We urge members of the University community to use this report as a guide for safe practices on and off-campus. The University of Massachusetts (UMass) Boston Police Department (UMBPD) sends an email to every enrolled student and current employee on an annual basis to give notice when the report is available to be reviewed. The email includes a brief summary of the contents of this report and the web address for the University of Massachusetts Boston Office of Emergency Management and Business Continuity where the Annual Security and Fire Safety Report can be found. The report is available online at www.umb.edu/preparedness/campus_safety_report.

Physical copies of this report may also be obtained at UMBPD located at 100 Morrissey Boulevard, Boston, MA 02125, or the UMass Nantucket Campus at 180 Polpis Road, Nantucket, MA 02544, or by calling the UMBPD at 617.287.1212.
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We Care — Together we can maintain a safe and secure community.

Message From the Vice Chancellor for Student Affairs

The safety and security of our students, employees, and visitors is a foremost concern for the University of Massachusetts Boston. Promoting a safe campus necessitates the cooperation of all campus community members. It begins with care for each other and extends to the work of those officials charged with protecting, serving, assisting in, and advocating for the well-being of our campus. This publication, the Annual Security and Fire Safety Report, provides crucial information on all aspects of safety and security, from emergency preparedness to crime prevention. It also reports statistics about crime in and around the campus and outlines our policies around alcohol and drug abuse. Therefore, I ask that you please take the time to read this report and reflect on your role in creating a more caring and safe University community. Thank you for giving your careful attention to this important information.

—Gail DiSabatino, EdD
Vice Chancellor for Student Affairs

Message From the University Police Department

The UMBPD is committed to providing a safe and secure educational environment for our students, faculty, staff and visitors to learn and work. We are grateful to join Vice Chancellor DiSabatino in presenting this year’s Annual Security and Fire Safety Report. (ASFSR).

In collaboration with UMass Boston’s Office of the Dean of Students and the Office of Diversity and Inclusion, this report is prepared by the UMBPD.

Inside this report you will find policies and procedures for reporting crime, safety and security prevention programs, victim assistance services, fire safety, and other materials to enhance your safety and security. This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act (HEOA). Valuing our partnership with the community, campus safety and security is a collaborative effort involving all members of the community in making the UMass Boston and Nantucket campuses safe.

We encourage you to read this information and consider how it can help you and the UMass community to prevent crime and protect yourself against crime. For more information regarding this document please visit www.umb.edu/preparedness/campus_safety_report or contact the UMBPD at 617.287.1212

—Donald D. Baynard
Chief of Police/Director of Public Safety
Key Contact Information:

UMass Boston Police Department ■ Quinn Administration Building ■ 100 Morrissey Boulevard Boston, MA 02125

UMass Boston Campus: (617) 287-1212
Emergency Dial ................................................................. (617) 287-1212
Non-Emergency Dial ..................................................... (617) 287-1212
TIPS Line ................................................................. (617) 287-7777
University Counseling Center ........................................ (617) 287-5690
University Student Health Center .................................... (617) 287-5661
Dean of Student's Office ................................................ (617) 287-5899
Office of Diversity and Inclusion (Title IX Coordinator) .... (617) 287-4818
Office of Emergency Management .................................... (617) 287-6821
Environmental Health and Safety ..................................... (617) 287-5445
Human Resources Office ............................................... (617) 287-5150
City of Boston Police Department (District 6) and Community Affairs .......... (617) 343-4730
City of Boston Police Department (District 11) and Community Affairs .......... (617) 343-4330
Massachusetts State Police (Troop H) ................................ (617) 740-7710

UMass Nantucket Campus: (508) 228-5268
Emergency Dial ................................................................. (508) 228-5268
Non-Emergency Dial ..................................................... (508) 228-0706
Massachusetts State Police (Troop D-6) ................................ (508) 228-1212
Nantucket Police Department ......................................... (508) 228-1212
Nantucket Health Center Family and Children Services ............... (508) 228-2689

Other:
Rape Crisis Hotline .......................................................... (800) 870-5905 or (800) 223-5001
National Suicide Prevention Hotline .................................. (800) 273-8255

We hope that you find this information beneficial. We invite your questions, concerns, and suggestions. You may contact the UMBPD at (617) 287-1212 or visit our website at www.umb.edu/public_safety, or email the department at public.safety@umb.edu.
Section 1: Introduction

The University of Massachusetts Boston

UMASS BOSTON CAMPUS:

The UMass Boston campus sits on the scenic waterfront of the Boston Harbor, with easy access to downtown Boston. It is located next to the John F. Kennedy Library and Presidential Museum and the Edward M. Kennedy Institute for the United States Senate. The UMass Boston Campus is one of five campuses (Amherst, Lowell, Dartmouth, & Worcester) that comprise the University of Massachusetts system. The UMass system and combines a small-college experience with the vast resources of a major research university.

UMASS NANTUCKET CAMPUS:

The UMass Nantucket campus is considered a Branch campus and subset of the UMass Boston campus. The Department of Education defines a Branch campus as: a location of an institution that is geography apart and independent of the main campus of the institution. A location of institution is considered independent of the main campus if 1) the location is permanent in nature, 2) offers courses in educational programs leading to a degree or other recognized educational credential, 3) has its own faculty or administrative or supervisory organization, and 4) has its own budgetary and hiring authority.

The UMass Nantucket campus is located on the glorious Nantucket Island. The campus sits on 107 acres, located minutes from downtown Nantucket. The facility includes four buildings consisting of classroom, laboratory, workshops and residential accommodations. The UMass Nantucket campus also includes 40 acres of salt marsh, 2,000 feet of sandy beach fronting on the Nantucket Harbor, mowed fields, upland shrub habitat, and a large freshwater pond. The UMass Nantucket campus is used for research and teaching.

UMass Boston is a community that combines more than 16,000 students, staff and faculty. UMass Boston is nationally recognized as a model of excellence for urban public universities. It is UMass Boston’s mission to embrace the commitment to urban and global engagement.

UMass Boston’s vibrant, multi-cultural educational environment encourages our broadly diverse campus community to thrive and succeed. With eleven colleges and schools, UMass Boston offers 82 undergraduate programs and 126 graduate programs. We reinforce creativity and new knowledge while serving the public good of our city, our commonwealth, our nation, and our world.

UMass Boston has the utmost concern for the safety of its students, staff, faculty, guests and visitors. We accept the responsibility to employ security measures and law enforcement practices to help provide the university community with a safe, secure environment in which to live and pursue academic goals.

The UMBPD prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act (HEOA).

This report includes statistics for the previous three years (2014-16), regarding reported crimes that occurred on campus; in certain off-campus buildings or property owned, leased or controlled by UMass Boston; and on public property within, or immediately adjacent to and accessible from, the campus. This report also includes institutional policy statements concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, domestic/dating violence, stalking and other matters.
This report is prepared in cooperation with local law enforcement agencies, the Office of the Dean of Students and the Office of Diversity, Equity, and Inclusion. Each entity provides updated information on their educational efforts and programs to comply with Clery Act.

Campus crime, arrest and referral statistics included, are those reported in good-faith to the UMBPD and designated campus officials (including but not limited to directors, deans, department heads, judicial affairs, advisors to students/student organizations, athletic coaches) and local law enforcement agencies.

Each year, the University distributes a notice to all enrolled students, faculty and staff informing them of the availability of this Annual Security and Fire Safety Report (ASFSR) This notification provides information on how to access the ASFSR online. The ASFSR is available online at www.umb.edu/preparedness/campus_safety_report or by request on or after October 1st of each reporting year. Copies of the ASFSR may also be obtained at the UMBPD located at 100 Morrissey Boulevard, Boston, MA 02125, or the UMass Nantucket campus located at 180 Polpis Road, Nantucket, MA 02544, or by calling UMBPD at 617.287.1212.

Statement of Policy for Addressing Campus Law Enforcement Authority and Jurisdiction:

The UMBPD protects and serves the University by providing professional law enforcement services and actively promoting community involvement and partnerships through progressive community policing strategies. The UMBPD is a commissioned police department through the Massachusetts Municipal Police Training Committee (MPTC) where our police officers attend more than 800 hours (6 months) of specialized training. Moreover, the UMBPD is an accredited law enforcement agency, meeting the standards set by the Massachusetts Police Accreditation Commission. The UMBPD provides patrol services by car, foot, and bicycle on a daily basis, twenty-four hours a day, seven days a week, 365 days a year. UMass Boston police officers enforce federal and local statutes as well as by laws established by the UMass Board of Trustees.

The UMBPD is responsible for providing police and security services to the UMass Boston campus and any adjacent or contiguous properties owned, leased, or controlled by the University. The UMBPD deploys more than twenty-five (25) uniformed police officers commissioned by the MPTC and eight (8) non-sworn uniformed security officers to combat crime and ensure public tranquility. The UMass Boston police officers derive the authority to arrest from Massachusetts General Law, c. 75, s. 32A.
Police Cadet Program:

The UMBPD Cadet Program was established to enable interested UMass Boston students to gain hands-on law enforcement experience within the UMBPD and to function in a public safety capacity within the campus community. These bright and energetic students play an intricate role in police operations and crime prevention.

The Police Cadet Program is an extension of the UMBPD. Our Police Cadets provide an additional level of security and service to the UMass Boston campus, enhancing the UMBPD community policing efforts.

Cadets are extensively trained and are routinely assigned to foot patrols, parking enforcement, as well as ancillary functions in support of police operations. As students, they often see and hear what the police cannot, spotting problems early and alerting police to intervene and prevent escalation.

Police Cadet Authority:

UMass Boston Police Cadets are uniformed civilian employees of the UMBPD. They are not duly sworn law enforcement officers and by statute, have no authority to make custodial arrest or investigate any criminal matters. For more information, please visit the UMBPD website at www.umb.edu/public_safety or call the Department’s non-emergency number at (617) 287-1212.
UMASS NANTUCKET CAMPUS:

Even though the UMBPD has concurrent jurisdiction and law enforcement authority on the UMass Nantucket campus, the UMBPD is not the responding law enforcement agency for crimes that occur on the UMass Nantucket campus. The Nantucket Police Department is the primary law enforcement agency to investigate all crimes and incidents on this campus.

The sworn personnel of the Nantucket Police Department are dedicated to ensuring the UMass Nantucket campus is a safe environment for studying, teaching, researching, recreating, and living. The Nantucket Police Department strives toward this goal through problem-solving partnerships with the faculty, staff, and students, as well as community neighbors. The Nantucket Police Department can be reached at: 4 Fairgrounds Road, Nantucket, MA 02555, Telephone: 508-228-1212 or if it is an Emergency: Dial 911

Working Relationships:

The sworn personnel and support staff of the UMBPD are dedicated to ensuring the UMass Boston campus is a safe environment for studying, teaching, researching, recreating, and living. Our department strives toward this goal through problem-solving partnerships with the faculty, staff, and students, as well as state and local governmental bodies, and our community neighbors.

The UMBPD works in collaboration with other city, state and federal level law enforcement agencies such as the City of Boston Police Department, (BPD) Massachusetts State Police, (MSP) Nantucket Police Department (NPD) and the FBI on an ongoing basis. The UMBPD and the BPD communicate regularly on the scene of incidents that occur in and around the campus area. The UMBPD detectives work closely with the detectives from BPD and MSP when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information. Even though the UMBPD has a close working partnership with these agencies, there are no written memorandums of understanding (MOU) or memorandums of agreement (MOA) between UMBPD and other external law enforcement agencies.

Feel free to contact us for routine business or if you have any questions, concerns, or suggestions regarding the UMBPD. Call 617.287.1212, or stop by and talk with us at our headquarters located at 100 Morrissey Boulevard, Boston, MA 02125. You may also contact us via e-mail at public.safety@umb.edu.
 generalized procedures for reporting a crime or emergency

umass boston campus:

Community members, students, faculty, staff, visitor, and guests are encouraged to report all crimes and public safety incidents to the UMBPD in a timely manner.

To report a crime or an emergency to the UMBPD call 911 immediately. For non-emergencies, call (617) 287-1212. When using a cell phone, please remember that 911 will reach the Massachusetts State Police who will then transfer the call to the UMBPD. UMBPD recommends pre-programming of cell phones with the UMBPD number (617) 287-1212. Dispatchers are available 24 hours a day, 7 days a week to answer your call. University police officers respond to all requests for service and are the investigating authority for all crimes on campus. In addition to investigating crime reports, UMBPD when deemed necessary, refer reports to the appropriate office (e.g., Dean of Students Office, Office of Diversity, Equity, and Inclusion) or jurisdiction (e.g., Boston Police Department) for review or judicial action.

emergency blue light phones:

As an added security measure, there are emergency “HELP” phones located at strategic points on campus. These phones are easily identified with blue lights. When the red emergency button is pushed, the caller is in immediate contact with the UMBPD. In addition to providing voice contact with a police dispatcher, HELP phone use also enables a dispatcher to pinpoint the caller’s location.

When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State your location as specifically as possible;
- State briefly the nature of your call.

If possible, stay on the line unless otherwise advised by the police dispatcher. If assistance is required from off campus entities, the dispatcher will summon the appropriate police, fire and/or medical service.
UMASS NANTUCKET CAMPUS:

The UMBPD is not the responding law enforcement agency for crimes that occur on the UMass Nantucket campus. In the event of an emergency or you are a victim or witness to a crime, you should immediately report the incident to the Nantucket Police Department. To report a crime or an emergency to the Nantucket Police Department immediately call 911; or for non-emergencies call at (508) 228-1212 Dispatchers are available 24 hours a day, 7 days a week, to answer your call. Officers of the Nantucket Police Department will respond to all requests for service and are the investigating authority for all crimes at the UMass Nantucket campus. The UMBPD recommends pre-programming of cell phones with the Nantucket Police Department’s non-emergency number (508) 228-1212 or 911 in the event of an emergency, the UMass Nantucket campus number (508) 228-5268, and the UMBPD number (617) 287-1212.

When alerted to certain crimes or violations of the University’s Student Code of Conduct, the Director of the UMass Nantucket campus will refer reports to the appropriate office ex. Dean of Students Office, Office of Diversity and Inclusion /Title IX Office for review or judicial action.

While visiting, working or attending class or conducting research at either the UMass Boston campus or the UMass Nantucket campus, the University and the UMBPD encourage community members, students, faculty, staff, and guests to accurately promptly report all crimes and public safety related incidents that have occurred on the UMass Nantucket campus, by calling the UMBPD at (617) 287-1212, for the purpose of assessing the incident for issuance of a Timely Warning Notice and for including the incident in the annual statistical disclosure. The call to the UMBPD should be made subsequent to the call to the Nantucket Police Department.

We also recognize that some people may refer to other individuals to report a crime. The Clery Act recognizes certain University officials as “Campus Security Authorities (CSA),” the Act defines these individuals as “officials of an institution who have significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. An Official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

The following University departments or locations have been officially designated as places where campus members should report crime:

<table>
<thead>
<tr>
<th>Official</th>
<th>Campus Address</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>UMass Boston Police Department</td>
<td>Quinn Building Plaza Level</td>
<td>(617) 287-1212</td>
</tr>
<tr>
<td>Office of the Vice Chancellor of Student Affairs</td>
<td>University Campus Center 4th Floor, Room 4100</td>
<td>(617) 287-5800</td>
</tr>
<tr>
<td>Office of the Dean of Students</td>
<td>University Campus Center 4th Floor, Room 4015</td>
<td>(617) 287-5899</td>
</tr>
<tr>
<td>Office of Diversity and Inclusion</td>
<td>Quinn Administration Building 3rd Floor, 0025</td>
<td>(617) 287-4818</td>
</tr>
<tr>
<td>Nantucket On-Site Director</td>
<td>180 Polpis Road, Nantucket, MA</td>
<td>(508) 228-5268</td>
</tr>
</tbody>
</table>
To report a crime that occurs at an off-campus location, contact the appropriate local police department. In the case of an emergency it is always best to dial 911 and follow the procedures outlined above. The UMBPD does not provide law enforcement services to any off-campus university properties not contiguous to the UMass Boston campus nor are activities recognized off-campus without prior authorization from the University and the University Department of Student Life.

