

HOLYOKE
COMMUNITY
COLLEGE

2015

Annual Security Report

This information is provided in compliance with state and federal law, and the Clery Act specifically.



The Annual Security Report, 2015 reports findings for the most recent year for which data is available, 2014.

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A Message from Campus Police

Thank you for taking the time to read the Holyoke Community College 2014 Annual Security Report (published in 2015). All campus crime statistics required under the Clery Act are provided here, including the number of persons referred for campus disciplinary action as well as information regarding campus crime prevention and safety awareness programs.

In addition to the content in this document, I hope you will take advantage of the information that can be found on our Campus Safety web pages, at www.hcc.edu/safety.

HCC police and administrators are committed to ensuring the safety of students, faculty, staff and visitors to the HCC campus. We care about your concerns and encourage you to contact us if you have any questions.

We look forward to a safe and productive year for all the members of our community.

Louis M. Barry

Interim Director of Public Safety



Introduction

Holyoke Community College has prepared this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Holyoke Community College; and on public property within, or immediately adjacent to and accessible from, the campus. This report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

This report is prepared in cooperation with local law enforcement agencies and the offices of Student Affairs, Athletics, and Student Activities. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Holyoke Community College Police Department (HCCPD), designated campus officials and local law enforcement agencies.

The full text of this report is available online at www.hcc.edu/asr. Each year, an email notification will be made to all enrolled students, faculty and staff. This notification provides information on how to access the Annual Security report online. Employees who do not have a campus email address will receive a postcard through campus mail which provides similar information. Students should familiarize themselves with the HCC Student Handbook, which states that student email accounts will be used to communicate with the student body.

Copies of this report may also be obtained at the Campus Police Department located in the Public Safety building, or by calling HCCPD at 413.552.2400. All prospective employees may obtain a copy from the Human Resources Office in Frost Building, or by calling 413.552.2554. Prospective students may obtain a copy from the Admissions Office in the Frost building or by calling 413.552.2296.

Statement of Policy Addressing General Procedures for Reporting a Crime or Emergency

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

In case of fire or to request an ambulance, dial 911 from a campus phone or cell phone. For all other emergencies, dial campus police at 2211 (from campus phones) or 413.552.2211 (from cell phones or off-campus land lines).

Please note that 911 calls are answered at the State Police regional dispatch center. When calls to 911 are made via campus phone (in an office, classroom or hallway), the caller’s location, including building and floor, are displayed to the State Police dispatcher. When 911 calls are made using a cell phone, the police rely on the caller to provide location information, including the full name of the building, floor and room number.

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

- Clearly identify yourself
- State where you are calling from
- State briefly the nature of your call

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

As an added security measure, nine emergency “HELP” phones are located at strategic points in the parking lots and adjacent to entrances. When the red emergency button is pushed, the caller is in immediate contact with the HCCPD. In addition to providing voice contact with a police dispatcher, HELP phone use also enables a dispatcher to pinpoint the caller’s location. Additional red phones have been placed in hallways in the buildings and can be used by anyone to report an emergency.

Crimes may also be reported anonymously via phone at 413.552.2808 or online at www.hcc.edu/reportcrime.

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.

EMERGENCY	911
Director/Chief of Police	413.552.2400
Non-Emergency	413.552.2400
Holyoke Police Department	413.536.6431
State Police, Northampton	413.584.3000

Other on campus numbers to call for assistance:
College Operator..... “0” (on campus phone)
Dean of Students Office 413.552.2390

In addition to the numbers listed above, students and employees may report criminal offenses to the following individuals:

- Jose Rivera, Interim Director of Public Safety, PS 214, 413.552.2212
- Anthony Sbalbi, Dean of Students, FR 224, 413.552.2390
- Idelia Smith, Title IX Coordinator, FR 325, 413.552.2228
- Elizabeth Golen, Coordinator of Student Activities, DON 105A, 413.552.2418
- Thomas Stewart, Director of Athletics, BC 203, 413.552.2161
- Mitchell Pysznik, Coordinator of Health Services, FR 105, 413.552.2401
- Clara Elliott, Dean of Human Resources, FR 339, 413.552.2111

Statement of Policy Addressing Timely Warnings

The Holyoke Community College Police Department is responsible for issuing Public Safety Advisories in compliance with the Clery Act. In the event a situation arises, these advisories are issued to keep the campus community informed about safety and security matters. The decision to issue a Public Safety Advisory is decided 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 continuing threat to the campus community, and the possible risk of compromising law enforcement efforts. Public Safety Advisories are issued for crimes defined by the Clery Act. Public Safety Advisories may also be posted for other crime classifications as deemed necessary. To issue a Public Safety Advisory the HCCPD informs the campus community via a campus-wide targeted announcement which is addressed to students, faculty and staff.

