

2021

**Annual Campus Security and Fire Safety
Report**



Bay State College

Department of Student Affairs

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INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Crime Awareness and Campus Security Act of 1990 requires the annual disclosure of certain crime statistics, as well as institutional policies regarding campus security. In addition, the Higher Education Opportunity Act requires the disclosure of fire safety information and annual fire statistics for on-campus residence halls. In compliance with these regulations, Bay State College provides this annual Campus Security and Fire Safety Report to the campus community.

CAMPUS SECURITY PROGRAM

Prevention and Education Programs

Bay State College places the highest priority on providing a safe and secure campus environment for all constituents. However, security is the responsibility of each member of our community and the Department of Student Affairs provides several opportunities for students, faculty, and staff to learn about campus procedures and crime prevention tips. These include:

- New Student Orientation: Each year, incoming students attend this one-day orientation prior to the start of classes. Students are tested on Bay State College's Emergency Procedures & Policies found in the Student Handbook.
- The Resident Student Handbook: This handbook outlines all safety and security policies as well as support resources.
- Safety Bulletins: Throughout the academic year, information about crime prevention and safety on-campus is disseminated to the college community.
- Programming: The Student Affairs' staff provides active and passive programs around issues of safety and security in the residence halls and city at-large. This includes bulletin boards, brochures, and newsletters with information about safety practices.
- Bay State Beat: The weekly student newsletter will contain pertinent information about the safety and security of events around campus.
- All College Meetings: These meetings provide a format for regular reminders and information about security on campus.

Reporting Crimes and Other Emergencies

Bay State College students, faculty, and staff are urged to report all crimes and other emergencies to the Department of Student Affairs 617-217-9218 as soon as possible. If there is imminent danger, the first phone call should be to the Police at 911 or (Boston) 617-343-4911 or (Taunton) 508-823-5000, and then to the Department of Student Affairs.

Resident students may also seek out a member of the Residence Life staff or contact the Revolution Hotel Front Desk or the International Guest House front desk/on-call number .

Students may also report any incidents of crime or violations of the Code of Conduct to the Department of Student Affairs. An incident report will be filed and the Dean of Students will investigate and take any necessary follow-up steps. The Dean of Students' Office is located on the second floor of 31 St. James Avenue.

Campus Safety Notifications, Timely Warnings and Emergency Response

Bay State College will notify the community of all crimes or incidents considered to pose a threat to its members, whether they take place on campus or in the immediate vicinity. As described in this report, warnings will be disseminated in a timely manner in order to prevent similar occurrences. All attempts will be made to protect the victims in these incidents. Bay State College has also adopted policies and procedures for the immediate notification of campus emergencies, as listed below.

Procedures for Timely Warnings of Campus Crimes or Emergencies

Bay State College has established an Emergency Notification System (ENS) for the purpose of communicating with faculty, staff, and/or students upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community. All faculty, staff and students are automatically enrolled in the ENS via their Bay State College email addresses and will receive notifications through that channel. However, all members of the community are encouraged to update their contact information to include other channels, such as cell phone and text, via the website at <https://ondemand.mir3.com/baystate>.

In the event of an incident, either on or off campus, that, in the judgment of the Dean of Students, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued through the ENS. When necessary, other forms of communication may also be used, including email and security bulletins.

The Dean of Students will oversee regular tests of the Emergency Notification System at least annually. The most recent test of the system was conducted on September 7, 2021.

Emergency Response Procedures

Bay State College has established emergency response procedures to ensure that it is prepared for such situations.

In the event that the emergency requires police, fire, or medical attention, the appropriate member of the Student Affairs team will contact the Boston or Taunton Police Departments for immediate response.

The Dean of Students or a designee will serve as the point person for all confirmed emergency situations and, in conjunction with members of the College Leadership Team, will determine the content and recipients of any notifications. In the interest of safety for the members of the community, the College will initiate the ENS system without delay unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The Dean of Students or designee will be responsible for the dissemination of information to the community-at-large.

The Dean of Students is responsible for the maintenance, review, and revision of the College’s emergency response plan.

Access to Campus Facilities

Bay State College is a private property and reserves the right to grant or restrict access to any or all of its owned and leased properties. The residence hall is locked with key access at the front door for residents of the building. During the overnight hours, staff is on-call in the building to address an residential concern. The College also has a guest and visitation policy for the residence hall. Additional information about residence hall security and the guest policy is available in the *Resident Student Handbook*.

ALCOHOL AND OTHER DRUG POLICIES

Alcohol Policy (as listed in the Bay State College Student Handbook)

The drinking or possession of alcoholic beverages on the campus or in affiliated facilities is prohibited. Policies with regard to alcohol include, but are not limited to, the following: possession or consumption of alcohol, providing alcohol, public intoxication (intoxication that causes a disturbance or is dangerous to self, others, or property, or in any way requires the attention of College staff), false identification, and alcohol containers (including empties).

Students are subject to all applicable local, state, and federal laws regarding alcohol and are not exempt from enforcement of these laws by virtue of their student status or their presence on College property.