For the purpose of reporting a crime to the City of Boston Police Department, the Massachusetts State Police, or the Nantucket Police Department, we include the business numbers for those agencies. Additionally, the UMBPD will upon request, assist students and/or employees with reporting a crime to any local police agency.

<table>
<thead>
<tr>
<th>Contact</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ON or OFF-CAMPUS EMERGENCIES</td>
<td>911</td>
</tr>
<tr>
<td>Non-Emergency UMass Boston Police Department</td>
<td>(617) 287-1212</td>
</tr>
<tr>
<td>Rape Crisis Hotline</td>
<td>(800) 870-5905</td>
</tr>
<tr>
<td></td>
<td>(800) 223-5001</td>
</tr>
<tr>
<td>Boston Police Department (District 6) and Community Affairs</td>
<td>(617) 343-4730</td>
</tr>
<tr>
<td>Boston Police Department (District 11) and Community Affairs</td>
<td>(617) 343-4330</td>
</tr>
<tr>
<td>Massachusetts State Police (Troop H)</td>
<td>(617) 740-7710</td>
</tr>
<tr>
<td>Massachusetts State Police (Troop D-6)</td>
<td>(508) 228-0706</td>
</tr>
<tr>
<td>Nantucket Police Department Non-Emergency</td>
<td>(508) 228-1212</td>
</tr>
<tr>
<td>Family and Children Services Nantucket Behavioral Health Services</td>
<td>(508) 228-2689</td>
</tr>
</tbody>
</table>

Other UMass Boston resources available to provide assistance to the victim or witness of a crime include:

<table>
<thead>
<tr>
<th>Contact</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean of Students Office</td>
<td>(617) 287-5899</td>
</tr>
<tr>
<td>TIPS line</td>
<td>(617) 287-7777</td>
</tr>
<tr>
<td>Office of Diversity and Inclusion/Title IX Coordinator</td>
<td>(617) 287-4818</td>
</tr>
</tbody>
</table>
Anyone who has been victimized or has been a witness to a crime on either the UMass Boston or the UMass Nantucket campus is encouraged to promptly report the incident to the UMBPD. Some reports are a matter of public record under state law, and therefore, the UMBPD cannot hold all reports of crime in confidence. All reports of crime will be investigated by the UMBPD. When appropriate, violations of the law will be referred to the Dean of Students Office for review, as well as to the Office of Diversity and Inclusion /Title IX Coordinator. Depending on the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. Due to the sensitive nature of certain types of crime, victims of sexual assault, domestic/dating violence and stalking may choose to confidentially report crimes to the Counseling Center, or University Health Services (UHS). The purpose of a confidential report is to comply with your wish to keep your personal identifying information confidential while taking steps to ensure your safety and the safety of others. The confidential report allows the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the ASFSR and when they involve allegations of sexual harassment, including sexual violence, domestic dating/violence and stalking, are made available to the Office of Diversity and Inclusion /Title IX Coordinator.

Reporting procedures applicable to allegations of a sexual assault offense, dating/domestic violence and stalking are further discussed later in this report. Anyone who is the victim or witness to a crime can confidentially report crimes to the UMBPD or through the UMBPD confidential reporting program. This program can be accessed via the UMBPD website at www.umb.edu/public_safety.

In limited circumstances, the UMBPD may not be able to assure confidentiality and will inform you in those cases. When a potentially dangerous threat to the University community arises, alerts will be issued to notify individuals of the threat in a timely manner. These alerts will also inform the community of any recommended action to be taken. (See Timely Warning procedures)

Responsibilities of the University Community:

Members of the University community must assume responsibility for their own personal safety and the security of their personal property. The University community is urged to take the following precautions:

- Report all suspicious activity to the UMBPD immediately. If you are conducting research or attending class at the UMass Nantucket campus, report all suspicious activity to the Nantucket Police Department.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the UMBDP escort service.
- Carry only small amounts of cash.
• Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. If you do choose to consume alcohol, do not leave your beverage unattended or trust anyone to watch over your beverage. Remember to call the UMBPD or the local police department for help at the first sign of trouble.

• Never leave valuables (wallets, purses, books, phones, etc.) unattended.

• Carry your keys at all times and do not lend them to anyone.

• Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.

• Always lock the door to your residence, whether or not you are there. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home.

• Do not leave valuables in your car, especially if they can be easily noticed.

• Engrave serial numbers or owner’s recognized numbers, such as a driver’s license number, on items of value.

• Inventory your personal property and insure it appropriately with personal insurance coverage. Carry only small amounts of cash.
Section 2: Timely Warnings, Emergency Response & Evacuation

Timely Warning Notice Procedures:

The purpose of this policy is to comply with the Department of Education requirements regarding timely notice of certain events as described 20 U.S.C. s. 1092(f), known as the Jeanne Clery Disclosure of Campus Security Policy, along with the Campus Crimes Statistics Act Of 1998 (Clery). These Acts along with the Higher Education Reauthorization Act (2008) require any acts which have occurred on or within the institution’s Clery Geography, require campus police officers to keep the institution informed in a timely manner that may pose a serious or continuing threat to students and employees.

The UMBPD is responsible for issuing timely warning notices in compliance with the Clery Act, in the event of a reported crime which may pose a serious or continuing threat to members of the UMass Boston or UMass Nantucket community. Timely warning notices are written by the UMBPD. Upon receiving a report that may pose a serious or continuing threat, timely warning notices are issued to the campus community to aid in the prevention of similar crimes and enables the community to protect themselves. The decision to issue a timely warning is made on a case-by-case basis in light of all the facts surrounding an incident, including factors such as the nature of the crime, the potential of a continuous threat to the campus community, whether the UMBPD received a report of the crime in a timely manner, and the possible risk of compromising law enforcement efforts. Timely warnings are typically issued using the Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) for all Clery reportable incidents of arson, aggravated assault, murder/non-negligent manslaughter, robbery, burglary, motor vehicle theft, hate crimes, sex offenses, dating/domestic violence, and stalking offenses. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the UMBPD.

For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other UMass Boston or UMass Nantucket community members and a timely warning would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, and thus there is no ability to distribute a timely warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the UMBPD. Timely warning notices may also be posted for other crime classifications as deemed necessary.

To issue a timely warning, the UMBPD informs the UMass Boston and UMass Nantucket campus communities via a campus-wide email and/or posting such notices throughout all academic and administrative buildings. The notices are addressed to students, faculty and staff. An email indicates that a timely warning has been issued and may provide a link to the UMBPD webpage at www.umb.edu/public_safety.

Timely Warning Notice:

- Issued when a reported crime may pose a serious or continuing threat to members of the University community and notification will not compromise law enforcement efforts.
- Issued when a crime has been reported, including homicide, manslaughter, sex offenses, robbery, aggravated assault, burglary motor vehicle theft, arson, domestic/dating violence, stalking and hate crimes.
- See the UMass Boston Police Department’s website www.umb.edu/public_safety for more information about notices of timely warnings and updates.

UMass Boston
UMass Boston has developed an all-hazard Emergency Operations Plan to provide a systematic and comprehensive response to a wide variety of emergencies that could occur on campus. The plan outlines the roles of specific campus response departments, including the UMBPD, the Office of Emergency Management and Business Continuity (OEMBC), Environmental Health and Safety, Facilities Management, University Health Services, Information Technology.

All members of the University community are notified on an annual basis that they are encouraged to notify the UMBPD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an imminent or immediate threat to the health and safety of students and/or employees on campus. The UMBPD has the responsibility of responding to, and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situations.

In addition, the UMBPD has the responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

The decision to issue an alert shall be made on a case-by-case basis in light of all the facts known at that time surrounding an incident or crime, including factors such as the nature of the incident/crime, the imminent or immediate threat to the campus community, and the possible risk of compromising law enforcement efforts.

When a significant emergency or dangerous situation involving an immediate threat to the health or safety of UMass Boston students, staff or visitors is confirmed, the University’s Chief of Police or designee will immediately notify the campus community, without delay using, some or all of the systems described below to communicate the threat to the University community or to the appropriate segment of the community, and whether the threat is limited to a particular building or segment of the population. The UMBPD in conjunction with the OEMBC will take in to consideration the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of first responders (including, but not limited to: the UMBPD, Massachusetts State Police, City of Boston Police Department, the Boston Fire Department and Emergency Medical Services or other law enforcement or fire agencies), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole. There will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action. The UMBPD will determine how much information is appropriate to disseminate at different points in time. Depending on what segments of the community the notification targets, the content may differ.

In the event of a serious incident that poses an immediate threat to the health and safety of the University community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the University campus community. These methods
of communication include “RAVE,” a system that provides emergency communications and other important information via text message, cell phone, social media, PC pop-ups, digital signage, voice and email. Students, faculty and staff can register for this service at www.getrave.com/login/umb. To login, enter your full UMass Boston email address and password. “RAVE” does not charge subscribers to send or receive SMS messages. Standard or other messaging charges apply depending upon your wireless carrier plan and subscription details. Once registered, you can opt out of SMS messages at any time by texting STOP to 67283 or 226787. Other forms of communication include network emails, phone trees, face-to-face communications, bulletins posted on building entrances and exits, the fire alarm system, and outdoor sirens and PA system. In the event a situation requires the activation of the University’s emergency notification system, updates are available on the UMass Boston web site www.umb.edu/the_university.

Students should take responsibility for regularly checking their UMass Boston E-mail. In order to receive campus wide email announcements, students must have a University e-mail account, which may be obtained from the Information Technology Department located in the Healy Building. Instructions for automatic forwarding of e-mail messages from a University account to another account are available from Information Technology. Individuals with disabilities are encouraged to contact the Office of Diversity and Inclusion, ADA Compliance Services at 617.287.6587 or the Help Desk at 617.287.5000 for assistance in subscribing to Campus Alerts.

University notification systems are administered by the responsible authorities listed in the chart below. If any of the systems using technology fails, the campus would initiate face to face communication using appropriate staff and students on campus.

In addition to these Crime Alerts, UMass Boston has been able to issue campus-wide alerts via text-messaging, e-mail and cell phones, to the campus community in the event of an imminent or immediate threat to the community. UMass Boston campus wide alerts are disseminated with the goal of notifying as many people as possible, as rapidly as possible (i.e., active threats, bomb threats, or a dangerous chemical spill, etc.). These alerts are sent to individuals who subscribe to UMB campus wide alerts. All students, faculty and staff are encouraged to sign up to receive these notices by going to www.getrave.com/login/umb. To learn more about the program please go to: www.umb.edu/preparedness/alert Individuals with disabilities are encouraged to contact the Office of Diversity, and Inclusion, ADA Compliance Services at 617.287.6587 or the Help Desk at 617.287.5000 for assistance in subscribing to campus alerts.

<table>
<thead>
<tr>
<th>System to Use</th>
<th>Primary Message Creator</th>
<th>Secondary Message Creator</th>
<th>Authority for Approving and Sending Messages</th>
<th>Primary Message Sender</th>
<th>Secondary Message Sender</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email</td>
<td>UMB Chief of Police or Designee</td>
<td>Emergency Management, University Public Relations, Facilities, &amp; UMB Policy Group</td>
<td>UMB Chief of Police or Designee</td>
<td>UMB Chief of Police or Designee</td>
<td>Emergency Management, University Public Relations, Facilities, &amp; UMB Policy Group</td>
</tr>
</tbody>
</table>
A crisis can erupt at any time and in any form. A fire, explosion, medical epidemic, water leak, power outage, hurricane, or bomb threat – the possibilities are infinite and unpredictable. Nonetheless, planning for the unpredictable does help.

University departments are responsible for developing contingency plans and continuity of operation plans for their own staff and areas of responsibility. The University conducts numerous announced or unannounced emergency response exercises each year, such as table top exercises, real time exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

University police officers and supervisors have received training in incident command system (ICS) and responding to critical incidents on campus. When a serious incident occurs that causes an immediate threat to campus, the first responders to the scene are usually the UMBPD, Environmental Health and Safety (EH&S), OEMBC who typically respond and work together to manage the incident. Depending on the nature of the incident, other UMass Boston departments and other local, state or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for UMass Boston is publicized each year as part of the institution’s Clery Act compliance efforts. Detailed information about, and updates on, emergency alerts are available on the web site at www.umb.edu/public_safety/alerts_and_notices.

The University annually reviews the emergency response and evacuation procedures as to provide updates and ensure that the University continues to move forward and strengthen emergency response programs, policies and procedures. For more information about UMB’s emergency response and evacuation procedures please visit OEMBC’s website at www.umb.edu/preparedness/alert.

Immediate Emergency Response and Evacuation Testing Procedures:

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At UMass Boston evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of and exits the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University the opportunity to test the operation of fire alarm system components.

Evacuation drills are coordinated by EH&S twice per year. Students, faculty and staff learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each building for a short-term building evacuation. EH&S does not tell individuals in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. EH&S staff and other staff on the scene will communicate information to individuals regarding the developing situation or any evacuation status changes. Fire drills are typically scheduled during the first 30 days of each semester (spring and fall).
EH&S conducts announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. Additionally, the OEMBC conducts table top and real time exercises as to test emergency preparedness, business continuity and disaster recovery plans. OEMBC will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year. For more information visit www.umb.edu/preparedness/documents_plans_policies.

The UMBPD performs Active Threat Drills. An active threat refers to any incident which creates an immediate threat or presents an imminent danger to the campus community such as an active shooter or hostage situation. Although encountering an active threat on campus remains remote, we encourage members of the campus community to review these guidelines in the event of an emergency. Taking the time now to review these guidelines increases your ability to respond in the event of an emergency.

### Active Threat Preparedness Guidelines:

**If you can evacuate the building:**

1. Try to stay calm and determine the location of the threat.
2. Call 911 as soon as possible, although escaping is your priority.
3. If a safe exit does exist, take it as quickly as possible.
4. Continue running until you are well cleared from the location of the threat. Find a safe location and call 911 to tell the police of your location.

If the only exit is through a window, consider the consequences of the fall:

- How high are you from the ground?
- Can you land in shrubs or grass to decrease the potential for serious injury?
- Can you make an improvised rope of clothing, belts or other items
If you cannot evacuate the building:

1. Try to stay calm and determine the location of the threat.
2. Take shelter in the nearest office, classroom, closet or other area which can be secured. Barricade the door using desks, bookshelves, or other heavy objects. If the door opens outward, attach one end of a belt to the door handle and the other end to a heavy object.
3. If the door has a window, cover it.
4. Look for other possible escape routes, such as windows, other doors.
5. Call 911 and tell them what is happening. Speak quietly and then set your cell phone to vibrate or silent.
6. Stay low to the ground and remain as quiet as possible.
7. Once in a secure location, do not open the door for anyone. Do not approach police officers as they attempt to locate and neutralize the threat. The police officers will return to assist you once the threat has been neutralized.

When University the police assess the situation. These steps are taken for safety reasons.

If an active threat is in your presence:

If you are in a crowded room and the threat is shooting, “play dead” or quietly crawl to safety.

If you are with a group, as an action of last resort, you might choose to take the offensive:

1. If the shooter is entering the room, position yourself in a location that allows for an element of surprise.
2. Throw anything available at the threat. Aim for the face to distract him/her.
3. Attack as a group, swarming around the threat.
4. Grab the threat’s arms, legs or head and take him/her to the ground. Use body weight to secure him/her.
5. “Fight dirty” – kick, bite, gouge eyes.
6. Have somebody in the group call 911.
7. When University police arrive, obey all commands. You may be asked to keep your hands in the air

If you have incapacitated the threat:

1. Make sure the suspect is secured (body weight, belts, etc.)
2. Move any weapons away from the threat.
3. **Do not hold a weapon.**
4. Call 911 and advise law enforcement that the threat/shooter is down.
5. Provide your location and stay on the line if possible.
If you are interested in training on this topic for your office or group, contact Chief Donald Baynard of the UMBPD at 617-287-1212 or email him at donald.baynard@umb.edu or contact the OEMBC at 617-287-6821

**Shelter-in-Place Guidelines:**

**What it Means to “Shelter-in-Place”:**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

**Basic “Shelter-in-Place” Guidance:**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, student ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

**How You Will Know to “Shelter-in-Place”:**

A shelter-in-place notification may come from several sources, including UMBPD, other University employees, the federal or local government, local police agencies, or other authorities utilizing the University’s emergency communications tools.