In addition to these Public Safety Advisories, Campus Alerts are issued to the campus community in

the event of an imminent or ongoing threat to the community. Campus Alerts are disseminated with the goal of notifying as many people as possible, as rapidly as possible. (i.e., active threats, bomb threats, a dangerous chemical spill, etc.) These alerts are sent via text messages, phone and email to individuals through the campus emergency notification system. These alerts may be sent by the President’s Office, members of the senior staff or the Campus Police.

All students, faculty and staff are encouraged to sign up to receive these notices by going to www.hcc.edu/ens to ensure that alerts are sent through their preferred communication channel. Individuals with disabilities are encouraged to contact either the Office for Student with Disabilities and Deaf Services at 413.552.2582 or the ITD Help Desk at 413.552.6094 for assistance in subscribing to Campus Alerts.

Policy Addressing Limited Voluntary Confidential Reporting

It is the policy of the HCCPD that all crimes should be reported to the Campus Police Department. Anyone who is the victim or witness of a crime on campus is encouraged to promptly report the incident to the HCCPD. However, due to the sensitive nature of certain types of crime, victims of sexual assault may choose to confidentially report crimes to Title IX Coordinator Idelia Smith at 413.552.2228 or ismith@hcc.edu and not to campus police. While crimes that have occurred are counted in the annual crime statistics, specifics are confidential and do not appear in the Annual Security Report.

Although most police reports are public records under state law, certain reports involving Domestic Violence and/or Sexual Violence will remain confidential. Regardless of whether a report is made anonymously or not, all reports will be investigated. When appropriate, crime reports will be referred to the Dean of Students and/or the Title IX Office for reporting purposes.

When a potentially dangerous threat to the college community arises, Public Safety Advisories or Campus Alerts will be issued to notify individuals of the threat in a timely manner. These advisories and alerts will also inform the community of any recommended action to be taken. (See Timely Warning Policy).

A link for confidential reporting of a sexual assault has been placed on the HCC website at:

<http://www.hcc.edu/reportcrime>.

Policy 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 authorities. 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, professional counselors at Holyoke Community College are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

The rulemaking committee 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. Holyoke Community College does not have pastoral counselors.

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 Security and Access

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, Sunday, and holidays. The college has no on-campus residence housing. Facilities are maintained, and their security monitored, in the interest of students, staff, and faculty. Campus Police routinely monitor college facilities and security cameras in multiple locations are utilized to investigate alleged criminal activity. Many cultural and athletic events held in college facilities, such as the Bartley Center for Athletics and Recreation and the

Leslie Phillips Theater are open to the public. Other facilities such as the bookstore, library, and cafeteria 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 college business. Areas such as the Kittredge Center conference and computer rooms are rented to other government and private entities at times. All groups using the Kittredge Center are registered through the office of the Vice President for Business and Community Services. Campus buildings are secured either by key or a key card system.

Statement of Policy for Addressing Campus Law Enforcement Authority and Jurisdiction

Campus police officers possess the power and authority to apprehend and arrest anyone involved in illegal acts on campus. If needed, the HCCPD receives assistance from the Holyoke Police Department and the Massachusetts State Police.

The Holyoke Community College Police Department operates 24 hours per day, seven days a week, providing all patrol and emergency response services at the HCC campus.

By mutual agreement with state and federal agencies, HCCPD maintains a Criminal Justice Information Services terminal which provides department personnel with access to the National Crime Information Computer System as well as the Criminal History Systems Board for the Commonwealth of Massachusetts. These computer databases are used to enhance public safety by accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

The sworn personnel and support staff of the Holyoke Community College Police Department are dedicated to ensuring that the campus is a safe environment for studying, teaching, researching, and recreating. The department strives toward this goal through problem-solving partnerships with the faculty, staff, and students, as well as state and local governmental bodies, and community neighbors.