Use of Alcohol on Campus

With the exception of students who are eligible for the Personal Consumption Policy (listed below), Bay State College students, regardless of age, are not permitted to possess, consume, or transport alcohol onto the campus.

Additionally, Bay State College regards being in the presence of alcohol or alcoholic beverage containers (full or empty) as a violation of College policy and those students found to be in violation will be subject to action through the conduct system.

Any guest on the Bay State College campus is subject to this policy, and guests are the responsibility of the Bay State College student host.

Personal Consumption

A student will be eligible to possess and consume a specified amount of alcohol under the following conditions: the student is at least 21 years old and all roommates are at least 21 years of age. To be eligible, students must also complete a course through the Office of Residence Life. For additional information regarding this policy, please refer to the *Resident Student Handbook*.

Use of Alcohol off Campus

Students 21 years of age or over may consume alcohol off campus. However, the College expects these students to drink responsibly, and not to provide or procure alcohol for persons under the age of 21.

If these students are involved in unlawful behavior or creating a disturbance off campus and the College is notified, they will be subject to action through the College's conduct system. Additionally, College officials will fully cooperate with external law enforcement agencies when such situations arise.

If the student returns to the College campus in an intoxicated state, endangers his/her health through irresponsible drinking, or causes a disturbance due to inebriation, he or she will be subject to action through the conduct system.

Social Host Liability Law

It is against College policy and state law to provide alcohol to minors or to allow minors to drink in your home or on property under your control, including college residences. This includes instances where the minor purchases and/or brings his/her own alcohol into your residence. There is no need to show that the person actually supplied the alcohol to the minor. Criminal penalties include a fine up to \$2000, imprisonment for up to a year, or both (MA General Law Chapter 138, section 34). In addition, you may also be sued civilly if the minor becomes ill or dies from ingesting alcohol, if the minor causes damage to property, or the minor causes harm to another person.

Public and/or Acute Intoxication

Public intoxication is prohibited on campus, regardless of a student's age or status as a commuter or resident student, and will be subject to action through the conduct system. In the event that a faculty or staff member suspects a student to be in an intoxicated state, that student may be asked to leave the College facility or off-campus College event immediately. Any student given such instructions is required to immediately comply or face additional and more severe judicial sanctions. Students that demonstrate behavior consistent with acute intoxication, as deemed by a College official, may be transported by ambulance to a local hospital. If a student refuses transportation, College officials may contact a parent or guardian and apprise that individual of the situation.

Instances in which alcohol is a contributing factor to another incident or policy violation, such as violence, fighting, vandalism, and noncompliance, will result in a more serious disciplinary response.

Effects and Signs of Use

- Central Nervous System: depresses, does not stimulate, the action of all parts of the central nervous system. It depresses normal mental activity and normal muscle function. Short-term effects of an average amount: relaxation, breakdown of inhibitions, euphoria, decreased alertness. Short-term effects of large amounts: nausea, stupor, hangover, unconsciousness, death.
- Heart and Blood Vessels: decreased normal function, leading to heart diseases such as cardiomyopathy and disorders of the blood vessels and kidneys, such as high blood pressure. Bleeding from the esophagus and stomach frequently accompany liver disease caused by chronic alcoholism.
- Unborn Fetus (teratogenicity): alcoholism in the mother carrying a fetus causes fetal alcohol syndrome (FAS), which includes the production of mental deficiency, facial abnormalities, slow growth, and other major and minor malformations in the newborn.
- Addiction: compulsive use of alcohol. Persons addicted to alcohol have severe withdrawal symptoms when alcohol is unavailable. Even with successful treatment, addiction to alcohol (and other drugs that cause addiction) has a high tendency to relapse. (Memories of euphoric feelings plus family, social, emotional, psychological, and genetic history are all important factors in producing the addiction.)

- Liver Disease: usually cirrhosis; also deleterious effects on the unborn child of an alcoholic mother.
- Loss of Sexual Function: impotence, erectile dysfunction, loss of libido.
- Increased Incidence of Cancer: mouth, pharynx, larynx, esophagus, liver, and lung.
- Changes in Blood: makes clotting less efficient.
- Heart Disease: decreased normal function leading to possible damage and disease.
- Stomach and Intestinal Problems: increased production of stomach acid.
- Interference with Expected or Normal Actions of Many Medications: drugs such as sedatives, painkillers, narcotics, antihistamines, anticonvulsants, anticoagulants, and others.

Signs of use include: prominent smell of alcohol on breath and behavior changes (aggressiveness, passivity, poor judgment, outbursts of uncontrolled emotion such as rage or tearfulness).

Drug Policy (as listed in the Bay State College Student Handbook)

Drug-Free School Policy

This institution embraces the spirit of the public law that requires schools to provide a drug-free campus and workplace. The school will abide by the law as outlined in the accompanying policy. As part of our institutional philosophy, we are dedicated to the advancement and well-being of the population we serve. As such, all students and employees are encouraged to abstain from the use of illegal drugs and the irresponsible use of alcohol. Additionally, the College abides by federal law, which prohibits the possession/consumption of marijuana, even if the individual involved is in possession of a medical marijuana license.