**How to “Shelter-in-Place”:**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

2. Locate a room to shelter inside. It should be:
   - An interior room;
   - above ground level; and
   - without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.

3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Turn off air conditioners, heaters, and fans.

5. Close vents to ventilation systems if you are able. (University staff will turn off the ventilation as quickly as possible.)

6. Make a list of the people with you and ask someone (House Staff, faculty, or other staff) to call the list in to UMBPD so they know where you are sheltering. If only students are present, one of the students should call in the list.

7. Turn on a radio or TV and listen for further instructions.

8. Make yourself comfortable.
Section 3: Campus Facilities Safety and Security

Statement of Policy for Addressing Security and Access Procedures:

UMASS BOSTON CAMPUS:

The UMass Boston campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturday, Sunday, and holidays. Facilities are maintained, and their security monitored, in the interest of students, staff, and faculty. Many cultural and athletic events held in University facilities, such as the Campus Center, 100 Morrissey Boulevard, Boston MA, adjacent to the Massachusetts State Archive Building, are open to the public. Other facilities such as the bookstore, libraries, and cafeterias are also open to the public.

Access to academic and administrative facilities on campus is generally limited to students, employees, and visitors for the purpose of study, work, teaching, and to conduct other University business. Each academic building has established its hours based on the needs of specific academic departments. Access to some of the buildings are controlled by card readers. The UMBPD provides random patrols of all facilities 24 hours a day.

Maintenance of Campus Facilities:

The Facilities Department maintains the University buildings and grounds with a special concern for safety and security. Personnel conduct inspections to identify lighting deficiencies and make recommendations for repairs to security/safety equipment such as broken locks, windows, and fire safety equipment.

The buildings which comprise the campus are mixed-use facilities, and are operated on an open campus basis during normal business hours; twenty-four-hour access is available upon demonstrated need. Keys are provided in accordance with a policy that requires the approval of an employee’s department head. Students are provided off-hour access to laboratories and other restricted facilities by security personnel upon approval of a professor or other authorized staff member; they are not issued keys, as a rule. The UMBPD provides the University’s Facilities Department with input on issues regarding lighting, and other concerns involving security and maintenance of the facility. Every effort is made to assign top priority to repairs impacting the security of campus facilities. Emergencies may necessitate changes or alterations to any posted schedules. Areas which appear to be problematic have security surveys conducted by the UMBPD.

Statement of Policy for Addressing Safety and Security in the Residence Halls:

The UMass Boston does not currently own or maintain any residence hall facilities. However, the University’s first resident hall is scheduled to be open late “2018.”

Statement of Policy for Addressing Security and Access Procedures:

UMASS NANTUCKET CAMPUS:

The Facilities Department maintains the UMass Nantucket campus buildings and grounds with a special concern for safety and security. Personnel conduct inspections to identify lighting deficiencies and make recommendations for repairs to security/safety equipment such as broken locks, windows and fire safety equipment.
Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturday, and holidays. Facilities are maintained, and their security monitored, in the interest of students, staff, and faculty.

Access to academic and administrative facilities on UMass Nantucket campus is generally limited to students, employees, and visitors for the purpose of study, work, teaching, and research.

**Maintenance of Campus Facilities:**

The buildings which comprise the UMass Nantucket campus are mixed-use facilities, and are operated on an open campus basis during normal business hours; twenty-four hour access is available upon demonstrated need. Keys are provided in accordance with a policy that requires the approval of an employee’s department head. Students are provided off-hour access to laboratories and other restricted facilities by the on-site Director of the UMass Nantucket campus, upon approval of a professor or other authorized staff member; they are not issued keys, as a rule. UMass Nantucket campus on-site Director provides the University’s Facilities Department with input on issues regarding lighting, and other concerns involving security and maintenance of the facility. Every effort is made to assign top priority to repairs impacting the security of campus facilities. Emergencies may necessitate changes or alterations to any posted schedules.

**Statement of Policy for Addressing Safety and Security in the Residence Halls:**

The UMass Nantucket campus residence, located at 180 Polpis Road, Nantucket, MA 02544, consist of one coed housing facility that accommodates fourteen students. Traditionally, this facility is offered to undergraduate, graduate students and researchers conducting studies.

Access to the residence facility is limited to students, researchers and their guests. The residence facility is supervised by the UMass Nantucket campus on-site Director. The on-site Director is a full-time professional employee of the UMass Boston.

The facility is equipped with a locking system at the main entry to the facility. All entry doors are secured 24 hours daily. Residents are cautioned against permitting strangers to enter the facility. All student bedrooms are equipped with locking devices.

Special security procedures are in effect during vacation/low occupancy periods. During these periods residents are consolidated into a concentrated residential area for safety and security purposes.
Statement of Policy for Addressing Safety and Security Off Campus:

Off campus apartment complexes, townhouses/condominium communities, and other multi-family dwellings pose unique challenges. Because of the natural turnover of many residents in rental property, students must make an extra effort to be aware of their surroundings. This includes knowledge of the measures landlords have taken on behalf of resident safety.

These residences fall under the police department of the particular jurisdiction. For assistance to report a crime that occurred off the UMass Boston campus or the UMass Nantucket campus, call the UMBPD 617-287-1212. In the event of an emergency, dial 911. The UMBPD does not provide law enforcement services to off campus residences unless requested by the police department of that jurisdiction, nor are activities off campus recognized by University authority.

Statement of Policy for Addressing the Monitoring and Recording of Student Conduct in On and Off-Campus Residences:

The University must consider student conduct, whether on or off campus, that is disruptive of good community relations or which interferes with, impairs or obstructs the University’s mission, functions and processes or that are found to be offensive to generally accepted standards of sound behavior, as harmful and averse to the University’s interests. When the University is notified of an on or off campus incident involving criminal activity or other activity that is deemed a violation of the University’s Code of Conduct or local regulations, the University may institute proceedings against the offenders. Such action by the University is independent of, and may proceed in parallel with civil and/or criminal action. This procedure includes any off campus locations recognized by UMass Boston to support students organization and off campus housing facilities.

Missing Student Notification:

If an individual or a member of the University community has reason to believe a student is missing, they should immediately report this information to the UMBPD at 617-287-1212 which shall investigate each report and make a determination whether the student is missing in accordance with this policy.

For purposes of this policy, a student is missing when the student’s whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by a person familiar with the student’s plans, habits or routines.

Initial Institutional Response:

Upon receipt of a missing student report, working closely with the Dean of Students Office and other relevant departments, the UMBPD will promptly begin efforts to locate the student.

Initial efforts to contact the student may involve telephone, e-mail, text message or other electronic communications listed in WISER. If a student does not respond, the UMBPD will determine whether a welfare check at the student’s listed residence is appropriate. If the University or the UMBPD cannot locate the student and it is determined the student appears to be missing for a period of twenty-four hours, the following shall apply:

- The UMBPD will initiate a missing person’s report and shall immediately enter the missing person’s data into National Crime Information Center (NCIC) and Criminal Justice Information System (CJIS) databases.
- If the student has designated a contact person, the UMBPD or the Office of the Dean of Students will notify that contact person within 24 hours of the determination that the student is missing.

- After it has been determined a student is missing and regardless of whether the student has identified a contact person, if they are above the age of 18 or is an emancipated minor, the UMBPD will inform any other law enforcement agencies that have jurisdiction in the area of the missing student. The UMBPD and any other appropriate law enforcement agencies will continue to investigate the missing person report.

Nothing in this policy restricts UMass Boston from making notifications earlier than noted above, if deemed appropriate under the circumstances.

Nothing in this policy restricts UMass Boston from contacting other individuals, if deemed necessary, to prevent harm to a student or others necessary to the investigation, or otherwise appropriate under the circumstances.

**Whom to Contact:**

UMBPD  
[www.umb.edu/public_safety](http://www.umb.edu/public_safety)

Emergency: 911  
Non-Emergency Police Dispatch: (617) 287-1212

Office of the Dean of Students  
[www.umb.edu/life_on_campus/dean_of_students](http://www.umb.edu/life_on_campus/dean_of_students)  
(617) 287-5899  
Campus Center, 4th Floor
Section 4: Security Awareness and Crime Prevention Programs

Statement of Policy for Addressing Security Awareness and Crime Prevention Programs

The UMBPD believes that through crime prevention and safety awareness education, community members are better prepared to prevent crime and to respond if crime does occur.

During the “2016” calendar year, the University has sponsored (37) crime prevention and security awareness programs on campus. During New Student Orientation, all students and their parents are informed of resources offered by the UMBPD crime prevention programs and prevention programs related to sexual assault, domestic /dating violence, and stalking, awareness, and active threats.

Additionally, crime prevention officers assist in the design of new facilities and in evaluating areas where theft is or may become a problem. Crime prevention officers are available throughout the year to speak to student groups or staff. They appear at various functions sponsored by the University’s Department of Student Activities, where they demonstrate innovative security products and provide guidance on a wide range of security and safety concerns. University police representatives attend new student and employee orientations to promote awareness of the department, to encourage the prompt reporting of crime or suspicious activity to the department, and to provide an awareness of security policies and procedures. There is an ongoing effort to educate the community concerning the availability of the 911 emergency number and the locations of the emergency telephones that provide direct contact with a university police dispatcher.

Though not an all-inclusive list, the following are some programs that UMass Boston offers:

- **Domestic/Dating Violence, Stalking, Sexual Assault Prevention:** Throughout National Domestic Violence Awareness Month in October, the University displays a Silent Witness exhibit campus-wide to educate the campus community about domestic /dating violence, sexual assault, and stalking, prevention and to show support for the victims among us.

- **R.A.D:** Rape Aggression Defense (RAD) program in which women can learn prevention techniques and receive hands-on self-defense training by certified RAD trainers in the event of an attack.

- **Active Shooter Awareness:** The University provides education and training on actions to take in the event of an active shooter on campus. Faculty, staff, and students are offered the opportunity to view training videos and are given hand-out materials listing recommended actions to take when dealing with an active shooter on campus.

- **Theft Prevention:** Officers present information and precautions to be taken to minimize the risk of becoming a victim of theft.

As part of our comprehensive crime prevention and awareness programs, the University has implemented online health and safety training programs.

**Alcohol Education** training program is an educational online course about alcohol and other drug safety:

- It is completely confidential and individual student responses about alcohol and other drug behavior are not accessible by UMass Boston or any other party.
Haven - Understanding Sexual Assault is an online sexual violence awareness and prevention course. Haven is part of a federal mandate under the Campus SaVE Act for all students to learn about sexual violence. These regulations are enforced by the U.S. Department of Education.

Haven Plus - Provides tailored sexual assault prevention training to post-baccalaureate and non-traditional student groups, including graduate/professional students and adult learners.

To visit or log in to Alcohol Education College and/or Haven training modules, please visit:

www.umb.edu/life_on_campus/new_students/alcoholedu_and_haven

Please note the courses may include surveys to help personalize your experience and measure your attitudes and behaviors. All survey responses are confidential; the school will only receive information about the student body as a whole and will never see any individual student's answers.

In addition to the many programs offered by the University, the University has established a multidisciplinary team composed of University officials and professionals. This team is referred to as the C.A.R.E. Team (Counsel, Advocate, Refer, and Educate) to enhance emergency preparedness and prevention efforts. The objective of the C.A.R.E. Team is to systematically address, evaluate, and manage student behaviors that may involve potentially threatening situations which may include mental health concerns.

If you would like further information about the C.A.R.E. Team, you can access the C.A.R.E. Team’s website at www.umb.edu/life_on_campus/dean_of_students/students_in_distress or contact the Office of Dean of

Statement of Policy for Addressing Substance Abuse and Education

Substance abuse and its related consequences undermine the UMass Boston’s goals of academic success and civility. All students/employees at the UMass Boston campus and the UMass Boston Nantucket campus are expected to abide by all federal, state and local laws. In addition, Congress amended Title XII of the Higher Education Act of 1965, by adding a section pertaining to Drug Free Schools and Campuses. Under this new amendment any institution receiving federal funds, including federal student loan programs, must adopt and implement policies to prevent the use of illegal drugs and alcohol by students and employees.

Financial aid penalties for drug offenses: Beginning on July 1, 2000, the 1998 amendments to the Higher Education Act require the suspension of eligibility for financial aid for students convicted of drug related offenses. The length of suspension of eligibility is not less than one year and varies depending on the nature of the offense. Full details are available from the Office of Financial Aid.

UMass Boston is committed to promoting a climate which supports academic and personal growth and success and the well-being of all members of the academic community. To safeguard and promote a healthy academic and living environment, the University promulgates rules and regulations for the behavior of all members of the community. These are outlined in several major policy statements i.e., the student conduct code, hazing, alcohol and other drug policies, etc. Copies of these campus regulations are available in the Office of the Dean of Students and on the web at: www.umb.edu/life_on_campus/policies/community/code.

Health risks associated with alcohol and other drug consumption include impaired judgment, vision, speech, coordination, memory, sensation and perception. Long-term use of alcohol and other drugs can negatively impact many of the body’s systems, and cause physical and psychological dependence. It is the responsibility of each member of this community to understand and comply with all campus rules and regulations. These regulations include all federal, state and local laws including the Drug Free Schools and Community Act of 1989, the Drug Free Workplace Act of 1988 and the Higher Education Act (as amended in 1998). As a member of the university community, it is your responsibility to know and abide by all campus rules and regulations, to understand the risks associated with the use and abuse of alcohol and other drugs, and to assist in creating an environment that promotes health-enhancing attitudes and activities.
Any violation of the University’s Code of Student Conduct or violation of federal, state or local laws shall subject the offender to the University disciplinary process and/or criminal prosecution.

Services and resources are available to all members of the University community, to provide accurate information relating to drugs and alcohol, to support individual needs and to assist at crisis points. Listings of resources on campus are available by calling:

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<tr>
<th>Contact</th>
<th>Number</th>
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<tbody>
<tr>
<td>Counseling Center</td>
<td>(617) 287-5690</td>
</tr>
<tr>
<td>Student Health Center</td>
<td>(617) 287-5661</td>
</tr>
<tr>
<td>Human Resource Office</td>
<td>(617) 287-5150</td>
</tr>
<tr>
<td>Office of Dean of Students</td>
<td>(617) 287-5899</td>
</tr>
</tbody>
</table>

In addition, individuals who wish to enroll in a drug or alcohol rehabilitation program should check the University’s insurance policy or their own insurance policy to verify if they are covered for these services. For University employees who may have a problem with substance abuse, programs are available through the University of Massachusetts Boston Employee Assistance Program (EAP)—ComPsych GuidanceResources. ComPsych GuidanceResources can be reached 24 hours a day, 7 days a week at 1-844-393-4983 or by visiting their website at www.guidanceresources.com. The full text of the University Alcohol and Drug Policy can be found online at: www.umb.edu/hr/forms_instructions. The Code of Student Conduct can be found at: www.umb.edu/academics/vpass/undergraduate_studies/policies/code_student_conduct.

Alcohol and Other Drug Education Program:

Recovery Support Program can be found on-line at https://www.umb.edu/healthservices/recovery.

Statement of Policy for Addressing Alcohol:

The possession, sale or the furnishing of alcohol on the University campus is governed by the University Alcohol Policy and Massachusetts state law. Laws regarding the possession, use, sale, consumption or furnishing of alcohol is controlled by the Department of Alcohol and Beverage Control (ABC); however, the enforcement of alcohol laws on the UMass Boston campus is the primary responsibility of the UMBPD. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws, including underage drinking laws, are strictly enforced by the UMBPD. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal. The UMBPD is not the responding law enforcement agency for crimes that occur on the UMass Nantucket campus. In the event a student is reported to the UMBPD by the Nantucket Police Department or any other external law enforcement agency for violation of the state law or University policy, the matter may be referred to the Office of the Dean of Students.