The Holyoke Community College Police Department works in collaboration with state and federal law enforcement agencies on an ongoing basis.

Feel free to contact us for routine business or if you have any questions, concerns, or suggestions regarding

the Holyoke Community College Police Department. You may call the HCCPD at 413.552.2400.

Statement of Policy for Addressing Security Awareness and Crime Prevention Programs

The Holyoke Community College Police Department believes that through crime prevention and safety awareness education, community members are better prepared to prevent crime and to respond if crime does occur. Periodically, during the academic year, the Student Senate and the Criminal Justice Club do a walk of the campus after sunset, reviewing the lighting conditions and safety of the campus walkways. Suggestions are then made to the campus police and/or the facilities department. The college invites all students, faculty and staff to make recommendations of programs or initiatives that could enhance campus safety. Regardless of programs, the college encourages students and employees to be aware of their responsibility for their own security and the security of others. Extensive information on safety and emergency preparedness is available on the college website at www.hcc.edu/safety. Emergency information posters have been placed in every classroom and most offices on campus, along with telephones that can be used to obtain emergency assistance. The college has installed a public address system in all buildings and the IT department has placed televisions in areas in the buildings which also carry emergency messages.

The following is a specific example of a crime prevention and security awareness program:

Rape Aggression Defense (R.A.D.)

The R.A.D. System/Program is designed to teach women about awareness, prevention, risk reduction and avoidance while progressing into the basics of hands-on defense training. The R.A.D. System's objective is to "develop and enhance the options of self-defense, so they may become viable considerations to the woman who is attacked." Contrary to popular belief, rape is not a crime of sex. Rape is a violent crime and a devastating experience, but it is survivable. Rape affects all people, no matter what their age, race, or economic status. It is one of the most rapidly growing crimes in American society. FBI projections suggest that one out of three women can expect to be sexually assaulted in their lifetime. In the United States, one forcible rape occurs every seven minutes. Each year, about 90,000 forcible rapes are reported to the police, but it is estimated that almost

90% of all rapes and attempted rapes are not reported.

Each situation is different, making rape prevention especially challenging. Steps can be taken, however, to lessen the chances of being raped. The Rape Aggression Defense System is a program of realistic, self-defense tactics and techniques. R.A.D. is dedicated to teaching women defensive concepts and techniques against various types of assaults, by utilizing easy, effective and proven self-defense tactics. This system of realistic defense will provide women with the knowledge to make an educated decision about resistance.

The Holyoke Community College Police Department invites female students and staff to partake in a woman's self-defense course that is provided free of charge. The course requires a 14-hour commitment from each participant. Certified R.A.D. instructors teach each course; courses are not offered on a scheduled basis due to the commuter nature of the campus, but upon receiving requests they will be scheduled. A request can be made to the Campus Police at 413.552.2400 or Student Activities at 413.552.2418.

Statement of Policy for Addressing Criminal Activity Off Campus

If a student is charged with an off-campus violation of federal, state, or local laws, the college reserves the right to take disciplinary action and impose sanctions against the student. Proceedings under this student code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. Campus police officers may assist local, state and federal law enforcement agencies with investigations of off-campus offenses by HCC students. The college operates no off-campus housing or off-campus student organization facilities.

Statement of Policy Addressing Alcohol, Illegal Drugs, and Substance Abuse Education

Substance abuse and its related consequences undermine the goals of academic success and civility at Holyoke Community College. For this reason, the college has established policies and regulations pertaining to the possession and consumption of alcoholic beverages and the possession, use, distribution and sale of illicit drugs, and paraphernalia. These standards conform to state and federal laws, and enhance the health, safety, property and educational interests of all members of the college community.

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.