The school recognizes that drug and alcohol abuse and dependence can cause harmful effects to virtually every aspect of a person's life: relationships, family, job, school, physical and emotional health.

Any student or employee who suspects either he or she or someone else may be at risk is invited to seek services that can be of help. The school maintains drug and alcohol education information and a list of counseling and support services that can be obtained in the Counseling Office.

We have also designated a contact person who is available to hear concerns regarding drug and alcohol use and offer referrals, advice, and information on drug and alcohol education and services in the community. The contact is Megan Delano, Mental Health Counselor, 31 St. James Avenue, (617) 217-9212, mdelano@baystate.edu.

Drug-Free School and Workplace Statement

In accordance with the Drug-Free School and Communities Act Amendments of 1989, Public Law 101-226, this institution is hereby declared a drug- and alcohol-free school and workplace.

Students and employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol anywhere on property belonging to the school, including grounds, parking areas, anywhere within the building(s), or while participating in school-related activities. Students or employees who violate this policy will be subject to disciplinary action up to and including dismissal or termination of employment.

As a condition of enrollment or employment, students and employees must abide by the terms of the policy or we will take one or more of the following actions within 30 days with respect to any student or employee who violates this policy:

- Reporting the violation to law enforcement officials
- Taking appropriate disciplinary action against such student or employee, up to and including dismissal or termination of employment
- Requiring such student or employee to participate in a substance abuse rehabilitation program approved for such purposes by a federal, state, local health, law enforcement, or another appropriate agency

In compliance with the law, this institution will make a good-faith effort to maintain a drug- and alcohol-free school and workplace through implementation of the preceding policy and will establish and maintain a drug- and alcohol-free awareness program.

We are providing the facts, health risks, and sanctions associated with unlawful use, possession, or distribution of illicit drugs and alcohol and consider their inclusion an integral part of our drug-free school and workplace policy.

Bay State College adheres to all Federal laws and regulations in regards to drug use.

Drugs of Abuse

Drugs of potential abuse include those that are addictive and harmful. They usually produce a temporary, false sense of well-being, but their long-term effects can be devastating. The most common drugs of abuse include:

Marijuana (Cannabis, Hashish)

- *What it does:* heightens perception, causes mood swings, relaxes mind and body.
- *Signs of use:* red eyes, lethargy, uncoordinated body movements.
- *Long-term effects:* decreased motivation. Possible brain, heart, lung, and reproductive system damage.

Amphetamines

- *What they do:* speed up physical and mental processes to cause a false sense of energy and excitement. The moods are temporary and unreal.
- *Signs of use:* dilated pupils, insomnia, trembling.
- *Long-term effects:* violent behavior, paranoia, possible death from overdose.

Barbiturates

- *What they do:* produce drowsiness and lethargy.
- *Signs of use:* confused speech, lack of coordination and balance.
- *Long-term effects:* disruption of normal sleep pattern. Possible death from overdose, especially in combination with alcohol.

Cocaine

- *What it does:* stimulates the nervous system, heightens sensations, and may produce hallucinations.
- *Signs of use:* trembling, intoxication, dilated pupils, constant sniffing.
- *Long-term effects:* ulceration of nasal passages where sniffed. Itching all over body, sometimes with open sores. Possible brain damage or heart rhythm disturbance. Possible death from overdose.

Opiates (Codeine, Heroin, Methadone, Morphine, Opium)

- *What they do*: relieve pain, create temporary and false sense of well-being.
- *Signs of use*: constricted pupils, mood swings, slurred speech, sore eyes, lethargy, weight loss, sweating.
- *Long-term effects*: malnutrition, extreme susceptibility to infection, the need to increase drug amount to produce the same effects. Possible death from overdose.

College Disciplinary Sanctions

Bay State College will impose disciplinary sanctions on students and employees who violate the standards of conduct. In addition, students or employees who violate public law are subject to criminal prosecution. Conviction may result in fines, imprisonment, and revocation or loss of eligibility to receive federal funding (such as grants and financial assistance) and other privileges.

College-imposed sanctions vary in severity, up to and including expulsion of a student or termination of employment. Sanctions may also require participation in a treatment, counseling, or another approved rehabilitation program.

Sanctions also exist for violations of the Alcohol and Drug policies in the residence halls and on-campus. More detailed information regarding potential sanctions may be found in [The Student Handbook](#) and [The Resident Student Handbook](#).

Resources and Services

Resources are available to assist Bay State College students and employees in understanding and dealing with drug and alcohol abuse. Students can receive information by contacting Megan Delano, Mental Health Counselor, 31 St. James Avenue, (617) 217-9212, mdelano@baystate.edu, Employees can receive information by contacting Human Resources, 31 St. James Avenue, humanresources@baystate.edu.