Statement of Policy for Addressing Illegal Drugs:

The UMass Boston and UMass Nantucket campuses have been designated “Drug Free.” The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the UMBPD or external law enforcement. Violators are subject to arrest, criminal prosecution, University disciplinary action, fine and imprisonment.
Statement of Policy for Addressing Firearms and Weapons:

Possession of firearms on any University property is regulated under MGL, Chapter 269, Section 10 (j). Firearms of any type, assembled or disassembled, ammunition, knives, machetes, javelins, martial arts devices, clubs, or any device which can be considered hazardous to the welfare of members of the University community are strictly prohibited on campus. Any violation of state laws or town ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons will result in prosecution and will be subject to severe disciplinary action, up to, and including, dismissal from the University.

Section 5: Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Prevention and Response:

Statement of Policy for Addressing Sexual Assault, Domestic Violence, Dating Violence, and Stalking:

UMass Boston does not discriminate on the basis of sex in its educational sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not. This includes domestic/dating violence, and stalking. As a result, UMass Boston issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic/dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, UMass Boston prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

UMass Boston has always prioritized its efforts to combat sexual harassment and sexual violence by providing both proactive and reactive resources to ameliorate the devastating effects on victim/survivors and on our campus community as a whole. Additionally, the University has a Title IX Coordination Team to further evaluate, coordinate and address sexual harassment and sexual violence, domestic violence, dating violence, and stalking, on campus.

For a complete copy of the University’s policy governing sexual misconduct, visit: www.umb.edu/life_on_campus/policies/community/sexual_offense for any questions or to report a Title IX matter you can contact the Title IX Coordinator https://www.umb.edu/odi/contact

Office of Diversity, Equity, and Inclusion:
Georgianna Melendez
Vice Chancellor and Chief Diversity Officer
Quinn Administration Building, Room 03-022
Phone: 617.287.4818
Fax: 617.287.4833
Georgianna.Melendez@umb.edu
https://www.umb.edu/odi/contact

Office of the Dean of Students:
Beth Devonshire
Senior Associate Dean of Students
Deputy Title IX Coordinator for Students
Campus Center fourth floor Room 4100
Phone: 617-287-5804
beth.devonshire@umb.edu
https://www.umb.edu/life_on_campus/student_affairs

Office of the Human Resources:
Marie H. Bowen
Vice chancellor of Human Resources
Quinn Administration Building, third floor Room 0076
Phone: 617-287-5150
marie.bowen@umb.edu
https://www.umb.edu/hr
A. Definitions

There are numerous terms used by UMass Boston in our policy and procedures. Below, we provide the definitions of consent as defined by the Student Code of Conduct. We also provide definitions for the offenses of sexual assault, domestic violence, dating violence and stalking as defined by the United States Department of Education as well as under Massachusetts general law.

Consent:

1. General definition: Acceptance or approval of what is planned or done by another; acquiescence.

2. Consent as it relates to sexual activity, domestic violence, dating violence, or stalking: it is the responsibility of the person seeking to initiate the sexual activity or conduct to affirmatively obtain consent, not the intended recipient of such contact or conduct to affirmatively deny such consent. An affirmative, informed decision to engage in mutually acceptable sexual activity must be given by clear actions or words. It is an informed decision made freely and actively by all parties.

   a) Relying solely upon nonverbal communication can lead to miscommunication. It is important not to make assumptions; if confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stop and verbally clarify the willingness to continue.

   b) Students should understand that consent may not be inferred from silence, passivity, or lack or active resistance alone.

   c) A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.

   d) When substance use is involved, a person is not considered able to give consent when the degree of intoxication is such that the victim’s judgment is so impaired that he or she would not be capable of making rational decisions about his or her welfare, and as such the person would not be able to give consent to engage in sexual activity.

   e) When an individual is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity, there can be no consent.
f) Consent is not indefinite and may be withdrawn at any time. Once consent is withdrawn, all sexual activity must cease unless and until additional effective consent is given.

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

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

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

**Incest** is defined as no forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined as no forcible sexual intercourse with a person who is under the statutory age of consent.

**Massachusetts’s Criminal Law also defines Sexual Assault under the statute contained in Ch. 265 § 22:**

**Rape (Section 22):**

a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any term of years. No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years. Whoever commits any offense described in this section while being armed with a firearm, rifle, shotgun, machine-gun or assault weapon, shall be punished by imprisonment in the state prison for not less than ten years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 15 years. No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

**Domestic Violence:** The term “domestic violence” means:

1. Felony or misdemeanor crimes of violence committed
   
   i. By a current or former spouse or intimate partner of the victim;
   
   ii. By a person with whom the victim shares a child in common;
   
   iii. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
   
   iv. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
v. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. For the purposes of complying with the requirements of this section and section pursuant to 34 CFR, 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Massachusetts Criminal Law also defines Domestic Violence under the statute contained in Ch. 209A §1

Domestic Violence Definitions:

Section 1. As used in this chapter the following words shall have the following meanings:

a) Abuse—the occurrence of one or more of the following acts between family or household members:
   i. Attempting to cause or causing physical harm;
   ii. Placing another in fear of imminent serious physical harm;
   iii. Causing another to engage involuntarily in sexual relations by force, threat or duress

b) Court—the superior, probate and family, district or Boston Municipal Court departments of the trial court, except when the petitioner is in a dating relationship when “Court” shall mean district, probate, or Boston municipal.

Massachusetts General Law Ch. 265 §13M: Assault & Battery on a family or household member

a) Whoever commits an assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 2 ½ years or by a fine of not more than $5,000, or both such fine and imprisonment.

b) Whoever is convicted of a second or subsequent offense of assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 2 ½ years or by imprisonment in the state prison for not more than 5 years.

c) For the purposes of this section, “family or household member” shall mean persons who:
   i. are or were married to one another;
   ii. are or were residing together in the same household;
   iii. are or were related by blood or marriage;
   iv. having a child in common regardless of whether they have ever married or lived together; or
   v. are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts in consideration of the following factors:
      1. the length of time of the relationship;
      2. the type of relationship;
      3. the frequency of interaction between the parties; and
      4. if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer’s intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer’s intervention should not be ordered or unless the batterer’s intervention program determination determines that the defendant is not suitable for intervention.

Law Enforcement Officer—any officer authorized to serve criminal process.

Protection Order Issued By Another Jurisdiction
Any injunction or other order issued by a court of another state, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, or tribal court that is issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to another person, including temporary and final orders issued by civil and criminal courts filed by or on behalf of a person seeking protection.
**Vacate Order**—court order to leave and remain away from a premises and surrendering forthwith any keys to said premises to the plaintiff. The defendant shall not damage any of the plaintiff’s belongings or those of any other occupant and shall not shut off or cause to be shut off any utilities or mail delivery to the plaintiff. In the case where the premises designated in the vacate order is a residence, so long as the plaintiff is living at said residence, the defendant shall not interfere in any way with the plaintiff’s right to possess such residence, except by order or judgment of a court of competent jurisdiction pursuant to appropriate civil eviction proceedings, a petition to partition real estate, or a proceeding to divide marital property. A vacate order may include in its scope a household, a multiple family dwelling and the plaintiff’s workplace. When issuing an order to vacate the plaintiff’s workplace, the presiding justice must consider whether the plaintiff and defendant work in the same location or for the same employer.

**Dating Violence:** The term “dating violence” means violence committed by a person:

1. who is or has been in a social relationship of a romantic or intimate nature with the victim and,
2. the existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

ii. Dating violence does not include acts covered under the definition of domestic violence.

**Dating violence is not defined specifically in Massachusetts State criminal law.**

**Stalking:** The term “stalking” means:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
   i. fear for the person safety or the safety of others; or
   ii. Suffer substantial emotional distress.

2. For the purposes of this definition—
   i. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

   ii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

   iii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

**Massachusetts Criminal Law also defines Stalking under the statute contained in Ch. 265 § 43:**

**Stalking:**

a) Whoever (1) willfully and maliciously engages in knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than $1,000, or imprisonment in the house of correction for not more than 21/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence.
of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

b) Whoever commits the crime of stalking in violation of a temporary or permanent vacate, restraining, or no-contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C or a protection order issued by another jurisdiction; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served mandatory term of imprisonment. A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine D of chapter one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution.

The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection.

c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years and not more than ten years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of two years.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established here in, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution.

The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection.
B. **Education and Prevention Programs:**

1. The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

   a. are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and

   b. consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

2. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

   a. identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

   b. defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

   c. defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

   d. defines what behavior and actions constitute consent to sexual activity using the definition of consent found in the Code of Conduct;

   e. provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, over-

   c. provides information on risk reduction. Risk reduction means options designed to decrease perpetration and information for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;

   d. provides information regarding:

      i. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs;

      ii. how the University will protect the confidentiality of victims and other necessary parties;

      iii. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community;

      iv. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protection and

      v. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; and in providing ongoing awareness training, activities and programming for all students and employees.

The University offered the following primary prevention and awareness programs for all incoming students in 2016:

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<tr>
<th>Name of Program</th>
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<td>Dean of Students Beginning Orientation Programs</td>
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<td>Drums &amp; Alcohol</td>
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<td><strong>Transfers Students</strong></td>
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<td>January 7, 12, 20-2016</td>
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**C. Procedures Victims Should Follow if a Crime of Domestic /Dating Violence, Sexual Assault and Stalking Occurs:**

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services on and/or off campus as well as additional remedies to prevent contact between a victim and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the UMBPD or local law enforcement. To request accommodations, students and employees should contact:

**STUDENTS:**

Office of the Dean of Students:
Beth Devonshire
Senior Associate Dean of Students
Deputy Title IX Coordinator for Students
Campus Center fourth floor Room 4100
Phone: 617-287-5804
beth.devonshire@umb.edu
https://www.umb.edu/life_on_campus/student_affairs

**EMPLOYEES:**

Office of Diversity, Equity, and Inclusion:
Georgianna Melendez
Vice Chancellor and Chief Diversity Officer
Quinn Administration Building, Room 03-022
Phone: 617.287.4818
Georgianna.Melendez@umb.edu
https://www.umb.edu/odi/contact
After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at:

**Boston Medical Center**  
840 Harrison Ave, Boston, MA 02118  
(617) 638-8000

### Preservation of Evidence in Sexual Misconduct Case:

In Massachusetts, evidence may be collected even if you choose not to make a report to law enforcement or University officials. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted so that evidence may be preserved to assist an investigation of the alleged criminal offense. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, dating violence, and stalking, are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in proving that the alleged criminal offense occurred and/or that may be helpful in obtaining a protective order. Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police.

The University will assist any victim with notifying local police if they so desire. For assistance with notifying law enforcement authorities including on campus and/or local police, contact Lieutenant Clara Molina at 617.287.7794 or email her at clara.molina@umb.edu.

If you have been the victim of domestic/dating violence, sexual assault, or stalking, you should report the incident promptly to the UMBPD (if the victim so desires).

If you have been the victim of domestic/dating violence, sexual assault, or stalking, and you are unsure about speaking to law enforcement, you may contact the Office of Diversity and Inclusion /Title IX Coordinator, or the Office of the Dean of Students by calling, writing or coming to the office to report in person. The University will provide resources, on or off campus, to include but not limited to: medical, health, counseling, visa and immigration assistance, legal assistance, and victim advocacy to persons who have been victims of sexual assault, domestic/dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult.

If a victim chooses not to make a complaint regarding an incident, the University and the UMBPD encourages a victim to consider speaking with the UMBPD or another law enforcement agency to preserve evidence in the event that the victim changes her/his mind at a later date.

Here, the University has provided additional resources and contact information if you have been a victim domestic/dating violence, sexual assault, or stalking:

**UMass Boston Police Department:**

The UMBPD Department serves as a resource for reporting and criminal investigation of incidents of sexual violence/harassment, relationship and dating violence and stalking. Additionally, the UMBPD provides prevention services such as Rape, Aggression Defense (RAD) courses, a night time escort service and other awareness raising and preventative information.

RAD Instructors will provide educational opportunities for women and men.

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1. This document will use “victim” and complainant; “perpetrator” and “accused party” interchangeably. Each institution needs to use language consistent with their institutional policies.

2. Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with forensic medical exam, reimbursement for charges incurred on account of such exam, or both.”

3. The Title IX Coordinator is regarded as a “Responsible Employee” under Title IX and also a “Campus Security Authority” under the Clery Act. Statistical information, less than the victims identifying information will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert public safety personally.
**UMass Boston Police Department (UMBPD)**
Emergency phone: 911  
Non-emergency Phone: 617-287-1212  
Quinn Administration Plaza level  
Web: [www.umb.edu/public_safety](http://www.umb.edu/public_safety)

The Dean of Students Office:
The Dean of Students Office provides investigative and disciplinary processes for incidents of student against student sexual misconduct/harassment, stalking, relationship and dating violence in accordance with the Code of Student Conduct. The office can also assist victims/survivors in changing class schedule, talking with professors, withdrawing from classes etc. Victims/survivors do not have to file a formal complaint under the student code of conduct to request these resources.

**Office of the Dean of Students:**
Beth Devonshire  
Senior Associate Dean of Students  
Deputy Title IX Coordinator for Students  
Campus Center fourth floor Room 4100  
Phone: 617-287-5804  
beth.devonshire@umb.edu  
[https://www.umb.edu/life_on_campus/student_affairs](https://www.umb.edu/life_on_campus/student_affairs)

University Counseling Center:
The University Counseling Center provides CONFIDENTIAL support and mental health services to survivors of sexual assault, domestic violence, stalking and harassment, as well as general mental health concerns. Services include: crisis interventions, psychiatric, suicide prevention training; consultation and education; and assistance and advocacy connecting community with campus offices including the Dean of Students Office.

Quinn Administration Building  
2nd floor Phone 617-287-3977  
Web: [www.umb.edu/healthservices](http://www.umb.edu/healthservices)

Disclosing an incident of domestic/dating violence, sexual assault, or stalking, to a “Reasonable Employee” or “Campus Security Authority (CSA)” or any other Clery Act crime, will not always result in the initiation of any investigative or disciplinary action unless there is imminent risk or serious harm to the victim and/or the University community.

A University “Reasonable Employee” and/or a “Campus Security Authority (CSA)” are deemed mandatory reporters for the purpose of determining if there is an imminent or continuing threat to the campus community that would require a timely warning or emergency notification. Usually, a CSA’s or Reasonable Person’s requirement is met without disclosing a victim’s personal identifying information.

Rape Aggression Defense (RAD) classes are offered throughout the semester. If you would like further information about this program please email Officer Matthew Coviello at [Matthew.Coviello@umb.edu](mailto:Matthew.Coviello@umb.edu)
If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report.

