Center.

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.

**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 Brian Pellinen, 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, Human Resources Generalist.
- 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**

Campus Health Center, 1<sup>st</sup> floor Hardie, 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, 1<sup>st</sup> floor Hardie, ext. 1200

North Shore Rape Crisis Center, Lynn, MA 800.922.8772

Helping Abuse Working for Change (HAWC), Salem, MA 800-547-1649

Lahey Behavioral Health Services, 978-921-1190

### **Campus Offices**

Dean of Students Office, 1<sup>st</sup> floor Hardie, ext. 1130

Title IX Coordinator, 2<sup>nd</sup> floor, 24 Essex St., ext. 1171

Campus Life Office, 1<sup>st</sup> floor Hardie, ext. 1134

### **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.
- Failure to evacuate during a fire drill/alarm is a violation of the Student Conduct Code.
- 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.**

### **Fire hazards, policies and procedures – Studios and Classrooms**

Studio and classroom doors cannot be blocked by anything (furniture, art work, etc.).

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 to 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.

Students should know location of fire extinguishers, alarms and exits. If you discover a fire, sound alarm and call 911 first, then notify Campus Security at **978-430-7304**.

### **Fire hazards, policies and procedures – Residence Halls**

Any behavior, which results in 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, creating art or any other action. Residents are required to practice prudent and sensible fire-safety measures.

ALL hallways must be kept clean and clear and stairwell and fire exit lights must remain on at all times.

#### **Students are not permitted to:**

- Intentionally or recklessly misuse or damage fire or other safety equipment
- Falsely report an emergency including, but not limited to, the false report of bomb, fire, or other emergency in any building, structure, or facility by means of activating a fire alarm or in any other manner
- Use candles or open flames in any way
- Smoke in any Montserrat College of Art housing/facility
- Remain in any building during a fire alarm or drill
- Leave the kitchen unattended when the stove/oven is on
- Hang tapestries, or other appendages from the ceiling, including the sprinkler heads. This will create interference with the sprinkler system.

- Block a walkway with any object, including curtains, sheets or drapes.
- Overload any electrical outlet. Only UL listed power strips and extension cords are permitted.
- Students need to limit clutter and combustibles in their apartments. Excessive trash/clutter/filth is considered a fire hazard and may be addressed through the student conduct system.
- Have additional 'appliances', including but not limited to, mini-fridges, microwaves, coffee makers, etc., in any part of the apartment EXCEPT in the common area of an apartment, preferably the kitchen area.
- Light a fire of any kind in or near any college building, including residential houses.
- Use a closet as a sleeping or studio space.
- Block or keep open, at any time, fire doors.

**Items which are not permitted in the residence halls include:**

- Alcohol/Drugs/Drug paraphernalia
- Pets (including aquarium pets)
- Halogen lamps
- Decorative lights/signs (unless UL certified)
- Extension cords (unless UL certified)
- Hoverboards or similar devices
- Candles/incense
- Kerosene lamps
- Space heaters (unless furnished by the College for a temporary emergency)
- 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)
- Weapons (real, realistic, or decorative)
- Motor vehicles, including motorcycles, motorized scooters, etc.
- Opened spray cans that contain flammable vapors such as fixatives and spray paints
- Any opened oil based media
- Tattoo guns or anything equipment for tattooing

Any student who smells a strong odor of oil or gas in a campus residence should contact the RA on call AND Campus Security IMMEDIATELY.

**What to do in case of a fire:**

**DIAL 911** OR 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.

### **Building evacuation locations – Academic and Administrative**

Proceed to designated area closest to you. Always use caution when crossing a street.

Hardie Building:	Beverly Common
24 Essex Street:	Hardie Checkerboard
1A Knowlton Street:	Beverly Public Library parking lot or Beverly Common
301 Cabot Street:	Dane Street Church parking lot
248 Cabot Street:	Back parking lot, towards Federal Street

### **Building evacuation locations– Residence Halls**

Proceed to designated area closest to you. Always use caution when crossing a street.