In accordance with the Drug-Free Schools and Communities Act, Amendments of 1989 (PL101-226 20 U.S.C. sec. 1145g), college regulations and laws pertaining to alcoholic beverages and the possession, use, distribution and sale of illicit drugs shall be strictly and consistently enforced. Any violation of the college's Code of Student Conduct or violation of federal, state or local laws shall subject the offender to the college disciplinary process and/or criminal prosecution. The college presents campus-wide drug and alcohol education programs on an annual basis, as well as educational opportunities available in current or future academic offerings. In addition, mental health and alcohol use screenings are available for free through WellConnect's CU Thrive website at www.wellconnect.cuthrive.com.

Drug Policy

Violators of HCC drug policies are subject to severe sanctions including, but not limited to, suspension and expulsion from the campus. Unlawful possession of a controlled substance is prohibited, as defined by Massachusetts General Law (MGL) Chapter 94C, Section 32, which states "no person knowingly or intentionally shall possess a controlled substance, unless such substance was obtained directly, or pursuant to a valid prescription or order; from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter." Penalties include imprisonment for up to five years or a fine of not more than \$5,000, or both a fine and imprisonment depending on the class of drug and offense.

- Drug paraphernalia used with controlled substances is prohibited, as defined by MGL Chapter 94C, Section 32, which states "no person shall sell, possess with intent to sell, or manufacture with intent to sell drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human

body a controlled substance." Determination of whether an item is drug paraphernalia will be made considering all relevant facts, including, but not limited to, the proximity of the item to the controlled substances. Penalties include imprisonment and/or fines.

- Unauthorized possession of a hypodermic syringe or needle, or any instrument adapted for the administration of controlled substances by injection is prohibited, as defined by MGL 94C, Section 27.
- Unlawful sale/distribution/manufacture of controlled substances is prohibited, as defined by MGL 94C, Section 32, which states, "any person who knowingly or intentionally manufactures, distributes, dispenses or possesses with intent to manufacture, distribute or dispense a controlled substance in Class A of section thirty-one shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one-half years or by a fine of not less than one thousand nor more than ten thousand dollars, or by both such fine and imprisonment."

Policy Against Sexual Violence

a. Introduction

Sexual violence is prohibited under state law and the College's Policy on Affirmative Action. Sexual violence is prohibited pursuant to Title IX of the Educational Amendment Act of 1972, which states: No person in the United States, shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance.

All reported or suspected cases of sexual violence shall be reported to the College's Affirmative Action and Title IX Coordinator, Idelia Smith, at 413.552.2228 or ismith@hcc.edu. Please refer to the Complaint Procedures for specific complaint procedures and guidelines (see Section L).

The College prohibits retaliation against any person who presents a formal or informal complaint of sexual violence or who testifies or offers evidence connected with a complaint. Retaliation is a violation of this policy whether or not the underlying claim of sexual violence is confirmed.

b. Sexual Violence Defined

Sexual violence is defined under the “Definitions” section of this Policy and includes rape, acquaintance rape, sexual assault, stalking, domestic and dating violence.

c. Reporting Complaints of Sexual Violence

A victim of sexual violence has the right to file (or not file) an Affirmative Action Discrimination Complaint Form with the College. The process for filing a complaint is outlined under the Policy on Affirmative Action’s Complaint Procedure. For more information or assistance with filing a complaint, please contact the College’s Title IX Coordinator. If the Title IX Coordinator is the subject of a complaint, the President shall designate another College official to administer the Complaint Procedures. A victim may also choose to file a criminal complaint, in which case the Title IX Coordinator and/or Campus Police can assist the victim with that process. Reporting the incident to the Title IX Coordinator or Campus Police does not obligate the victim to file criminal charges.

d. College’s Investigation

The College is obligated to investigate allegations of sexual violence, even if the alleged victim chooses not to file a formal complaint and/or participate in the investigation. Additionally, a complaint filed in another forum, including a criminal or civil complaint, shall not delay the College’s investigation of a complaint of sexual violence. The College shall promptly and thoroughly investigate all such allegations in accordance with the Policy on Affirmative Action. The College may also institute protective measures, such as a no-trespass order, restricted access to campus, adjusted class or work schedule, or a leave of absence, during the investigative process and/or upon completion of the disciplinary process. A person found to have committed an act of sexual violence shall be subject to disciplinary action, up to and including suspension, expulsion or termination from the College, as well as criminal prosecution.