<table>
<thead>
<tr>
<th>Incident Being Reported:</th>
<th>Procedure Institution will follow</th>
<th>Evidentiary Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Assault</td>
<td>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</td>
<td>Preponderance of the Evidence</td>
</tr>
<tr>
<td></td>
<td>2. Institution will assess immediate safety needs of complainant</td>
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<tr>
<td></td>
<td>3. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police department</td>
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<td></td>
<td>4. Institution will provide complainant with referrals to on and off campus mental health providers</td>
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<td>5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties</td>
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<tr>
<td></td>
<td>6. Institution will provide a “No trespass” directive to accused party if deemed appropriate</td>
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<td></td>
<td>7. Institution will provide written instructions on how to apply for Protective Order</td>
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<tr>
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<td>8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</td>
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<td>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing</td>
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<td></td>
<td>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</td>
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<tr>
<td>Incident Being Reported:</td>
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<td>Evidentiary Standard</td>
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</tr>
<tr>
<td><strong>Stalking</strong></td>
<td></td>
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</tr>
<tr>
<td>1. Institution will assess immediate safety needs of complainant</td>
<td></td>
<td>Preponderance of the Evidence</td>
</tr>
<tr>
<td>2. Institution will assist complainant with contacting UMB Police or local police if complainant requests AND complainant provided with contact information for local police department</td>
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<tr>
<td>3. Institution will provide written instructions on how to apply for Protective Order 209A</td>
<td></td>
<td></td>
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<tr>
<td>4. Institution will provide written information to complainant on how to preserve evidence</td>
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<td></td>
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<tr>
<td>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</td>
<td></td>
<td></td>
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<tr>
<td>6. Institution will provide a “No trespass order” to accused party if deemed appropriate</td>
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</tbody>
</table>

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<tbody>
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<td><strong>Domestic Violence</strong></td>
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</tr>
<tr>
<td>1. Institution will assess immediate safety needs of complainant</td>
<td></td>
<td>Preponderance of the Evidence</td>
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<tr>
<td>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</td>
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<td></td>
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</tbody>
</table>
### D. Assistance for Victims: Rights & Options:

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the University will protect the confidentiality of victims and other necessary parties;
- a statement that the University will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the UMass Boston provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee with written explanation of the student and employees rights and options. In Massachusetts, a victim of domestic violence, dating violence, sexual assault or stalking has rights. The Massachusetts Victim Bill of Rights (M.G.L. c.258B) provides rights and services to crime victims and survivors in order to ensure a meaningful role for them in the criminal justice system. While the Bill of Rights applies to all crimes, victims and survivors of violent crimes are given priority status for services. If you wish to be notified of the status of a pending criminal case, you must provide your victim witness advocate, prosecutor and others in the criminal justice system with a current address and phone number at which you can be reached. For a complete listing of your rights, please refer to the Victim Bill of Rights (M.G.L. c258B).
For a complete guidebook to your rights as a crime victim in the Commonwealth of Massachusetts, visit the Massachusetts Office for Victim Assistance at www.mass.gov/mova/about-mova/ or access the guidebook here www.mass.gov/mova/docs/aftermath-of-crime.pdf

UMass Boston complies with Massachusetts State law in recognizing Abuse Prevention Orders (209A) and directs any person who obtains an order of protection from domestic or dating abuse, harassment, stalking or sexual assault from any state in the country to provide a copy to the UMBPD. A complainant may then meet with an officer from the UMBPD to develop an Individual Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location, supervisor, work location, or allowing a student to complete assignments from home, depending on the course. The University cannot apply for a legal Abuse Prevention Order, no contact order or restraining order for a victim from the applicable jurisdiction. The victim is required to apply directly for these services.

The following information is information on the District Attorney’s website that may be helpful when trying to get an Abuse Prevention Order (209A) and a Harassment Prevention Order (258E) www.mass.gov/courts/selfhelp/abuse-harassment/.

What is the difference between an Abuse Prevention Order (209A) and a Harassment Prevention Order (258E)?

If you are being abused or harassed, you may be able to request a restraining order. There are two different kinds:

1. **Abuse Prevention Orders:**

   Limited to someone with whom you have a specific type of relationship (family, intimate, residential) see below. You may ask for an Abuse Prevention Order (a “209A Order”) from a judge if:

   If the person abusing you is:

   - A person to whom you are or were married,
   - Someone with whom you are or were living,
   - A family member related by blood or marriage

   - The parent of your child even if you were never married, or
   - Someone with whom you are or have been in a serious dating relationship.

   And you are suffering from abuse because your abuser has:

   - Harmed or attempted to harm you physically,
   - Caused you to fear that you are likely to be physically hurt at any moment, or
   - Forced you to have sex or threatened you into having sex.

2. **Harassment Prevention Orders:**

   Not limited to specific types of relationships. You may ask for a Harassment Prevention Order (a “258E Order”) from a judge if you are suffering from harassment because someone has committed 3 or more acts:

   - that were willful and malicious. This means it was done on purpose and was done for cruelty, hostility or revenge.,
   - and were aimed at you,
   - and were intended to cause you fear, intimidation, abuse or damage to property. “Abuse” means causing or attempting to cause physical harm, or causing fear of imminent serious physical harm,
   - and did in fact cause you fear, intimidation, abuse or damage to property;

   OR

   - someone has forced you to have sex or threatened you into having sex at least once,
   - or someone has committed one of the following crimes against you at least once:
The court can issue an ex parte order that can last for up to ten business days. The court will schedule a hearing within ten business days and then notify the defendant about the ex parte order. The defendant has a right to attend that hearing to argue that all or part of the order should not be continued. At that hearing, often referred to as the 10 day hearing, the judge will hear from you and the defendant, if the defendant appears. The judge may also decide not to issue an ex parte order at that time. If the judge does not think that there is a basis to grant an abuse prevention order, the request will be denied. If the judge thinks that there is not a substantial likelihood of immediate danger of abuse, the request may be put off and a hearing set up at a later time. The defendant will be given notice of that hearing and have the right to attend that hearing. At this hearing both you and the defendant will have the right to tell the court why an abuse prevention order should or should not be issue. If the judge does not issue an ex parte order but wants to set up a hearing where the defendant will be present, you may decide not to go forward with your complaint and ask that the hearing not be scheduled.

You can request that the defendant be ordered not to abuse you. This means that:

- The defendant shall not physically assault or threaten you.
- The defendant shall not do anything that makes you reasonably fear that the defendant might cause you physical harm.
- The defendant shall not use force or a threat of any kind to make you have sex unwillingly. You can request that the defendant be ordered to have no contact with you. This means that:
  - The defendant shall not live with you.
  - The defendant must stay a specific number of feet/yards away from you. The distance that the defendant must remain away from you is listed on the order.

What is Abuse?

Under the law, abuse is physically harming you or trying to physically harm you, causing fear that you are likely to be physically hurt at any moment, or forcing you to have sex, or threatening you into having sex.

Who Can I Be Protected Against?

You cannot get an abuse prevention order against any person you wish. You may only obtain an order against:

- A person to whom you are or were married,
- Someone with whom you are or were living,
- A family member related by blood or marriage,
- The parent of your child even if you were never married, or
- Someone with whom you are or have been in a serious dating relationship.

What Can I Request Under an Abuse Prevention Order?

Chapter 209A allows a judge to issue a variety of types of court orders including an order that the defendant not abuse you, not contact you, stay away from your home and work address and not possess any firearms. An abuse prevention order can include any provisions that a judge thinks are needed to keep you safe.

Can I get an abuse prevention order without telling the defendant?

The court may issue an abuse prevention order without the defendant having notice if there is a substantial likelihood of immediate danger of abuse. Such an order is called an ex parte order. You file a complaint form that includes an affidavit (described below) and a hearing is held right away without letting the defendant know. The
The defendant shall not contact you in any way. This includes, but is not limited to, phone calls, text messages, emails, gifts and contact through friends, relatives, neighbors or anyone else, sending or posting messages on Facebook, Twitter or any other social media site, unless specifically allowed in the order.

If you are already at a place and the defendant comes to that same location, the defendant must leave that place as quickly as possible.

You can request that the defendant be ordered to leave a residence (home). This means that:

- The defendant must leave your residence immediately and stay away from that residence while the order is in effect. The defendant must stay away from the residence even if you are not there at the time. If the residence is an apartment, the defendant may be ordered to remain away from the entire building, even if the lease is in the defendant’s name.

- The defendant shall not damage the residence in any way.

- The defendant shall not shut off any utilities or interrupt your mail delivery.

You can request that the defendant be ordered to stay away from your work. This means:

- The defendant must stay away from the place where you work as long as the order is in effect. The defendant must stay away from that workplace even if you are not there at the time.

- You can request that your residential, workplace and/or school address not appear on the order.

- If the defendant does not know your current residential, workplace or school address (es) you may request that these addresses be kept confidential. This information would only be available to the court, the police, the district attorney or others specifically allowed by you or the court. In all cases, this information is not available to the public.

You can request that you be given custody of children. This means:

- The children will live with you unless or until a judge changes that order.

You can request that the defendant be also ordered to have no contact with the children. This means:

- The defendant must stay a specific number of feet/yards away from them (the distance is listed on the order) and have no contact with them while the order is in effect unless and until a judge permits contact with the children.

- The court can also order the defendant to stay a specific number of feet/yards away from a child’s school or daycare. If the defendant is permitted to have contact with the children but not with you and the children live with you, the defendant must speak only to the children, not to you.

- The Probate Court can change a District Court Judge’s restraining order with regard to custody and contact with children. Even if the Probate Court changes the parts of the order that deal with the children, all other parts of the District Court order remain in effect.

You may request that the defendant be ordered to pay certain money. This means:

- The defendant can be ordered to pay temporary support if he or she might be legally obligated to do so (for example, if you are married),

- The defendant can be ordered to pay child support for his or her children, or
• The defendant can be ordered to pay for costs related to the abuse, such as medical bills, lost wages or for changing the locks.

If the judge issues a 209A order, the defendant will be ordered to surrender (give up) firearms. This means:

• The defendant must immediately transfer possession of any firearms, ammunition, and license to carry a firearm or firearms identification card that he/she has to the police department listed on the order.

• The defendant may not purchase any firearms or ammunition while the order is in effect.

E. Getting Help:

If you need help with getting an order, the Massachusetts Office of Victim Assistance offers a program called SAFEPLAN that provides people to help you in many courts across the state. There are other programs in some courts that provide people who can help you fill out the forms and go with you to the courtroom. In some cases the advocate is from the local domestic violence service provider. In other cases, District Attorney Office victim-witness advocates assist people in filing for a 209A order. A list of domestic violence service providers can be found at Jane Doe, Inc. People at these organizations can tell you if they have court advocates or, if not, how to reach a court advocate.

If you need help immediately such as safety planning or shelter, call the SAFELINK hotline at 1-877-785-2020, which can find you a domestic violence program or shelter near you.

Where do I apply for an abuse prevention order?

During regular business hours on weekdays, you can go to the Boston Municipal, District, Probate and Family or Superior Court whose jurisdiction covers where you live. See Court Locator. If you are unsure what court covers where you live, you can call the closest court on the list and they will be able to direct you to the right place.

If you have left home since the abuse, you can choose to go to a court whose jurisdiction covers where you are staying. Go to the civil clerk’s office and tell them them you want to ask for a 209A order. They will give you the forms you need.

If you are in crisis and courts are closed, you can call or go to your local police station. The police will give you the forms to fill out and then call a judge. If the judge grants the order, it is only temporary until the next court business day. The order given to you by the police will tell you which court and when you need to be at the court.

What forms do I file?

You will always file:

Complaint for Protection from Abuse including an affidavit in support of your request:

• Defendant Information Form

• Plaintiff Confidential Information Form

You may also need, if you have children:

• Complaint for Protection from Abuse page 2

• Affidavit Disclosing Care or Custody Proceedings

If you want custody of your pets, or an order to keep the defendant from abusing your pets:

• Petition and Order Issued Pursuant to GL c.209A, s.11 Relative to Domesticated Animals.

What happens next?

After you fill out the forms, give them back to the clerk’s office. Court staff will check to see if the defendant is wanted by the police, if there are or have been other restraining orders against the defendant, and/or whether the defendant has any criminal record. In some courts, court staff may also check your record. Once this is done, you will be brought into the courtroom.

Going into court.

After you file your papers, you will appear before a judge. If you have asked for an order without the defendant knowing, the defendant will not be there. The judge will look over your papers and ask you some questions. The judge will decide whether or not to give you the order while you are still there. You will be given a copy of the order by the Clerk’s office after the hearing is over.
The police will attempt to serve the defendant with a copy of the order. Your local police department receives a copy of the order. You should also keep a copy of the order with you at all times.

**How Long Does the Order Last?**

The first order you get, if the defendant is not present, is only good until you have a court hearing where the defendant has an opportunity to tell his side of the story. This is scheduled within 10 business days, so it is commonly called a “10-Day Hearing.” It may be in fewer than 10 days. The judge will tell you when this hearing will be held at the time he or she issues the first order. The date of this hearing will also be on the order.

If you get an emergency order when the court is not in session from a judge over the telephone and the defendant is also arrested, the defendant might be at the same court where you go to get the order extended. In that case, the judge will hold a hearing with both you and the defendant present and may grant an order for up to a year.

**10 Day Hearing.**

The date and time for the next court hearing will be listed on the order. The name and location of the court that issued the order is listed at the top right hand corner of the order. During that hearing, the judge will listen to the evidence and decide if the order should continue to remain in effect, be amended in some way (s), or be terminated (ended). Both the plaintiff and the defendant have a right to be heard at the hearing and to present evidence that the judge finds is relevant. If you do not appear at the next scheduled court hearing, the order will expire at the end of that court day.

If the judge grants the order, it will be in effect for up to one year. The order will say how long it will last, and will tell you when you need to go back to court if you want to renew it. If you want to renew the order, you will need to go back to court on the return/expiration date on the order, and ask for the order to be renewed or the order will expire.

**How Do I Appeal?**

If you are not given an order or not given everything you request you may appeal. You have 30 days to appeal after the judge makes his or her decision. No matter what court issued the order, you must appeal to the Massachusetts Appeals Court. To start your appeal, you must file a Notice of Appeal at the Clerk’s office of the court that issued the order within thirty days of your hearing. See the Appeals Court Help Center for information on the appeals process.

**What happens if the Defendant Does Something He or She is Not Supposed to Do?**

If the police witness or have probable cause to believe that the defendant violated a restraining order, the police are required to arrest the defendant.

A restraining order is a civil order but violation of certain parts of the order is a criminal offense. If the defendant violates the no abuse, no contact, leave the home, stay away from home/work or surrender firearms terms of the order, you should contact the local police department immediately and tell them that you have a restraining order and what happened.

Failure to pay money owed. If the defendant does not pay support, child support or any money damages ordered, you will need to go back to the court that issued the order and ask for a hearing to see if the defendant should be held in contempt of court.

**What If I Want to Change or Terminate (End) the Order?**

An abuse prevention order is a court order. That means that only a judge can change the order. The person who requested the order CANNOT change or end the order without returning to court. Even if the plaintiff seems to request or allow conduct forbidden by the order, the defendant will be in violation of the abuse prevention order unless a judge has changed it. If you want to change or end the order you can go to the same court that issued the order Monday through Friday 8:30 am to 4:00 pm to ask the judge to change or end the order. The Clerk-Magistrate’s Office can assist you in the filing of documents to make this request.

**More Information for People Seeking Abuse Prevention Orders:**

1. **Safe-link** is a Massachusetts 24/7 toll-free domestic violence hotline. Advocates are multilingual, and conversations are free and confidential. The advocates can assist victims with safety planning, locating shelters, providing locating shelters, providing emotional support, and finding local community services. Call 1-877-785-2020.
2. **Local Police** - You don’t have to call the police, but it is important for you to know you can call them if you feel you need their protection, especially in emergencies.

3. **Jane Doe, Inc** is the statewide coalition against sexual assault and domestic violence. Their website includes information for victims and survivors of domestic violence.

4. **MA Office for Victim Assistance.** Coordinates the SAFEPLAN programs on a statewide basis. SAFEPLAN is a court-based program that provides advocates to help victims of domestic violence who are seeking protection from abuse. SAFEPLAN Advocates are available in 41 district and probate courts across the state. The services they provide to victims are free. SAFEPLAN Advocates can help you with getting a 209A order or go with you to a protective order hearing. For information on SAFEPLAN Advocates, what they do, and how to reach them, read the SAFEPLAN FAQs.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, University officials will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant will be offered changes to academic, living, transportation, or working situations or protective measures regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, or if the victim wishes to receive assistance in requesting these accommodations, they should contact The Office of the Dean of Students at 617-287-5804.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (i.e. providing accommodations or protective measures).