The following hotlines are also available to assist members of the College community:

- ALCOHOLICS ANONYMOUS (support group for alcoholics): 1-617-426-9444
- 1-800-ALCOHOL (active alcohol referral line): 1-800-252-6465
- DRUG & ALCOHOL HOTLINE (Massachusetts hotline): 1-800-327-5050
- NATIONAL DRUG & ALCOHOL TREATMENT REFERRAL SERVICE (the national service of the US Health & Human Services Center for Substance Abuse): 1-800-662-HELP(4357)

FIREARMS AND OTHER WEAPONS POLICY (as listed in the Bay State College Student Handbook)

Bay State College strictly prohibits the possession on College premises or at off-campus College events of any handgun, rifle, shotgun, bow and arrow, BB gun, paintball gun, air rifle, ammunition, or other device of physically harmful nature or which resembles actual items. Bomb threats are also a serious violation of policy, as well as state and federal statutes.

Additionally, Massachusetts General Statutes, Chapter 269, Section 10, prohibits knives, swords, nun chucks, and the like. Knives of any type, guns (firearms – real, counterfeit, or toy), ammunition, or any weapon or object that could be used as a weapon is also prohibited and subject to confiscation by College officials.

Mace and pepper spray are not allowed on the College campus or at College-sponsored events, even if a student possesses a permit.

SEXUAL VIOLENCE

The full Sexual Violence Policy can be found on the Bay State College website and is available in the Dean of Students' Office. There you will find information about consent, further clarifying information, and statements of confidentiality and rights. Information about the Bay State College Title IX Policy can also be found on the website.

Sexual violence in any form – including rape/sexual assault, sexual misconduct, and sexual exploitation – is one of the most serious violations of respect for others and will not be tolerated within our community. Some forms of sexual violence, often referred to as sexual assault or rape, are punishable by both civil and criminal legal action.

On-campus and virtual Counseling is available through the Counseling Office. Any student who reports an incident of sexual violence is entitled to a change in residence (if living on campus) and/or adjustment of academic class schedule (if schedule allows).

Sexual Assault

Sexual assault is any sexual penetration (anal, oral, or vaginal), however slight, with any object, or sexual intercourse by a person upon another person without effective consent. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue, or finger and oral copulation by mouth-to-genital or genital-to-mouth contact.

Effective consent is defined as a freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions. It is the responsibility of the initiator of the sexual activity to ensure that he or she has the other person's consent to engage in sexual activity. Silence, in and of itself, cannot be interpreted as consent. Consent must be present throughout the sexual activity by all parties involved. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Consent may never be obtained through the use of force, coercion, or intimidation, or if the victim is mentally or physically disabled or incapacitated, including through the use of drugs or alcohol.

Consent cannot be assumed because of the existence of a dating relationship between the persons involved or due to the existence of a previous sexual relationship between the persons. The perpetrator or victim's use of alcohol or other drugs does not diminish the perpetrator's responsibility.

Sexual Misconduct

Sexual misconduct is any intentional sexual touching, however slight, with any object by one person upon another person without effective consent (see "Sexual Assault" for a definition of effective consent). Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another, or any other bodily contact in a sexual manner. Any disrobing of another or exposure to another by a man or woman without effective consent is considered a violation of this policy.

Sexual Harassment

Sexual harassment consists of any unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. This includes, but is not limited to: submission to, or rejection of, such conduct that is made either implicitly or explicitly a term or condition of employment or participation in an

education program; submission to, or rejection of, such conduct that is used as the basis for employment or academic decisions affecting a student; such conduct that has the purpose or effect of interfering with a student's work or academic performance; or such conduct that creates a hostile or intimidating work environment.

Sexual Exploitation

Sexual exploitation occurs when a student takes nonconsensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute sexual assault, sexual misconduct, or sexual harassment. Examples of sexual exploitation include, but are not limited to: making public sexual activity with another student without that other student's consent; prostituting another student; nonconsensual video or audio recording of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); voyeurism; and/or knowingly transmitting HIV or an STI to another student.

Stalking

Stalking is defined as any pattern of conduct that has the purpose or effect of producing fear and/or creating an intimidating, hostile, or offensive environment. A "pattern of conduct" is defined as two or more times and constitutes a repeated attempt to initiate unwanted, inappropriate, and/or threatening interactions against a particular person or group. Examples of stalking behavior include, but are not limited to: unwelcome communication that can be face-to-face, phone, text, email, voice messages, written messages, gifts, etc.; pursuing and/or following another person or group; surveillance; trespassing; gaining unauthorized access to personal, medical, financial, or any other identifying piece of information without explicit permission; and accessing email, phone, or other forms of personal communication in order to follow or monitor another's activity.

Cyberstalking is an extension of the physical form of stalking and is unacceptable at any level. Using electronic media such as the Internet, social networking sites, cell phones, or other similar devices or mediums to pursue, track, harass, monitor, or make unwanted contact with another person is a violation of this policy.

Students who feel that they are being stalked are encouraged to seek assistance by contacting one of the various support services on campus and/or filing a formal complaint with the Dean of Students' Office.