e. Victim Identification

Personal identifiable information about a victim will be treated as confidential and only shared with persons with a specific need to know and/or who are investigating and/or adjudicating the complaint, delivering resources or support services to the victim or as public safety requires. The College does not

publish the names or other identifiable information of victims in the campus police department’s Daily Crime Log, in any Timely Warnings issued or online. In accordance with the Family Educational Rights and Privacy Act, a victim may request that no directory information maintained by the College be released absent his/her prior, written consent.

f. Interim Protective Measures

Title IX requires the College to take reasonable steps to ensure equal access to its education programs and activities and protect individuals from Prohibited Conduct, including taking interim protective measures before the final outcome of an investigation. The College shall take these steps promptly once it has notice of an allegation of Prohibited Conduct, including sexual violence. Examples of interim protective measures include, but are not limited to, the following:

- access to counseling services and assistance in scheduling an appointment, on or off campus;
- imposition of an interim suspension or on-campus “no-contact” order;
- rescheduling of exams and assignments;
- providing alternative course completion options;
- changing class schedules, including withdrawing from a course without penalty;
- changing work schedules or job assignments;
- limiting access to certain College facilities or activities pending resolution of the matter;
- voluntary leave of absence;
- providing an escort to ensure safe movement between classes and activities; and/or
- providing academic support services, such as tutoring.

The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what interim measures to take, including, for example, the specific needs expressed by the victim; the severity or pervasiveness of the allegations; any continuing effects on the victim; whether the victim and respondent share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures

have been taken to protect the victim (e.g., civil protection orders).

In general, when taking interim protective measures, the College shall minimize the burden on the victim. To the extent permitted by law, the victim shall be notified of any interim measures taken by the College concerning the respondent. Even under those circumstances where a victim does not wish to pursue a complaint and requests confidentiality, the College must take immediate action to protect the victim while keeping her or his identity confidential.

Amnesty

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College’s drug/alcohol policies. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

Protections for Victims of Sexual Violence

A person subjected to sexual violence shall:

- Be provided with a copy of the College’s Sexual Violence – Victim’s Rights and Information Advisory, which shall include information concerning counseling, health, and mental health services, victim advocacy and support, law enforcement assistance, and other services available on and off campus;
- Have the right to pursue, or not pursue, assistance from campus administration officials or campus law enforcement;
- Not be discouraged by College officials from reporting an incident to both on-campus and off-campus authorities;
- Be provided assistance in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of campus personnel should a civil and/or criminal complaint be pursued;
- Be free from any suggestion that they somehow contributed to or had a shared responsibility in the violent act;

- Receive the same level of support at any proceeding before College officials as is permitted to the accused party, including the presence of a personal advisor during any disciplinary proceeding and the right to be notified in a timely manner of the outcome of such proceedings and any appeal right available;
- Receive full and prompt cooperation from College personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings;
- Have access to existing College counseling and medical professionals, victim support services, and to obtain referrals to off-campus counseling and support services if desired;
- Be permitted to attend classes, work and participate in College activities free from unwanted contact or proximity to the respondent insofar as the College is permitted and able;
- Be permitted to request changes to an academic schedule if such changes are requested by the alleged victim and are reasonably available; and
- Be informed of any no-contact or no-trespass orders issued to the respondent by the College and the College’s commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

g. Recommended Procedures for a Victim of Sexual Violence

For a person subjected to an act of sexual violence, there can be time-sensitive decisions to make about sexually transmitted infections, pregnancy, and collecting physical evidence in the event of prosecution. Individuals who have been victims of sexual violence are advised as follows:

- **Protect Yourself and Get Medical Attention –** A victim should be advised to go to a safe place as soon as possible and seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and collect important evidence. It is recommended that a physical exam be conducted within 72 hours of the violence. Submitting to a physical exam does not mean

that a victim is required to press charges. This action merely preserves the option to do so. Designated College personnel can assist in providing transportation to the hospital.