UMass Boston will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the campus police departments Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a timely notice is issued on the basis on a report of domestic/dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Victims may request that directory information on file be removed from public sources by request and contacting the UMBPD, Information Technology, or the Office of Diversity and Inclusion /Title IX Coordinator.
## Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking:

### On-Campus:

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<thead>
<tr>
<th>Service</th>
<th>Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>UMass Health Services Counseling Center</td>
<td>Quinn Administration Building 2nd Floor</td>
<td>617-287-5690</td>
</tr>
<tr>
<td>University Health Services</td>
<td>Quinn Administration Building 2nd Floor</td>
<td>617-287-5690</td>
</tr>
<tr>
<td>Mental Health</td>
<td>Quinn Administration Building 2nd Floor</td>
<td>617-287-5690</td>
</tr>
<tr>
<td>Victim Advocacy</td>
<td>Boston Area Rape Crisis Center</td>
<td>1-800-841-8371</td>
</tr>
<tr>
<td>Office of the Vice Chancellor of Student Affairs</td>
<td>University Campus Center, 4th Floor, 4100</td>
<td>617-287-5899</td>
</tr>
<tr>
<td>Office of Diversity, Equity, and Inclusion</td>
<td>Quinn Building 3rd Floor 0025</td>
<td>617-287-4818</td>
</tr>
<tr>
<td>Office of Off-Campus Student Housing</td>
<td>University Campus Center, 3rd Floor, 3403</td>
<td>617-287-6024</td>
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<td>1.800.841.8371</td>
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<tr>
<td>Health &amp; Mental Health</td>
<td>Boston Medical Center 840 Harrison Ave, Boston, MA 02118</td>
<td>617.638.8000, 617.638.8371</td>
</tr>
<tr>
<td>Victim Advocacy</td>
<td>Boston Area Rape Crisis Center</td>
<td>1.800.841.8371</td>
</tr>
<tr>
<td>Visa and Immigration Assistance</td>
<td>Action for Boston Community Development (ABCD) 21 Meridian St., East Boston</td>
<td>617.567.8857</td>
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<tr>
<td></td>
<td>ALPHA Immigrant Center 62 Northampton St., Boston, MA 02118</td>
<td>617.622.6382</td>
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<td></td>
<td>Catholic Charities Refugee and Immigrant Services 51 Sleeper Street, Boston, MA 02210</td>
<td>617.622.6382</td>
</tr>
<tr>
<td>Haitian TPS Assistance</td>
<td>Call in hours: Wed, Thurs., 10am-12pm</td>
<td>617.482.5440, 617.464.8004</td>
</tr>
<tr>
<td></td>
<td>East Boston Ecumenical Community Council 50 Meridian Street, Suite B1, East Boston, MA 02128</td>
<td>P: 617.567.2750, F: 617.569.5946, Email: <a href="mailto:ebecc.admin@verizon.net">ebecc.admin@verizon.net</a></td>
</tr>
<tr>
<td></td>
<td>Greater Boston Legal Services (Immigration Unit) 197 Friend Street, Boston, MA 02114</td>
<td>P: 617.371.1234, TTD: 617.371.1228</td>
</tr>
</tbody>
</table>
Other resources available to persons who report being the victim of sexual assault, domestic dating/violence, or stalking, include:

1. [www.rainn.org](http://www.rainn.org)
2. [www.ovw.usdoj.gov/sexassault.htm](http://www.ovw.usdoj.gov/sexassault.htm)  
   Department of Justice
3. [www2.ed.gov/about/offices/list/ocr/index.html](http://www2.ed.gov/about/offices/list/ocr/index.html)  
   Department of Education, Office of Civil Rights.

**Bystander Intervention Definition:**

Bystander Intervention involves developing the awareness, skills, and courage needed to intervene in a situation when another individual needs help. Bystander intervention allows individuals to send powerful messages about what is acceptable and expected behavior in our community.

**How to be an Active Bystander:**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We here is a list of some ways to be an active bystander.

Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or legal assistance.

**Risk Reduction: Definition:**

A probability or threat of damage, injury, liability, loss, or any other negative occurrence that is caused by external or internal vulnerabilities, and that may be avoided through preemptive action.

With no intent to victim blame and fully recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)).

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.

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5. Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.

6. **Make sure your cell phone is with you** and charged and that you have cab money.

7. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.

8. **Avoid putting music headphones in both** ears so that you can be more aware of your surroundings especially if you are walking alone.

9. **When you go to a social gathering, go with a group of friends.** Arrange together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

11. **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

12. **Don’t accept drinks from people you don’t know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

14. **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with Doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

   a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

   b. **Be true to yourself.** Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.

   c. **Have a code word with your friends or family** so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

   d. **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.**
F. Adjudication of Violations

Whether or not criminal charges are filed, the university or a person may file a complaint under the Student Code Conduct alleging that a student or employee violated the University’s Sexual Misconduct policy.

The Initial Steps

Any person wishing to initiate a complaint regarding any UMass Boston student or student organization is encouraged to do so in writing as soon as possible following the incident. The University may independently investigate an allegation of student misconduct whether or not it has been submitted in writing and whether or not it is beyond the three hundred sixty-five days provided in this paragraph. A complaint will be investigated when it is submitted in writing (independently by the University) within three hundred sixty-five (365) days of the alleged violation or discovery of the alleged violation is presented to the Office of the Dean of Students. The complainant should include the following information, if available:

Date of the incident
1. Name(s) of the accused
2. Description of the incident, including location,
3. Names, addresses, and telephone numbers of witnesses,
4. Names, addresses, and telephone numbers of those filing the complaint

Response to allegations of sexual offense, domestic violence, dating violence, or stalking:

In addition to this complaint procedure, the Dean of Students or designee will provide the complainant with written explanations of the complainant’s rights and options. A copy of these rights and options are also available at www.umb.edu/odi/.

Office of Diversity, Equity, and Inclusion:
Georgianna Melendez
Vice Chancellor and Chief Diversity Officer
Quinn Administration Building, Room 03-022
Phone: 617.287.4818
Fax: 617.287.4833
Georgianna.Melendez@umb.edu
https://www.umb.edu/odi/contact

The University will take prompt and appropriate measures that are available to the University to address Title IX allegations including sexual offense, domestic dating violence, or stalking. The University will provide a timely, fair, and impartial process from the initial investigation to the final result. All proceedings will be conducted in a manner that is transparent to the accuser and the accused. The proceeding include timely notice of meetings at which the accuser or accused or both, may be present; and provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.

Usually, the resolution of complaints involving domestic dating violence, sexual assault and stalking are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. All officials involved in disciplinary proceedings from the initial investigation through any appeals, are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and resolution process that protects the safety of the victim and promotes accountability. The policies/student conduct process provides that:

1. Once the University is made aware of an alleged Title IX complaint, an incident report will be written and submitted to the Office of Diversity, Equity, and Inclusion.
2. The Title IX Coordinator will review the incident/complaint and the case will be assigned to an Investigator or Team.
3. The Investigator/Team will meet with the complainant and respondent, separately, to collect information regarding the allegation. The complainant and respondent may provide written statements, witness names, and other information related to the allegation.

6. Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution’s sexual misconduct policy was violated, then the “University” may assume the role of the complainant.
4. The Investigator Team will meet with relevant witnesses to collect information regarding the allegation. Further, the Investigator Team will collect additional available information pertinent to the investigation.

5. Once the Investigator Team has completed their process, they will review the information to determine whether or not the Code was violated and recommend any charges to the Title IX Coordinator.

6. If the acquired information does not reasonably support a Code violation, the case will be closed without charges and both parties will be notified of the outcome in writing.

7. If the acquired information reasonably supports a Code violation, written charges will be issued to the respondent’s University email.

8. Regardless of the charging decision, both the complainant and respondent will be able to review the investigative report. Both parties may provide a response to the investigative report within 5 business days. Once the complainant and respondent have responded or the 5 business days have elapsed, the Investigator Team will address and correct, if appropriate, any factual inaccuracies, misunderstanding, etc., and may collect additional information, if appropriate. The complainant and respondent may review and respond to this revised report, if applicable, prior to it being finalized; if additional substantive information is provided, both parties may review the information and respond within 1 business day.

9. Once the report is finalized, if charges are issued, both parties may provide an Impact Statement that will be shared with the hearing officer during the Administrative Hearing.

10. The Dean of Students or designee will serve as the hearing officer for the Administrative Hearing and will review the investigative report and make a decision of responsibility/non-responsibility based on the preponderance of evidence standard and notify both the complainant and respondent.

11. If both the respondent and the complainant accept the finding, the matter will be closed, sanctions established by the hearing officer implemented and no appeals will be granted. Both parties will be notified in writing.

12. If the respondent or the complainant contests the findings, the matter will be forwarded to a Community Review Board hearing.

13. Both the respondent and the complainant will be notified of the hearing outcome and rights to appeal, in writing, once the Title IX Coordinator has approved the written outcome and process.

14. At the conclusion of any appeal process, both the respondent and complainant will be notified, in writing, of the outcome. The case will be closed.

ALLEGATIONS OF A SEXUAL OFFENSE BY A STAFF MEMBER OR FACULTY MEMBER OF A STUDENT WILL BE INVESTIGATED AND DETERMINED UNDER THE PROCEDURES SET FORTH BY THE OFFICE OF DIVERSITY AND EQUITY, AND INCLUSION.

The University will take prompt and appropriate measures available to the University to address allegations of a sexual offense, domestic violence, dating violence, or stalking. The University will provide a prompt, fair, and impartial investigation and resolution of claims brought under the Student Code Conduct claims for a sexual offense, domestic violence, dating violence, or stalking. Investigations for claims of sexual offense, domestic/dating violence, or stalking will be conducted by Hearing Officers, Community Review Boards or members of the Office of Diversity Equity and Inclusion, who receive annual training on the issues related to sexual offenses, domestic violence, dating violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

NOTE: All members of the University community are expected to report all violations of the Student Code Conduct to the Dean of Students Office, maintain appropriate privacy for investigations and proceedings, and refrain from filing complaints in bad faith, or in retaliation against any individual.

Decision Making Process:

The student respondent will be presumed “not responsible” until proven otherwise by a preponderance of the evidence presented during the Student Conduct process. The formal rules of evidence applicable to civil and criminal cases shall not apply, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to an accused student or the University results.

Determination of Charges:

Upon the receipt of a complaint, the Dean of Students or designee will evaluate the complaint and determine
whether there is sufficient merit to charge the respondent student with a violation of the Code. If there is sufficient merit to charge the respondent, a Notice of Violation will be issued to the respondent.

Time Line:

Hearing Notification

If the Dean of Students or designee determines after evaluating the complaint that the Code may have been violated, a Notice of Violation will be issued to the student respondent through the student’s University email account. The Notice of Violation will provide the student respondent a brief summary of the allegations, the violation he/she is being charged with, notice of the right to identify witnesses, the time frame within which the student respondent has to set a date for his/her Administrative Conduct Hearing, and the location of the Hearing. The complainant will receive notice of the right to identify witnesses, and the date and location of the Community Review hearing.

Complaints alleging claims of a sexual offense, domestic violence, dating violence, or stalking will be noticed to proceed to a Community Review Board hearing.

Any Hearing Officer or member of the Community Review Board may recuse himself/herself for a particular hearing for reasons of possible conflict of interest by informing the Dean of Students or designee within twenty-four (24) hours of the hearing. In addition, a respondent or complainant may challenge the bias of a Hearing Officer or Community Review Board member to the Dean of Students at least twenty-four (24) hours prior to the time set for the hearing.

Proceedings:

Administrative Conduct Hearing Process:

a. The Administrative Conduct Hearing is a formal disciplinary hearing. The Hearing Officer will explain the Student Conduct procedures, provide a copy of any report that details the charge, discuss the charges with the student respondent, and the range of possible sanctions. The student respondent will have the opportunity to speak in his/her own defense and explain his/her version of events.

b. If a student respondent acknowledges responsibility for violating the Code during the Administrative Conduct hearing, the case will be resolved immediately, resulting in appropriate sanctions. In this case, the outcome of an Administrative Conduct hearing is final and there is no appeal or further conduct proceedings regarding the findings or the sanction.

c. Students that are not subject to a potential sanction of suspension or expulsion who choose not to schedule and/or participate in an Administrative Conduct Hearing may be subject to a Hearing Officer making a decision on the case without the student’s input. A student found responsible may have the right to appeal.

d. Students who do not acknowledge responsibility and are not subject to a potential sanction of suspension or expulsion may be found responsible at the conclusion of the Administrative Conduct Hearing.

Whether or not a student is subject to a potential sanction of suspension or expulsion, when the student respondent has been found responsible under the Code within the past academic year, even if an appeal is pending, a Community Review Board hearing will be conducted after the Administrative Conduct Hearing.

In some cases, alternative dispute resolution such as an Intermediary Solution may be offered by mutual consent of the parties involved and on a basis acceptable to the Dean of Students or designee and when students involved have not previously engaged in mediation (under the same or similar set of facts or circumstances) through this process. Upon mutual consent of the parties involved to participate in mediation, the parties will enter into a binding agreement, which will set forth the terms of the mediation. Once the agreement is rendered, it is not subject to appeal. A copy of the agreement will be provided to all parties. If mediation fails, the case will be assigned to an administrative hearing. Information gathered through the mediation process shall not be submitted as evidence in an Administrative or a Community Board Hearing.
Failure to abide by the agreement may result in the situation being returned through the Student Conduct process for possible disciplinary action. **Intermediary Solutions may not be used in cases involving forms of sexual offense.**

**Notice of Community Review Hearings:**

A Community Review Hearing will be scheduled not less than two (2) business days and typically no more than fifteen (15) business days after either the student respondent has received a Notice of Decision at the conclusion of an Administrative Conduct Hearing or a Notice of Violation in the case of a complaint alleging a sexual offense, domestic violence, dating violence or stalking (time may be altered at the discretion of the Hearing Officer, taking into consideration mitigating circumstances). In instances where the student respondent is notified to attend an Administrative Conduct hearing and the student respondent does not attend the scheduled Administrative Conduct hearing, the Community Review Hearing may go forward and be scheduled as provided above, from the date of the scheduled Administrative Conduct hearing sent to student respondent in writing.

If a student respondent acknowledges responsibility for violating the Code prior to the Community Review hearing, the case will be resolved by a Hearing Officer in an Administrative Conduct hearing resulting in appropriate sanctions. In this case, the outcome is final and there is no appeal or further conduct proceedings regarding the findings or the sanction, unless the complaint alleged a sexual offense, domestic violence, dating violence or stalking. In those such cases, the respondent and complainant may have a right of appeal.

Student respondents may request to delay a Hearing in cases where criminal charges related to the alleged Code violation are pending. In these cases, a reasonable delay shall be granted to secure the advice of legal counsel.

**Community Review Board Hearing:**

A Community Review Board Hearing is a formal disciplinary process that provides students charged with violating the Code the opportunity to be heard in a fair and impartial environment by a board of their peers and administrators and/or faculty. The Chair will explain the Student Conduct procedures, provide a copy of any report that details the charge, state the charges to the student respondent, and the range of possible sanctions. The student respondent and complainant will have the opportunity to speak and explain his/her version of events.

**Community Review Board and Administrative Hearing Process:**

The Community Review Board will consist of five (5) members of the University’s faculty and/or staff and students selected by the Dean of Students or designee. Where the alleged Code violation involves a sexual offense, as defined in the Code, domestic violence, dating violence, or stalking, no student will be a member of the Community Review Board.

**Student Rights**

**ADDITIONAL RIGHTS MAY BE AFFORDED THE COMPLAINANT WHERE THE COMPLAINT ALLEGES A SEXUAL OFFENSE, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING AS PROVIDED IN PARAGRAPH C BELOW.**

1. **Rights of the Respondent**

   The respondent shall receive advanced notification of the specific charge(s) and the date, time and place of the scheduled hearing (“Notice of Violation”). The Notice of Violation will be delivered to the respondent’s University e-mail account and the Respondent University e-mail account.

2. **Rights of the Complainant and the Respondent**

   - The respondent and complainant will be provided with the names of the Community Review Board members (or Administrative Hearing Officer) twenty-four (24) hours prior to the hearing. The respondent and complainant may challenge the bias of a Community Review Board member (or Administrative Hearing Officer) to the Dean of Students at least twenty-four (24) hours before the time set for the hearing.
   
   - The respondent and complainant will be afforded reasonable access to review the reports and text of statements made by witnesses, respondent, and complainant as permitted by FERPA.
• The respondent and complainant may request an extension of time to prepare for the hearing. The request must be in writing and received by the Dean of Students, or designee at least 24 hours prior to the scheduled time for the hearing. The hearing may be extended at the discretion of the Dean of Students or designee, taking into consideration mitigating circumstances.

• The respondent and complainant may elect not to participate in the hearing process or choose not to answer questions, with the understanding that a decision will be made without the respondent’s or complainant’s participation or input.

• The respondent and complainant may present letters of support from up to two (2) character witnesses. If the student respondent is found responsible the letters will be presented to the Appeal Board, if there is an appeal.