Relationship Abuse

Relationship abuse is a pattern of coercive behaviors that serves to exercise control and power in an intimate relationship. The coercive and abusive behaviors can be physical, sexual, psychological, verbal and/or emotional. Relationship abuse can occur between current and former intimate partners who have dated, lived together, currently reside together on or off campus, or who otherwise are connected through a past or existing relationship. It can occur in opposite-sex and same-sex relationships. Relationship abuse is sometimes referred to as intimate partner violence, domestic violence, or dating violence.

Examples of relationship abuse include, but are not limited to: attempting to cause or causing bodily injury by hitting, slapping, punching, hair-pulling, kicking, sexual assault and/or other forms of unwanted physical contact that cause harm; knowingly restricting the movements of another person; isolating or confining a person for a

period of time; controlling or monitoring behavior; being verbally and/or emotionally abusive; and exhibiting extreme possessiveness or jealousy.

Any student who feels he or she is in an abusive relationship is encouraged to contact one of the various support services on campus and/or file a formal complaint with the Dean of Students' Office.

Massachusetts Law

"Sexual assault" is an inclusive term that refers to any criminal violation involving serious sexual misconduct. Included are offenses such as rape, attempted rape, and indecent assault and battery. According to Massachusetts law, the crime of rape occurs when the assailant "has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his or her will, or compels such person to submit by threat of bodily injury." "Sexual intercourse or unnatural sexual intercourse" includes vaginal, oral, and/or anal intercourse as well as digital penetration. Under Massachusetts law, both men and women may be victims or perpetrators of rape. The statutory language, "against his or her will," requires the complainant to show that the victim did not consent to the sexual act. If an alleged perpetrator has sexual intercourse with a victim who is incapable of consent by reason of sleep, drunkenness, stupefaction, or unconsciousness, the alleged perpetrator may be convicted of rape and the only "force" necessary for conviction is the minimal force required for penetration. In the case of drunkenness, this does not mean that the victim was merely under the influence of alcohol but that **he or she was intoxicated to the extent that he or she was unable to give informed consent to the act**. Rape may occur between people who know each other or who have had prior consensual relations with each other.

Rape and attempted rape are punishable by up to 20 years' imprisonment. Aggravated rape, which allows for even stronger penalties, occurs if the rape causes serious bodily injury, is the result of group attack, or occurs during the commission of certain specific crimes such as robbery or burglary.

If an alleged perpetrator intentionally has physical contact of a sexual nature with the victim without the victim's consent, the perpetrator can be charged with the crime of indecent assault and battery. Such contact may include an offender touching a woman's breasts or buttocks or the pubic area of a man or woman. Indecent assault and battery may be punished by up to five years' imprisonment.

In Massachusetts, domestic violence involves abuse, assault, or threats against a spouse or dating partner. Victims of domestic violence should contact the police to ensure immediate safety and to obtain medical treatment if necessary. Persons who commit domestic violence are subject to arrest. If the victim/survivor wants to obtain a "domestic abuse protection order" (Chapter 209A), the College will assist the individual in the process. The court order requires the assailant to stay away from and have no contact with the victim either in person or by telephone and may restrict the assailant's presence at certain locations.

Institutional Response

Sexual Violence in all forms, including those offenses outlined above, constitutes one of the most serious violations of respect for other and will not be tolerated within our community. The College will make all reasonable efforts to preserve confidentiality, restricting information to those with a legitimate need for it, as explained in the section below. If other policy violations have occurred in connection with an incident of sexual violence, the College generally will not pursue disciplinary action against the complainant or against the student witnesses of the incident. The College will make every reasonable effort to resolve a complaint through the conduct system within 60 days.

Decisions made through the College's conduct system utilize a different threshold or responsibility than the criminal justice system. The college uses a standard of the "preponderance of the evidence" or "more likely than not" when determining whether or not a policy violation has occurred. On the other hand, the court system uses the standard of "beyond a reasonable doubt" given its access to expert testimony and criminal evidence.

If the complainant proceeds with both a complaint through the conduct system and a criminal complaint, the College's internal process will normally proceed while the criminal action is in process. However, in such cases, the Dean of Students or designee may elect to stay the conduct process if a student is summarily suspended and the criminal matter remains open.

Any student found responsible for violating the policy on Relationship Violence, Stalking, Sexual Misconduct (where no intercourse has occurred), Sexual Exploitation, or Sexual Harassment will likely receive a sanction ranging from Disciplinary Warning to Dismissal, depending on the severity of the incident, and taking into account any previous Code of Conduct violations.

Any student found responsible for violating the policy on Sexual Assault will likely face a recommended sanction of Suspension or Dismissal.

The College reserves the right to broaden or lessen any range of recommended sanction in the complaint of serious mitigating circumstances or egregiously offensive behavior. The initial hearing officer, Administrative Hearing Board and/or any appeal officers will not deviate from the range of recommended sanction unless compelling justification exists to do so.