- Preserve Evidence - It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event criminal prosecution is pursued. If possible, a victim should be advised not to wash, eat, drink, douche, clean, use the bathroom, or change clothes. If clothes are changed, all clothes that were worn at the time of the incident should not be cleaned and should be placed into an unused or a clean paper bag.
- Health and Support Services - Various health and support services are available on and off campus for students and employees who have experienced sexual violence. For information about such services, including counseling, please contact the Affirmative Action and Title IX Coordinator Idelia Smith at 413.552.2228 or ismith@hcc.edu.

h. Rape Crisis Center Contact Information

The following is a list of Rape Crisis Centers in Massachusetts. As the following contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at the Commonwealth's Executive Office of Health and Human Services' Website under "Consumer" information at www.mass.gov/eohhs/.

Greater Boston Area

Boston Area Rape Crisis Center, Cambridge, 617.492.7273 Hotline, 617.492.6434 TTY

Northeastern Massachusetts

North Shore Rape Crisis Center, Beverly, 800.922.8772 Hotline, 978.921.8729 TTY

Rape Crisis Services of Greater Lowell, 800.542.5212 Hotline, 978.452.8723 TTY

YWCA of Greater Lawrence, 877.509.9922 SA Hotline, 978.686.8840 TTY

Central Massachusetts

Rape Crisis Center of Central Mass., Worcester, 800.870.5905 Hotline, 508.852.7600 TTY

Rape Crisis Center of Central Mass., Fitchburg, 800.870.5905

Wayside Victim Services, Milford, 800.511.5070 Hotline, 508.478.4205 TTY

Voices Against Violence, Framingham, 800.593.1125 Hotline, 508.626.8686 TTY

Southeastern Massachusetts

A Safe Place, Nantucket, 508.228.2111 Hotline, 508.228.0561 TTY

Independence House, Hyannis, 800.439.6507 Hotline, 508.778.6782 TTY

Women Support Services, Vineyard Haven, 508.696.7233

Greater New Bedford Women Center, New Bedford, 888.839.6636 Hotline, 508.996.1177 TTY

New Hope, Attleboro, 800.323.4673 Hotline/TTY

Stanley Street Women Center, Fall River, 508.675.0087 Hotline, 508.673.3328 TTY

Womansplace Crisis Center, Brockton, 508.588.8255 SA Hotline, 508.894.2869 TTY

Western Massachusetts

Elizabeth Freeman Center, Pittsfield, 413.443.0089 Hotline, 413.499.2425 TTY

Everywoman Center, Amherst, 413.545.0800 Hotline, 888.337.0800 TTY

NELCWIT, Greenfield, 413.772.0806 Hotline/TTY
YWCA, Springfield, 800.796.8711

YWCA of Western Mass, Westfield, 800.479.6245 Hotline/TTY

These Rape Crisis Centers offer FREE services to survivors of sexual violence, including:

- 24/7 hotline counseling, information, and referral;
- Will go with survivors to hospitals and/or police stations 24/7;
- Will go with a survivor to court;
- Provide one-to-one counseling and support group

counseling; and

- Provide primary prevention education; professional training; outreach.

i. Mandatory Reporting Under State Law

Children (a person under the age of 18) may be students at the College, or may be engaged in activities sponsored by the College or by third-parties utilizing College facilities. In such instances, where an employee has reasonable cause to believe that a child is suffering physical or emotional injury, resulting from among other causes, sexual abuse, the employee and the College may be obligated to comply with the mandatory reporting requirements established at M.G.L. Chapter 119, Section 51A-E. In such cases, the employee is directed to immediately report the matter to Idelia Smith, the College's Affirmative Action and Title IX Coordinator 413.552.2228 or ismith@hcc.edu) who, in consultation with other officials, shall contact the Commonwealth's Department of Children and Families and/or law enforcement. An employee may also contact Idelia Smith, at 413.552.2228 or ismith@hcc.edu, local law enforcement authorities or the Department of Children and Families directly in cases of suspected abuse or neglect.

State law also maintains mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. For more information on these reporting requirements please contact the College's Affirmative Action Officer.

Who to Contact

In the event that you are the victim of sexual assault on the campus, first and most importantly, get yourself to a place of safety and call one or more of the following:

1. Campus Police at 413.552.2211 (ext. 2211 on campus phones) to report the incident and receive prompt assistance.
2. Local police at 413.536.6431.
3. A friend or family member.
4. One of the Rape Crisis Hotlines listed in the Policy Against Sexual Violence, above.