• The respondent and complainant will be given an opportunity to describe the incident from his/her perspective and answer questions from the Hearing Officer or members of the Community Review Board.

• The respondent and complainant may be accompanied by an advisor, as defined under this Code.

• The respondent and complainant shall provide the Dean of Students or designee of his/her advisor in writing of the name, address and phone number of all witnesses who have relevant and necessary information pertaining to the incident; and the advisor, no later than twenty-four (24) hours in advance of the time set for the hearing. The respondent and complainant must also provide the written statement of each witness. Failure to provide said information as required may prohibit the participation of the witness (s) and/or advisor, at the discretion of the Hearing Officer.

• The respondent and complainant may only ask questions of any witnesses and/or the complainant/respondent indirectly through written questions presented to the Chair, (or Administrative Hearing Officer). The Chair (or Administrative Hearing Officer), at his/her discretion may ask the question (s) presented in writing. The Chair (or Administrative Hearing Officer) may at his/her discretion recall a witness and ask questions. The Chair (or Administrative Hearing Officer) may also call as a witness any member of the University community, as well as any other person. The Chair (or Administrative Hearing Officer) reserves the right to interview witnesses separately at the hearing.

• The respondent and complainant may not discuss any part of this case, including witnesses statements with any Board members named in the hearing notification letter prior to the hearing or outside of the hearing process.

• The respondent will be found responsible only if the evidence presented during the Student Conduct process meets the preponderance of evidence standard as stated in this Code.

• The respondent will receive the final results of the hearing consisting of the University’s findings, rationale for the findings, the violation committed, and any sanction imposed by the University, (“Notice of Decision”).

ONLY WHEN THE COMPLAINT INVOLVES A CLAIM OF A SEXUAL OFFENSE, DOMESTIC DATING VIOLENCE, , OR STALKING WILL THE COMPLAINANT AND RESPONDANT, SIMULTANEOUSLY BE SENT A COPY OF THE NOTICE OF DECISION, AND ANY CHANGE IN THE DECISION BEFORE IT BECOMES FINAL, SUBJECT TO FERPA
• The respondent may appeal a University hearing decision in accordance with this Code.

ONLY WHEN THE COMPLAINT INVOLVES A CLAIM OF A SEXUAL OFFENSE, DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING WILL THE COMPLAINTANT BE GIVEN THE RIGHT OF APPEAL AND BOTH RESPONDENT AND COMPLAINTANT WILL BE SIMULTANEOUSLY SENT A COPY OF THE RIGHTS OF APPEAL, SUBJECT TO FERPA.

Additional Rights of Complainant. In addition to the above rights that may be afforded a complainant when the complaint alleges a sexual offense, domestic violence, dating violence, or stalking as defined under this Code, the following additional rights shall apply:

• The complainant shall have the right to submit in writing a victim statement, which will be read at the hearing and provided to the Community Review Board members, (or Administrative Hearing officer).

• The complainant may request in writing to the Dean of Students or designee at least twenty-four (24) hours prior to the time specified for the hearing, an opportunity to attend the hearing via phone, in back of a screen, videoconference at a location convenient to the complainant and the University, or other reasonable means, when the complainant expresses concern for personal safety, wellbeing and/or fears of confrontation by or with the respondent.

Responsibilities of complainant, respondent, and witnesses.

Respondent, complainant, witnesses, Hearing Officers, Community Review Board members, and Administrative Hearing Officers are expected to keep all proceedings confidential.

Hearing Officers or Community Review Board members found to have violated confidentiality will be removed from the case and may face disciplinary action.

• Community Review Board and Administrative hearings are closed; an audiotape of the proceedings may be retained for appeal purposes. Students will not be permitted to record or in any way copy the proceedings through any mechanism.

• A person who serves as a witness may not serve in any other capacity during the hearing.

• Should any witness intentionally mislead a Hearing Officer or Community Review Board, the witness may face charges for violations of the Code.

• If a student respondent, complainant, or witness is disruptive or disorderly during a hearing, the Board may have him/her removed and may proceed without his/her input.

• If a complainant, respondent, witness or student organization chooses not to participate in any part of the process or fails to appear for a scheduled hearing, the Hearing Officer or Chair of the Community Review Board has the option to: (1) set a new hearing date; or (2) make a decision based on the information available to the Hearing Officer or Chair without the benefit of that complainant’s, respondent’s, witness’ or student organization’s input. Respondents and student organizations will be held accountable for any sanctions issued as a result of a hearing.

Evidence Presented at Hearings:

The University Hearing Officer or Chair of a Community Review Board will decide whether to admit evidence in a hearing. Information from an anonymous source will not be admitted as evidence. However, information stemming from an anonymous source can be used to launch an investigation. Hearing Officers or the Chair of a Community Review Board will agree to consider evidence that is relevant to the subject matter of the hearing and is fair and reliable under the circumstances of the case.
Student Conduct Process During Criminal Proceedings:

Disciplinary proceedings through the Student Conduct Process may be instituted against a student charged with conduct that potentially violates a criminal law and this Code (if the violation results from the same or a similar set of facts). The University’s disciplinary process may proceed prior to, simultaneously with, or following the criminal proceedings at the discretion of the Hearing Officer or Chair of the Community Review Board. Determinations made or sanctions imposed under this Code shall not be subject to challenge or change on the ground that criminal charges involving the same incident have been dismissed, reduced, or resolved.

- When related criminal charges are filed or pending, Hearing Officers or the Chair of the Community Review Board shall permit a lawyer to serve as an advisor (as the term “advisor” is defined in this Code) at the expense of the student.

ALLEGATIONS OF A SEXUAL OFFENSE BY A STAFF MEMBER OR FACULTY MEMBER OF A STUDENT WILL BE INVESTIGATED AND DETERMINED UNDER THE PROCEDURES SET FORTH BY THE OFFICE OF DIVERSITY EQUITY, AND INCLUSION (www.umb.edu/odi).

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The university disciplinary process is consistent with the institution’s policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings’ timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic/dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Student Code Conduct provides that:

1. the accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. the accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. the institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meetings and hearings;
4. the University disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. the University provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
6. a decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the University’s Student Code Conduct.
7. the accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding; and

8. the accuser and the accused each have the right to appeal the outcome of the hearing by putting their request in writing to the Dean of Students or his/her designee within five (5) business days of receipt of the Notice of Decision. The appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome of the student conduct proceeding and/or an appeal for mercy is not an appropriate basis for appeal. The written appeal must specifically address at least one of the grounds for appeal as listed in the Code. The University Appeals Board (“UAB”) will be convened by the Dean of Students or designee when the criteria have been met.

The accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment located in the Student Code of Conduct in order to remedy any hostile environment7. All conduct proceedings against students, however, will be resolved through the Student Code of Conduct.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university’s ability to respond to the complaint may be limited.

Confidentiality:

The University will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Sanctions and Protective Measures:

In all cases, investigations that result in a finding of more likely than not that a violation of the Student Code of Conduct or Sexual Misconduct Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including, Suspension (32 Week Disciplinary Probation upon return to the University) or Expulsion may be imposed upon those determined to have violated this policy per the “sanction guideline” established in the established in the Student Code of Conduct. The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking or permanent measures after a finding of responsibility which may include some or all of the following actions: Interim restrictions may include, but are not limited to, the following:

- immediate suspension;
- limitation of access to designated University facilities and/or buildings;
- restriction of communication with named individuals or Student Organizations within the University community;
- the requirement to secure advance authorization to engage in a specified activity.

For students, sexual assault, domestic/dating violence, and stalking are violations of the Student Code Conduct. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic/dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

7. “Hostile Environment” is the term used by Title VII in employment law as it relates to action taken against a person in retaliation of a complaint of sexual harassment or for cooperating with a sexual harassment investigation. Under Title IX, the term used is “retaliation.” Institutions may choose to provide both terms for clarification although it is not required.
The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator’s directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

Statement of Policy Informing the Accuser and the Accused of the Outcome of a Disciplinary Proceedings:

UMass Boston will, upon written request, disclose to the alleged victim of a crime of violence, (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

According to Section 16 of Title 18 of the United States Code, the term “crime of violence” means

a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or

b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

The “results of a disciplinary proceeding” means only the institution’s final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Statement of Policy for Addressing Counselors:

As a result of the negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be Campus Security Authority (CSA). Campus “Pastoral Counselors” and Campus “Professional Counselors,” when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at the University of Massachusetts Boston are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes to the UMBPD or on a confidential basis by accessing via UMBPD’s website at www.umb.edu/public_safety for inclusion into the annual crime statistics.

This federally mandated law defines counselors as:

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

Professional Counselor
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community, and who is functioning within the scope of his or her license or certification.
Statement of Policy for Addressing Sex Offender Registry:

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

How to Inquire

Members of the UMass Boston community may request information about sex offenders in Massachusetts at the Massachusetts Sex Offender Registry Board, telephone (978) 740-6400 or [www.mass.gov/eopss/agencies/sorb](http://www.mass.gov/eopss/agencies/sorb).

Penalties for Improper Use of Sex Offender Registry Information

Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one-half years in the house of correction or by a fine of not more than $1,000 or by both such fine and imprisonment.

Section 6: Crime Statistics:

Statement of Policy for Reporting the Annual Disclosure of Crime Statistics:

The information below provides context for the crime statistics reported as part of compliance with the Clery Act.

As required by federal law, UMass Boston yearly crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to UMBPD and other campus security authorities.

In addition, these statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor and drug law violations, and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by UMass Boston as well as public property within or immediately adjacent to and accessible from the campus are requested and collected from the UMBPD. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported.
All of the statistics are gathered, compiled, and reported to the UMass Boston community via this report, entitled “Annual Security Report” which is published by the UMBPD via the UMBPD website at: www.umb.edu/preparedness/campus_safety_report

UMBD submits the annual crime statistics published in this report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website: http://surveys.ope.ed.gov/security.

UMBD sends an e-mail to every enrolled student and current employee on an annual basis to notify the report is available to be reviewed. The e-mail includes a brief summary of the contents of this report and the web address where the Annual Security and Fire Safety Report can be found. The report is available online at: www.umb.edu/preparedness/campus_safety_report. You may request a physical copy mailed to you by calling 617-287-1212. A copy of the report can also be obtained from the UMass Boston Police Department at Quinn Administration Building, 100 Morrissey Boulevard, Boston, MA 02125.

Specific Information about Classifying Crime Statistics:

The following statistics are published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the federal law (the Clery Act).

The number of victims involved in a particular incident is indicated for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number of incidents involving a particular offense is indicated for the following crime categories (includes one offense per distinct operation): Robbery, Burglary, Larceny, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of motor vehicle theft, each vehicle stolen is counted.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics. If an arrest includes offenses for multiple liquor or drug law violations, it is only counted as a Drug Law Violation as that is the more egregious offense.

The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicate the number of people who are referred to the Judicial System in the Dean of Students Office for violating those specific laws.

Beginning in 2005, UMBPD Hate Crime statistics are separated by their category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

Sex Offenses are Defined as per the National Incident Based Reporting System Edition of the Uniform Crime Reporting Program.

Clery Reportable Offense Crime definitions are taken from the Uniform Crime Reporting Handbook.

- Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

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

- **Statutory Rape** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

- **Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

- **Burglary**: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

- **Motor Vehicle Theft**: The theft or attempted theft of a motor vehicle (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding).

- **Murder and Non-Negligent Manslaughter**: The willful (non-negligent) killing of one human being by another.

- **Manslaughter by Negligence**: The killing of another person through gross negligence.

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

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

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

- **Liquor Law Violations**: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).
Offense Definitions Relating to the Hate/Bias Related Crime Statistics as Per the UCR Hate Crime Reporting Guidelines

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. UMB is required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

- **Larceny**: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Vandalism**: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- **Intimidation**: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Simple Assault**: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

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

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender’s bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim’s race, sexual orientation, etc. the assault is then also classified as a hate/bias crime.

**Geography definitions are taken directly from the Clery Act**

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

- **Non-Campus Building or Property-Defined as**:
  1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
  2. Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

- **Public Property-Defined as**: all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

**Note**: Statistics for “Residential Facilities” are also counted in the “On-Campus” crime category. The law requires institutions to break out the number of “On-Campus” crimes that occur in residential facilities.
## 2014-2016 CRIMINAL OFFENSES AND CRIME STATISTICS:

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON CAMPUS</th>
<th>OFF CAMPUS</th>
<th>PUBLIC PROPERTY</th>
</tr>
</thead>
<tbody>
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<td>Murder/Non-Negligent Manslaughter</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
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<td>0</td>
</tr>
<tr>
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<tr>
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<td>2014</td>
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</tr>
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<td>Rape</td>
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<td></td>
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</tr>
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<td>Statutory Rape</td>
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<tr>
<td></td>
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<td>0</td>
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<td></td>
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</tr>
<tr>
<td></td>
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<tr>
<td>Aggravated Assault</td>
<td>2016</td>
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</tr>
<tr>
<td></td>
<td>2015</td>
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<tr>
<td></td>
<td>2014</td>
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<td>Burglary</td>
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<tr>
<td></td>
<td>2014</td>
<td>3</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<td></td>
<td>2015</td>
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<td>Arson</td>
<td>2016</td>
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<tr>
<td></td>
<td>2015</td>
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</tr>
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### 2016 CRIMINAL OFFENSES AND CRIME STATISTICS:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Off Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Assault</td>
<td>2016</td>
<td>2</td>
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<tr>
<td>Burglary</td>
<td>2016</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>2016</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

*Note: The statistics listed above were received from external law enforcement. The stats could not be determined to have occurred within the University’s geography and therefore were not available in a usable format for Clery Act reporting.*

### 2014-2016 VIOLENCE AGAINST WOMEN ACT:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Off Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>4</td>
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</tr>
<tr>
<td></td>
<td>2014</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>2016</td>
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<td>1</td>
<td>0</td>
</tr>
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<td></td>
<td>2015</td>
<td>0</td>
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<tr>
<td></td>
<td>2014</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>2016</td>
<td>8</td>
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<tr>
<td></td>
<td>2015</td>
<td>7</td>
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<td>2014</td>
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### 2016 CRIMINAL OFFENSES AND CRIME STATISTICS:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
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</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
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</tr>
</tbody>
</table>

*Note: The statistics listed above were received from external law enforcement. The stats could not be determined to have occurred within the University’s geography and therefore were not available in a usable format for Clery Act reporting.*
### 2014-2016 UNFOUNDED CRIMES:

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>2016</td>
<td>In this reporting year, there were no crimes that were considered to be false or baseless (UNFOUNDED).</td>
</tr>
<tr>
<td>2015</td>
<td><em>One Incident of Stalking</em>, considered unfounded after a thorough investigation by a sworn law enforcement officer, established that the crime reported was not, in fact attempted or completed in any manner.</td>
</tr>
<tr>
<td>2014</td>
<td>In this reporting year, there were no crimes that were considered to be false or baseless (UNFOUNDED).</td>
</tr>
</tbody>
</table>

### 2014-2016 HATE CRIME STATISTICS:

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>There was no reported hate crime in the year 2016.</td>
</tr>
<tr>
<td>2015</td>
<td>There were (2) reported hate crimes in the <em>Category of Off-Campus Property 1-Aggravated Assault</em>; under the category of <em>Racial and Sexual Orientation Bias 2-Destruction/Damage/Vandalism of property</em>; under the category of <em>Racial orientation bias (Jewish)</em></td>
</tr>
<tr>
<td>2014</td>
<td>There was no reported hate crime in the year 2014.</td>
</tr>
</tbody>
</table>
### 2014-2016 LIQUOR, DRUG, WEAPONS ARREST AND JUDICIAL REFERRALS:

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON CAMPUS</th>
<th>OFF CAMPUS</th>
<th>PUBLIC PROPERTY</th>
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<td>Liquor Law Arrest</td>
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<td>2014</td>
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<tr>
<td>Weapons Law Arrest</td>
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<td>Liquor Law Violation Referrals</td>
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<tr>
<td>Drug Law Violation Referrals</td>
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<tr>
<td>Weapon Law Violation Referrals</td>
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<tr>
<td></td>
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## 2014-2016 CRIMINAL OFFENSES AND CRIME STATISTICS:

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### 2014-2016 UNFOUNDED CRIMES:

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### 2014-2016 HATE CRIME STATISTICS:

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# 2014-2016 Liquor, Drug, Weapons Arrest and Judicial Referrals:

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Section 7: Introduction to the Annual Fire Safety Report:

Introduction

The UMass Nantucket campus takes a comprehensive and proactive approach to fire safety by recognizing and evaluating fire safety risks and initiating appropriate steps to eliminate or reduce these risks. The UMass Nantucket campus is responsible for providing residing graduate and under-graduate students with fire safety education, fire drills, emergency preparedness, and evacuation procedures for both the Main House and Gouin Village condos.