Programs and Resources

According to the National Crime Victimization Survey, sexual assault is drastically underreported. Bay State College is committed to educating the campus community about the nature and consequences of sexual assault. In the United States, 1 in 6 women and 1 in 33 men reported experiencing an attempted or completed rape at some time in their lives.¹ Nearly 60% of rape/sexual assault victims did not report their victimization to the police in 2006, according to National Crime Victimization Survey data.²

Bay State College has dedicated resources toward prevention as well as response, including educational programs to promote the awareness of sexual assault, acquaintance rape, and other sex offenses. Educational programs include workshops, discussions, counseling, outreach, and other support services for survivors.

Student victims are encouraged to seek support on campus from any of the following individuals/departments:

- Mental Health Counselor: Megan Delano, Mental Health Counselor, 31 St. James Ave, (617) 217-9212, medelano@baystate.edu
- Title IX Coordinator: Jeremy Shepard, 31 St. James Ave, (617) 217-9218, jshepard@baystate.edu
- Title IX Deputy Coordinator: Dustin Martin, 31 St. James Ave, (617) 217-9231, dmartin@baystate.edu

Students may also seek support from off-campus resources, including:

- Boston Area Rape Crisis Center (BARCC): 800-841-8371
- New Hope Inc. (Taunton): 800-323-HOPE

Changes to Academic and Living Situations

Following an alleged sex offense, if so requested by the victim and if such changes are reasonably available, assistance in changing academic situations is provided by the Dean of Students in conjunction with the appropriate Program/Department Chair, and assistance in changing living situations is provided by the Office of Residence Life.

HAZING POLICIES

In 1985, the Massachusetts House of Representatives passed legislation that prohibits any form of hazing on campuses throughout the Commonwealth. The College, as well as the Commonwealth of Massachusetts, forbids the hazing or harassment of any student on or off the campus. Any student who organizes or participates in hazing will be subject to dismissal from the College.

Chapter 269: Section 17. Hazing; organizing or participating; hazing defended.

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or another person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any other brutal treatment or forced physical activity that is likely to adversely affect the physical health or safety of any such student or other person, or that subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Chapter 269: Section 18. Failure to report hazing.

Section 18. Whoever knows that another person is the victim of hazing as defined in section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Chapter 269: Section 19. Copy of secs. 17-19; issuance to students and student groups, teams, and organizations; report.

Section 19. Each institution of secondary education and each public and private institution of postsecondary education shall issue to every student group, student team, or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team, or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams, or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams, or organizations.

Each such group, team, or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges, or applicants for membership. It shall be the duty of each such group, team, or organization, acting through its designated officer, to deliver annually to the institution, an attested acknowledgement stating that such group, team, or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team, or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education, shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

MISSING STUDENT NOTIFICATION PROCESS

For purposes of this policy, Bay State College defines a "missing student" as an individual who resides in an on-campus residence hall, has not had any contact with any member of the College community (including roommates and friends on campus) and has also not had any contact with a parent/guardian for a period of 24 hours. The student also must not have disclosed his or her location to either entity prior to leaving campus. As soon as a member of the College community or a parent/guardian believes the student is missing, he or she should notify the Department of Student Affairs by calling 617-217-9231. The situation will then be reported to the Assistant Director of Residence Life or designee, who will take the following steps:

- The Assistant Director will call the student's cell phone number that is held on file in the Office of Residence Life.
- If the student does not answer the call, the Assistant Director will contact the student's roommate(s) and other individuals in the residence halls to see if they have seen or heard from the student. (The roommate will not be contacted if he or she was the reporting individual.)
- If the roommate(s) have not seen the student within the last 24 hours, the Assistant Director will consult class attendance and access control records to determine if the student has been on campus. The Assistant Director will also contact the student's professors and academic advisor to determine if the student has been seen in class or on campus.
- If the student has not been to classes or accessed his or her residence hall, the Assistant Director will contact the parent/guardian or designated contact person to determine if they have been in contact with the student or know the student's location. The parent/guardian or contact person will not be contacted if he or she is the reporting individual.

- If, after contacting all parties, the Assistant Director is still unable to determine the whereabouts of the student, the Boston Police Department will be contacted and the student will be formally reported as missing. The Boston Police Department will take control of the situation from this point forward.
- If, at any time, the Assistant Director is able to determine the whereabouts of the student, he or she will notify the reporting individual and the Police (if applicable) that the student is no longer missing.

The parent/guardian/individual listed on the provided Emergency Information Form will be the default contact person in the event that a student is reported missing. Each student also has the option to identify an alternative contact person whom the institution can notify if a student is reported missing. This person would then be contacted, rather than the parent/guardian. In order to change the contact person, the student must go to the Office of Residence Life at 31 St. James Avenue. This contact information will be confidential and only accessible to authorized campus officials; it will only be disclosed to law enforcement in furtherance of the missing person investigation.

It is important to note that if a student is under 18 years of age and not emancipated, the parent/guardian will be notified by the institution, in addition to the identified contact person (if it differs).

ANNUAL DISCLOSURE OF CAMPUS CRIME STATISTICS

The following crime statistics are provided in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report includes statistics for the previous three years concerning reported crimes.