Counseling is also available through HCC's free WellConnect Student Assistance Program. Through WellConnect, students, their families and members of their household have access to one-on-one, 24/7 mental health counseling as well as numerous other

resources.

Students can access WellConnect at any time by calling 800.326.6142 (voice/TTY) or via the WellConnect website at <https://wellconnect.cuthrive.com/>. Students in need of support on campus during normal college business hours (Monday-Friday 8:30 a.m. - 4:30 p.m.) should come to the Student Affairs office in FR224 or contact 413.552.2390 for immediate assistance.

Disciplinary Proceedings

College disciplinary proceedings are detailed in the Holyoke Community College Code of Student Conduct. The Dean of Students Office is in charge of college discipline and allows the accused and the victim to select a person who has no formal legal training to accompany them throughout the hearing. In cases involving the allegation of violent crime, both the victim and the accused will be informed of the outcome of the judicial hearing. A student found guilty of violating the college Policy Against Sexual Violence could face criminal proceedings as well as suspension or expulsion from the college.

Statement of Policy Addressing Sex Offender Registration

The Federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide to appropriate state officials notice of each institution of higher education in that state at which the offender is employed, carries on a vocation, or is a student.

How to Inquire

Members of the Holyoke Community College community may request information about sex offenders in Massachusetts at the Massachusetts Sex Offender Registry Board, telephone 978.740.6400 or <http://www.state.ma.us/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.

Statement of Policy for Reporting the Annual Disclosure of Crime Statistics

As required by federal law, HCCPD 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 reported to HCC Police, designated campus officials, including but not limited to directors, deans, department heads, dean of students staff, advisors to students, and athletic coaches. 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 the college as well as public property within or immediately adjacent to and accessible from the campus are collected or requested from the Holyoke police department and the Ludlow police department for the Adult Learning Center in Ludlow. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported.

The crime statistics tables located at the end of this report are reflective of the requirements mandated by Federal law for compiling this report which became effective July 1, 2000.

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 Dean of Students Office.

Hate Crime statistics are separated by their category of prejudice. Statistics for Hate Crimes are counted in each specific Clery reportable crime category and therefore, are part of the overall statistics reported for each year. The only exception to this is the addition of a bias motivated simple assault resulting in bodily injury; the law requires that this statistic be reported as a hate crime even though there is no requirement to report the crime in any other area of the compliance document.

Specific Information about the Crime Statistics Reported by HCCPD

Unless otherwise indicated, all statistics are from incidents that were reported to HCCPD.

“Reported to Other Campus Agencies” includes crime statistics from incidents reported by other Campus Security Authorities (e.g. athletic coach).

Definitions

Sexual Violence: Any sexual activity where consent is not obtained or able to be freely given, and shall include the following categories:

- a. **Rape** – Defined in Massachusetts as the oral, anal, or vaginal penetration by an inanimate object,

penis, or other bodily part without consent. In Massachusetts, it is illegal to have sex with someone who is incapable of giving consent because they are: (1) intoxicated; (2) unconscious; (3) mentally incompetent; or (4) under 16 years of age.

- b. **Acquaintance Rape** – Rape upon someone by a person he or she knows.
- c. **Sexual Assault** - Any unwanted sexual activity that is forced or coerced by one person on another.

d. **Intimate Partner Violence**

- **Stalking** – Defined in Massachusetts as whoever (a) willfully and maliciously engages in a 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 (b) 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.
- **Dating Violence** – Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** – Mass. General Laws, Chapter 209A, Section 1. Occurrence of one or more of the following abusive acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress. “Family or household members” include persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by a court upon considering 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.

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

Sex Offenses-Forcible: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

A. Forcible Rape

The carnal knowledge of a person, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault with an Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity

Sex Offenses-Non-Forcible: Unlawful, non-forcible sexual intercourse.

A. Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Clery Reportable Offense Crime Definitions from the Uniform Crime Reporting Handbook

Aggravated Assault: 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, methadones); 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.)

Geography Definitions 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.