The UMass Nantucket campus is located within the Town and County of Nantucket and is served by the Nantucket Fire Department. The fire department consists of a paid chief and deputy. The fire department is staffed on a 24 hour/7 day a week basis. The department provides both fire and emergency medical services (EMS) for the residents and visitors of the island of Nantucket. The Town of Nantucket also has two Harbormasters who are part of the Nantucket town government. Both Harbormasters maintain police powers as uniformed officers in the Commonwealth of Massachusetts and are available to provide emergency services via watercraft. One of the Harbormasters also serves as the emergency manager for the Town and County of Nantucket.

The UMass Nantucket campus maintains frequent and open communications with the Nantucket Fire Department regarding fire prevention measures. The Nantucket Fire Department has conducted routine inspections of the UMass Nantucket campus including issuing permits for charcoal grill usage at the Gouin Village condos and inspecting the premises on a regular basis, concentrating their inspection on the condition of the road leading into UMass Nantucket campus.

The Higher Education Opportunity Act (Public Law 110-315) now requires that all Title IV institutions publish an Annual Fire Safety Report for the campus. In adhering to the new guidelines, a Fire Log is maintained at UMB for documenting fire statistics for the Nantucket Branch Campus. This hard-copy log is available for inspection upon request. **Within the past ten years no fires have occurred inside any buildings maintained as part of the UMass Nantucket campus.**

The federal Higher Education Opportunity Act of 2008 includes a provision known as the Fire Safety Right-to-Know Act. These provisions require colleges and universities to report fire safety information to the U.S. Department of Education, and to make annual fire safety reports available to the public and the campus community.

These reports include:

- the number of fires and the cause of each fire
- the number of injuries and deaths related to a fire
- the value of property damage caused by a fire
- the number of regular mandatory, supervised fire drills, policies or rules on portable electrical appliances, procedures for evacuation, policies or rules regarding fire safety education and training programs provided to students, faculty, and staff; and plans for future improvements in fire safety
- Descriptions of fire protection equipment (fire alarms/sprinklers) in each on-campus housing unit.

Fire Safety for Rules for Residential Housing

The general rule of thumb for maximizing fire safety is to limit the amount of combustibles in your area and control all heat sources or the potential to create heat sources. Items brought in for the student’s stay in bunk areas should be kept to a minimum. At the UMass Nantucket campus main house, students are grouped in military style bunk rooms, i.e. up to 8 individuals in the female bunk area and individuals in the male bunk area. Therefore, the amount of items should be kept to a minimum in order to keep aisles clear and reduce combustible loads in the event that a fire does break out in the residences.
The Gouin Village condos are heated by electric baseboard style heat. It is important, especially during winter, when there is a maximum heat demand that all combustibles and plastics be kept away from the electrical baseboards.

All pathways to room doors and windows must be kept clear to maintain speedy egress from the buildings. Room doors must open at least 90 degrees.

An item hanging to enclose or decorate a sleeping space (i.e. mosquito netting) is not permitted due to combustible loading.

No student shall attempt to decorate a bunk area during their stay with such combustible items as curtains, posters, art work, nor any other type of combustibles.

Hallways and stairs must be kept clear at all times. No bicycle parking or other items are permitted in the hallways or stairwells.

No student shall bring a lamp using a halogen bulb into any of the bunk areas of the UMass Nantucket campus.

The Gouin Village condos and the patio of the main dorm are the only areas of the UMass Nantucket campus where barbeque is allowed. Each condo and the main house/dorm at 180 Polpis Road has been granted a “charcoal grill permit” which has been issued by the Town of Nantucket/Nantucket Fire Department. Anyone who uses these grills is asked to grill responsibly. The charcoal national park design grills are installed permanently in the ground at a safe distance (greater than 50 feet) from the buildings. The main house/dormitory at 180 Polpis Road has a “Weber” type charcoal grill.

All appropriate safety procedures are followed during grilling. This includes keeping propane grills away from the exterior sides of the condos, not letting the cooking fire get out of control, and turning both the grill and, in the case of propane units, turning the propane valve off when the grill is not in use.

If anyone smells a gas odor at any of the UMass Nantucket campus buildings, they can contact the Grounds Keeper/Maintenance Foreman for the property. This person can try to remediate the source of the problem.

Meal preparation and various forms of cooking are limited to kitchens at the UMass Nantucket campus/Main House and Gouin Village condos. Both of these properties are provided with stoves, toasters and microwave ovens that are working properly. There will be no cooking in other areas of the residences.

Additional appliances cannot be brought into these properties for use by students. The appliances that cannot be brought into the UMass Nantucket campus/Main House and Gouin Village condos include any item with a heating coil which includes toasters, toaster ovens, hotplates, electric fry pans, electric blankets and electric heaters (i.e. “space heaters”).

Also, consumer appliances such as additional microwave ovens, dorm style refrigerators cannot be brought into these properties due to the electrical drain on the current electrical system.

Students should not bring extension cords to operate any additional electrical equipment on these properties.

Due to the age of the current electrical service on the property, power/surge strips or daisy chains of multiple strips will not be allowed in any electrical outlet on the UMass Nantucket campus.

Gouin Village condos each were granted a charcoal grill permit which is discussed in paragraph 2. This is the only type of open flame cooking that is permitted and is only available for students residing at the Gouin Village condos.

There is no other type of open flame allowed at either property. This includes, but is not limited to, camp fires/bon fires, burning of citronella style candles, Tiki torches, and Chimenea style fire pits.

Male and female students can use personal grooming products such as curling irons, hair straighteners, and hair dryers. However, their use will be limited to the bathrooms in these units. They must be turned off when not in use.
No smoking is allowed on the entire UMass Nantucket campus property. If anyone would like to smoke, it must be done outside of the UMass Nantucket campus premises. Tobacco products that are included, but are not limited to, in this stipulation include cigarettes, pipes and cigars or any tobacco-like product that is smoked.

Candles, tarts, incense, and other items with a wick (such as kerosene lamps/citronella lamps) and other objects that create and hold a flame are prohibited on the UMass Nantucket campus premises.

No student shall bring in other consumer, “outdoor” items that might risk a fire to the UMass Nantucket campus. These include such products as lighter fluid, “Match Light” style charcoal, propane bottles and lighting sticks/blocks. These products pose a risk of a brush fire on the premises.

### On-Campus Student Housing Fire Safety System

The UMass Nantucket campus/Main House used to be a traditional home on Nantucket from the 1930’s to the 1960’s when it was gifted to UMass Boston. In recent years, two rooms have been converted to dormitory style housing. One bunk room contains 8 beds and the second bunk room contains 6 beds. The fire safety system for this property is primitive at this time. There are battery operated smoke and carbon monoxide detectors in the dorm rooms and in several locations in the main house. The batteries are checked at least twice a year by the Grounds Keeper/Maintenance Foreman.

There are 5 lb. ABC extinguishers located throughout the main house. There are a total of 24 fire ABC extinguishers located throughout the Nantucket system (in both overnight housing and general day use buildings), and they are provided within each building, in all vehicles and to accommodate each type of fire.

There is a plug in style set of emergency lights that is located in the hallway of the UMass Nantucket campus/Main House. This device also has a battery backup in the event that electrical power is lost in the house.

There is no sprinkler system for the house. There are plastic exit signs which are located above doors that lead to the exterior of the home.

There are no fire hydrants which are located close to the UMass Nantucket campus, 180 Polpis Road property. All water that is needed for structural firefighting must be trucked in by the Nantucket Fire Department.

The condos at Gouin Village had been military housing for Nantucket from the time they were built in the 1960’s until 1981 when they were gifted to UMass Boston. UMass Boston was gifted six (6) condos in the complex; these condos now comprise part of the UMass Nantucket Campus. The condos are attached to each other in the complex and are numbered M-1 through M-6. The fire safety system in this bank of condos is also rudimentary.

The condos are built “town house” style whereby there is a first and second floor to each of the units. Each floor has a battery operated smoke and carbon monoxide detector. The batteries on each of the smoke/carbon monoxide detectors are checked twice a year by the Grounds Keeper/Maintenance Foreman for the Nantucket Campus.

Each of the condos has a 5 lb. ABC extinguisher in the unit. They are located on the first floor of the condo near the kitchen.

There are no other modern fire safety amenities to the condos.

There is a common fire hydrant which is part of the Gouin Village condo complex. The Nantucket Fire Department can access this hydrant if structural firefighting is needed in any of the UMass Nantucket campus condos.

The fire extinguishers at the UMass Nantucket campus are serviced by a certified fire extinguisher company that is located on Nantucket.
The UMass Nantucket campus holds a fire drill each time a new group of students arrives for a stay at one of the housing units. During this time, students are shown the various doorways that lead out of the buildings. At this time, personnel from the UMass Nantucket campus offer assistance to anyone needing additional help due to mobility impairments or any type of matter requiring special assistance.

A common place of emergency assembly has been selected for both the UMass Nantucket campus/Main House and Gouin Village condos. During the fire drill, the students move to these selected areas and a head count is done. If anyone is missing from the assembly area, emergency measures are put into place to locate the missing individual.

The common place of assembly for the UMass Nantucket campus/Main House is in the parking lot south of the building where emergency assistance and vehicle access is immediately available. The common place of assembly for the Gouin Village condos is the parking lot in front of the condos where emergency assistance and vehicle access is immediately available for the Gouin Village condos.

Records are kept of the fire drills including the location of the drill, number of students involved, and date of the exercise.

The UMass Nantucket campus requires all occupants of a building to evacuate during fire drill procedures. Students, faculty and staff who refuse and ignore the fire alarms may face disciplinary action.

Emergency Evacuation Procedure

When a smoke detector/carbon monoxide detector sounds, or when notified by UMass Nantucket campus personnel, or their identified designees, that a building is being evacuated:

- Leave the building immediately. GO OUTDOORS.

- Exit through the nearest door or stairwell.

- If no one is around and smoke and/or flame is detected, call 911 and report the location of the emergency. For Gouin Village condos, please report the specific condo number that is affected.

- Maintain a safe distance from the evacuated building. If directed by UMass Nantucket campus personnel or Nantucket Police or Fire, move to a location at a greater distance.

- Do not re-enter the building for any reason until authorized to do so by Nantucket Police or Fire. UMass Nantucket campus personnel will keep you informed of building re-occupancy, campus closing and transportation decisions.

- Due to high winds in this geographic area, if there is a fire, students in this area maybe quickly removed from the UMass Nantucket campus premises and temporarily relocated to another part of the island of Nantucket until the situation at the field station is under control.

Persons with Disabilities Needing Assistance

- If you need assistance, notify your instructor or UMass Nantucket campus personnel upon checking in to the UMass Nantucket campus.
• Please carry your cell phone with you at all times when staying at the UMass Nantucket campus

• Please check if nearby UMass Nantucket campus personnel may be able to assist you in your evacuation.

• Call 911 to reach the Town of Nantucket’s dispatch. You will be connected first to the MA State Police. Describe the type of assistance you need and your location. You will receive further instructions for your evacuation.

Note: To all classroom instructors and individuals with research and teaching responsibilities.

1. On the first day of classes and labs, announce the location of the nearest exit for the students to use in the event of an emergency evacuation. Briefly discuss the UMass Nantucket campus evacuation procedure.

2. Briefly discuss the UMass Nantucket campus evacuation procedure. Instruct students to evacuate the building immediately when a building fire alarm sounds. Under no circumstances is the alarm to be ignored.

Fire Extinguishers
Although fire extinguishers are provided throughout the Nantucket Branch Campus, no member of the campus, whether it is a faculty or staff member should attempt to fight a fire with an extinguisher. All members are encouraged to move to a safe location on the property and wait for professional help to arrive.

Fire Safety Education Programs
Upon check-in to the UMass Nantucket campus, all persons bunking at the campus will be given oral written instructions on what to do in the case of an emergency which includes emergency information on smoke/fires. Written procedures will be given to students that describe the procedures that students and faculty members should follow in the case of a fire. These include emergency assembly areas for the UMass Nantucket campus and Gouin Village condos.

Information will be given on how to summon help from Nantucket Police/Fire/EMS. Students will be encouraged to dial 911 when necessary and report the location of their emergency. Since the UMass Nantucket campus is located on 100+ acres of land, it is important for students to help report the location of the emergency on the property and be cognizant of the possibility of a brush fire breaking out on the property.

Written information includes a 3-fold brochure about fire safety throughout the Nantucket Branch Campus along with a fire safety information sheet for college students developed by NFPA. “Do’s and Don’ts” regarding fire safety for the Nantucket Branch Campus will be presented and oral and written form to incoming students.

Statement of Policy Referencing Fire Safety Log
The University of Massachusetts Boston, Environmental, Health and Safety Office maintain a Daily Fire Log that records, by the date and the fire incident reported at the UMass Nantucket campus. The log is open for public inspection at 180 Polpis Lane, located in the facilities office.

UMass Boston, Public Safety; Environmental, Health and Safety; and the Assistant Vice Chancellor for Contracts and Compliance posts specific incidents in the Daily Fire Log within “two business days of receiving a report of an incident, and reserves the right to exclude reports from the Daily Fire under exigent circumstances.”
There are short and long-term improvements that are being discussed for the Nantucket campus. The upgrades for the UMass Nantucket campus are a collaboration of ideas between UMass Boston, the UMass Nantucket campus, and architects hired by the University.

Within the last two years, the laboratory building on the property has undergone major renovation and now includes a hard-wired fire detection system which is wired to a fire alarm service company.

The newly hired director of the UMass Nantucket campus is working hard to maintain the quality of the roads around the property are level and clear of debris. The compound sustained some road damage after Tropical Storm Hermine hit the Island of Nantucket during Labor Day Weekend of 2016.

A 3-fold fire safety pamphlet for the UMass Nantucket campus has been written by the Environmental, Health and Safety office at UMass Boston and has been printed. It is distributed to visiting students, faculty and researchers who are bunking at either the Nantucket campus/Main House or Gouin Village condos. This is an easy and inexpensive method to provide information for the UMass Boston community during their stay at the UMass Nantucket campus.

Fire drills will continue to be conducted each time a new group of residential students arrive at the UMass Nantucket campus.

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**Fire Safety Checklist:**

*a resource for students who are moving to off-campus housing.*

Use this checklist to make sure your home away from home is fire-safe.
### Section 8: Fire Safety Statistics:

#### Fire Statistics Reporting Table for the Annual Fire Safety Report - Calendar Year 2016

* UMass Nantucket campus: On-Campus 180 Polpis Road, Nantucket, MA

<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Total Fires In R.H.</th>
<th>Number of Fires</th>
<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries requiring treatment at a Medical Facility</th>
<th>Number of Fire related deaths</th>
<th>Value of Property Damage</th>
<th>Case #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>“2016”</strong></td>
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</table>

Figure 2: Fire Statics Reporting Table for the Annual Fire Safety Report-Calendar Year 2015
<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Total Fires In R.H.</th>
<th>Number of Fires</th>
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<th>Time</th>
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</tr>
</tbody>
</table>

Figure 3: Fire Statics Reporting Table for the Annual Fire Safety Report-Calendar Year 2014
On behalf of the University of Massachusetts Boston, and the UMass Boston Police Department thank you for taking the time and opportunity to review UMass Boston’s Annual Security and Fire Safety Report. We hope that you find this information beneficial. We invite your questions, concerns, and suggestions. You may contact the UMass Boston Police Department at (617) 287-7799 or visit our website at: www.umb.edu/public_safety, or email the department at public.safety@umb.edu.