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Crimes	On-Campus			On-Campus Residence Hall *			Public Property **		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
MV Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
<i>Domestic Violence</i>	0	0	0	0	0	0	0	0	0
<i>Dating Violence</i>	1	0	0	1	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0	0	0	0	0
Hate Crime									
<i>Murder/Non Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0
<i>Negligent manslaughter</i>	0	0	0	0	0	0	0	0	0
<i>Rape</i>	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0
<i>Robbery</i>	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	0	0	0	0	0	0	0	0	0
<i>Burglary</i>	0	0	0	0	0	0	0	0	0
<i>MV Theft</i>	0	0	0	0	0	0	0	0	0
<i>Arson</i>	0	0	0	0	0	0	0	0	0
<i>Simple Assault</i>	0	0	0	0	0	0	0	0	0
<i>Larceny-theft</i>	0	0	0	0	0	0	0	0	0
<i>Intimidation</i>	0	0	0	0	0	0	0	0	0
<i>Destruction/damage/vandalism of property</i>	0	0	0	0	0	0	0	0	0
Totals	1	0	0	1	0	0	0	0	0
Liquor Law Violations									
<i>Arrest</i>	0	0	0	0	0	0	NR	NR	NR
<i>Referred ***</i>	0	0	0	0	0	0	0	0	0
Drug Law Violations									
<i>Arrest</i>	0	0	0	0	0	0	NR	NR	NR
<i>Referred ***</i>	0	0	0	0	0	0	0	0	0
Weapons Law Violations									
<i>Arrest</i>	0	0	0	0	0	0	NR	NR	NR
<i>Referred ***</i>	0	0	0	0	0	0	0	0	0

*Residence Hall numbers are also included in On-Campus numbers.

**Public Property includes thoroughfares, roadways, streets, sidewalks, and parking facilities within the campus or immediately adjacent to or accessible from the campus. The Taunton Police Department has provided crime statistics annually since 2016. Boston University Police has provided crime statistics for the first time in 2018 as our residence hall was located on their property. For 2018, 2019 and 2020, the Boston Police Department did not provide crime stats upon our requests.

***Referral of incidents involving violations of law for College administrative/disciplinary action.

NR - Not reported by Boston Police, and Taunton Police reported 0 incidents at Bay State College.

Any member of the Bay State College community desiring information about registered sex offenders may contact the Commonwealth of Massachusetts Sex Offender Registry Board:

Hotline: 1-800-93-MEGAN

Telephone: 978-740-6400

Web: www.state.ma.us/sorb

Address: PO Box 4547, Salem, MA 01970

FIRE SAFETY

Fire safety is the responsibility of all those within the Bay State College community. In the event of a fire, students should call 911, followed by the Department of Student Affairs at 617-217-9218.

In accordance with the Higher Education Opportunity Act of 2008, Bay State College is providing fire safety information for on-campus student residences within this report. A Fire Log is maintained by the Office of Residence Life that includes the nature, date, time, and general location of each fire. Additional information on fires, fire safety programs, or other areas is available in the Office of Residence Life.

The Dean of Students reviews safety initiatives and implements improvements to safety programs on a regular basis.

Fire Safety-Related Policies (as listed in the Resident Student Handbook)

Fire Safety

- a. State and local laws do not allow cooking in rooms for health, safety, and sanitation reasons. Bay State College and its employees reserve the right to confiscate all illegal appliances and potentially dangerous items. Confiscated items will be thrown away; items will not be stored on the premises for future return.
 - i. Electric blankets, sun lamps, microwaves, halogen lamps, George Foreman-like or sandwich grills, fog lamps/machines, black lights, toasters, coffee makers, hot pots, hot plates, waffle irons, electric frying pans, space heaters, and other heat-producing appliances are prohibited.
 - ii. A student is permitted to have a refrigerator in his/her residence hall room if it meets the following criteria:
 - Size: maximum of four- (4) cubic feet capacity
 - Electrical: pulls not more than 1.5 amps
 - Ratio: one refrigerator for every two students in the roomAll refrigerators are subject to safety inspection by Facilities or Residence Life staff. Refrigerators are to be emptied and unplugged during the holiday recess between the fall and spring semesters.
- b. Candles and incense are considered fire hazards and are prohibited in and around the residence halls. If found, whether in use or not, they will be confiscated and thrown out.
- c. Extension cords must be heavy-duty and UL-approved. Only power strips with surge protection/circuit breakers are permitted. They must be used according to manufacturer directions and may not be connected in series. Electrical outlets cannot be overloaded. "Octopus" outlets and similar splitters are prohibited.
- d. In the event of a fire alarm, all individuals must vacate the building immediately. Additionally, students should read and be familiar with the "Fire Safety Procedures" section of the Resident Student Handbook. Failure to follow these procedures will result in action through the conduct system.
- e. The activation of a fire alarm, without just cause, endangers the security of the community and needlessly inconveniences the local fire department. A false alarm is a criminal offense that endangers the safety of others. Any student who, without reasonable cause, activates a fire alarm system, tampers with fire safety equipment, or interferes with firefighters is subject to immediate dismissal and a fine of not less than \$50.00 plus the cost of resetting the alarm, recharging fire extinguishers, etc. In addition, prosecution under the laws of the Commonwealth of Massachusetts will be considered, including all costs incurred as a result of tampering with any fire safety equipment and including the payments and fines and/or penalties.
- f. The act of causing or starting a fire is prohibited.