1 Watch Hill:	Hardie Checkerboard/Beverly Common
Student Village:	Hardie Checkerboard/Beverly Common
7 Winter and 9 Winter:	Hardie Checkerboard/Beverly Common
42/44 Essex:	Parking lot on the south side of 42/44 Essex
41 Essex:	Parking lot on the south side of 42/44 Essex
1 Knowlton:	Yard between 7 and 9 Winter
13 Knowlton:	Across Knowlton to the Dane Street Church parking lot
297 and 299 Cabot:	Down Dane St to the Dane Street Church parking lot
20/22 Chapman:	Across Chapman St to the parking lot
11 Abbott, 197/205 Cabot:	Across Abbott St to the front of the First Baptist Church

**We urge all community members 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.**

Community members should know location of fire extinguishers, alarms and exits. If you discover a fire, sound alarm and call 911 first, then notify Campus Security at **978-778-8231**.

### **Fire Safety Education**

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

## **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 Students Office 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 and STATISTICS

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, 1<sup>st</sup> floor, Hardie Building, 23 Essex Street, Beverly, MA 01915.

### Montserrat College of Art Crime Report January 1, 2017-December 31, 2017

OFFENSE	ON CAMPUS			RESIDENTIAL FACILITIES			NON CAMPUS			PUBLIC PROPERTY		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<i>Criminal Offenses</i>												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offences, Forcible	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Rape	0	0	0	1	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offences, Non-Forcible	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1
Incest	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
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0	0	0	0
Burglary / Theft	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<i>VAWA Offenses</i>												
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	1	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<i>Arrests</i>												
Liquor Law Arrests	0	0	0	0	0	0	1	0	0	0	0	0
Illegal Weapons Arrests (possessing, carrying, etc.)	0	0	0	0	0	0	1	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	1	0	0	0	0	0
<i>Referred for Disciplinary Action</i>												
Liquor Law Violations	1	2	4	1	2	4	0	0	0	0	0	0
Illegal Weapons Arrests (possessing, carrying, etc.)	0	1	2	0	1	2	0	0	0	0	0	0
Drug Abuse Violations	1	0	3	1	0	3	0	0	0	0	0	0

Non-Campus and Public property statistics contain crime statistics from local police agencies.

ND - 'newly defined' as rape and fondling for 2015.

ND1 - 'newly defined' as incest and statutory rape for 2015.

All crimes occurring in residence halls are also recorded under 'on campus'.

## HATE CRIME STATISTICS

A hate crime is a criminal offence that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery purposes, there are eight categories of bias: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin and Disability.

### Montserrat College of Art Hate Crimes Report January 1, 2017-December 31, 2017

OFFENSE	ON CAMPUS			RESIDENTIAL FACILITIES			NON CAMPUS			PUBLIC PROPERTY		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<i>Criminal Offenses</i>												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offences, Forcible	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Rape	0	0	0	1	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offences, Non-Forcible	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1	ND1
Incest	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
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary / Theft	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0

## FIRE LOG and STATISTICS

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.

### Montserrat College of Art Fires Summary January 1, 2017-December 31, 2017

Name of Facility	2015			2016			2017		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Sturnick Student Village	0	0	0	0	0	0	0	0	0
42 Essex	0	0	0	0	0	0	0	0	0
44 Essex	0	0	0	0	0	0	0	0	0
297 Cabot	0	0	0	0	0	0	0	0	0
299 Cabot	0	0	0	0	0	0	0	0	0
13 Knowlton	0	0	0	0	0	0	0	0	0
Archer Hall	0	0	0	0	0	0	0	0	0
7 Winter	0	0	0	0	0	0	0	0	0
9 Winter	0	0	0	0	0	0	0	0	0
20 Chapman	0	0	0	0	0	0	0	0	0
22 Chapman	0	0	0	0	0	0	0	0	0
4 Winter	0	0	0	0	0	0	0	0	0
19 Briscoe	0	0	0	0	0	0	0	0	0
1 Watch Hill	0	0	0	0	0	0	0	0	0
19 Essex	0	0	0	0	0	0	0	0	0
11 Abbott	0	0	0	0	0	0	0	0	0
5 Winter (staff only housing)	0	0	0	0	0	0	NA	NA	NA
Total	0	0	0	0	0	0	0	0	0