- g. Storing or using any combustible materials (gas, propane, lighter fluid, fireworks, etc.) is prohibited.

Misuse of Physical Space or Property

- d. Students are prohibited from entering or placing objects in, certain restricted areas, including, but not limited to, rooftops, fire escapes, balconies, windowsills, boiler rooms, and maintenance or staff closets. Students are also prohibited from exiting through or propping fire doors unless it is a true emergency.

Smoking

Smoking is prohibited in Bay State College Buildings. Smoking in rooms, hallways, stairwells, lounges, lobbies, fire escapes, and bathrooms is strictly prohibited. Additionally, smoking near Bay State College Buildings is prohibited. This includes, but is not limited to the front and back entryways to the buildings, as well as the front steps of Bay State College buildings. In addition to the cigarettes, beedi and clove cigarettes, cigars, pipes, e-cigarettes and vaping instruments are also prohibited in and around Bay State College Buildings.

Fire Safety Procedures

Preventing Fires

- Keep fire ignition sources (high-intensity lamps, etc.) away from combustible material (i.e. pillows, comforters, etc.).
- Posters, flags, or other wall hangings must be used sparingly and are not to be hung from the ceiling or to cover light fixtures or electrical outlets.
- Construction of partitions, lofts, and other additions to your room is not allowed.
- Holiday decorations are not to be placed on the outside of room doors or in the hallways, and are to conform to special guidelines as outlined by staff members.
- Keep room entryways, corridors, landings, stairwells, fire escapes, and exits free and clear at all times. This includes bicycles, furniture, and bed frames.
- Do not tamper with or alter the electrical system in your room. Do not overload electrical outlets. Use only approved extension cords as listed in the Code of Conduct.

Fire Alarms

- Learn where fire alarm stations and pull boxes are located on your floor and in your residence hall.
- Should you detect a fire, sound the building's fire alarm, evacuate the building, and then call 911 from a phone at another location.
- Whenever a fire alarm sounds, evacuate the building immediately, using the nearest available exit. As soon as the alarm sounds, AFA Protective Systems notifies the Fire Department and the Professional-on-Call. The Fire Department is dispatched immediately.
- Each semester, a fire drill will take place to help ensure that proper procedures are followed.

Evacuation Procedures

- Learn where the two nearest exits to your room are which could include the fire escape.
- When an alarm sounds, dress quickly (for the weather) and secure your room key.
- Before opening your room door, feel it for warmth. If it is hot to the touch, do not open it. If not, open the door very slowly.
- When you leave your room, CLOSE THE DOOR BEHIND YOU.
- If smoke is present, crawl out low to the floor.
- Use only stairways to evacuate a building; never use an elevator.

- Without hindering your own evacuation and on your way out of the building, warn as many of your fellow residents as possible by knocking on doors and shouting.
- Once outside, stand clear of the building, well away from all entrances.
- Do not re-enter the building until specifically instructed to do so by Residence Life staff or a Fire Department official.
- **If conditions prevent you from leaving your room:**
 - Prevent fumes and smoke from entering your room by blocking all openings (with wet towels, if possible).
 - Alert the telephone operator of your location.
 - If smoke is in your room, stay close to the window, holding a towel (wet, if possible) to your face.
 - Do not break or open windows unless necessary – the source of oxygen may fuel a fire or create a draft that will allow more smoke or fumes to enter your room.
 - To alert rescue personnel, hang a white towel or other brightly colored cloth out of your window.

Fire Safety Systems

Each on-campus residence hall is equipped with hard-wired heat detectors, local smoke detectors, local carbon monoxide detectors, fire extinguishers, emergency lighting and exit signs, and fire doors. In addition, each building is equipped with a hard-wired fire alarm system, monitored and inspected by The Revolution Hotel and the International Guest House.

Fire Safety Education and Training

Bay State College hosts several fire safety-training opportunities for students, staff, and faculty each year, including the following:

- Residence hall meetings to review fire safety and evacuation procedures in the residence halls.
- Tri-Annual New Student Orientation for all new students includes information on emergency procedures.
- Annual faculty/staff review of the Emergency Response/Preparedness Plan.
- Annual fire drills in the residence halls and academic buildings.
- Semi-annual health and safety inspections in each residence hall.

Annual Disclosure of Campus Fire Statistics

Residence Hall	Reported Fires			Cause of Fire			Injuries			Fatalities			Cost of Fire Damage		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
125/127 Commonwealth	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
154 Riverway	1	0	0	*	N/A	N/A	0	N/A	N/A	0	N/A	N/A	N/A	N/A	0
Revolution Hotel	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*This was an accidental fire from a lit cigarette being thrown into the trash bin located outside of the residence hall.