Emergency Response and Evacuation Procedures

It is the policy of HCC to notify, without delay, the campus community of any confirmed significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees. The content of the notification will be determined and the notification system will be initiated unless, in the professional judgment of responsible authorities, the release of such notification at that time would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The notification system's purpose is to provide brief and immediate instructions to the campus community and identify other resources where additional information can be obtained. During an emergency, detailed information about an incident would be provided in other forms of communication, such as: email, website, voice mail, and emergency bulletins issued through the media. All students, faculty, and staff are strongly encouraged to update their contact information with the college's emergency notification service at www.hcc.edu/alert.

Complaint Procedure

General Information

A. Application of Policy

The complaint procedure is intended to provide a mechanism to investigate and where possible resolve complaints of alleged violations of this Policy against employees and students. The procedures outlined below are intended to ensure that the College will conduct an impartial, fair, effective, and efficient investigation of all allegations of discrimination without fear of retaliation. The complaint procedure is available to any employee or student who believes he/she has been discriminated against on the basis of a protected classification or retaliation. A complaint filed in another forum does not preclude a student or employee from filing a complaint under this Policy. Further, a complaint filed in another forum, including a criminal or civil complaint, shall not delay an investigation of a complaint filed under this Policy.

B. Confidentiality of Process

The complaint procedure will be conducted as confidentially as reasonably possible to protect the privacy rights of all individuals involved. The College may share information concerning the complaint with parties, witnesses and/or others during any phase of the procedure on a need-to-know basis and shall share information with union representatives as provided for in G.L.c.150E. All individuals with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss the matter with anyone other than a personal advisor, if applicable.

C. Complainant Requests Confidentiality

Where a Complainant requests that no action be taken by the College or requests that her/his identity not be revealed, the College shall take reasonable steps to investigate and respond to the complaint, but shall inform the Complainant that such a request may hamper its ability to fully investigate an alleged violation of this Policy and/or to take appropriate remedial steps, including disciplinary action. Where an allegation includes the potential of an ongoing threat to the health, safety or security of the College or a potential adverse employment action, the Affirmative Action Officer shall inform the Complainant that it cannot ensure confidentiality and disclosure of their name may likely be required.

D. Anonymous Complaints

To the extent possible, the College is obliged to investigate and respond to anonymous complaints.

E. Off Campus Behavior

The College reserves the right to investigate alleged prohibited conduct under this Policy occurring off-campus when such conduct adversely affects the College Community, poses a threat of harm to the College Community; interferes with the College's pursuit of its educational objectives and mission, and/or if a student or employee is charged with a serious violation of state or federal law.

F. Interim Action

The College reserves the right to suspend a student on an interim basis or place an employee on paid administrative leave prior to completing an investigation under this Policy when it reasonably concludes that a student or employee: (a) poses

a threat to health or safety; (b) poses a threat to College property or equipment; (c) is disruptive or interferes with the normal operations of the College; or (d) is charged with a serious violation of state or federal law. In such cases, the College shall provide the employee or student of the specific reason(s) for the interim action. During a student's interim suspension or an employee's leave, the College reserves the right to prohibit the individual from entering upon the College's property or participating in any College activities absent written authorization from an appropriate official of the College.

G. Joint Investigation

In some circumstances a Responding Party's conduct may constitute a potential violation of this Policy and/or other conduct policies applicable to employees or students. In such cases, in order to avoid duplicative investigatory efforts, a joint investigation under this Policy may be conducted by the AAO and the administrator charged with enforcing conduct policies. For example, if the Responding Party is a student, the Affirmative Action Officer and Student Code of Conduct Officer may jointly investigate the complaint. Based on the findings of their joint investigation, the student may be subject to disciplinary action for violations of the Affirmative Action Policy and/or the Student Code of Conduct. Where the Responding Party is an employee, a joint investigation may be conducted by the Affirmative Action Officer and the employee's supervisor. Based on the findings of their joint investigation, the employee may be subject to disciplinary action for violations of the Affirmative Action Policy and/or for inappropriate and unprofessional conduct.

H. Collateral Rights of Employees

Any disciplinary action taken against an employee shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements or personnel policies.

I. Complaints of Sex Discrimination, Sexual Harassment or Sexual Violence

The Title IX Coordinator, Idelia Smith (413.552.2228 or ismith@hcc.edu), shall have the responsibility for administering this Policy relative to complaints of sex discrimination, sexual harassment and sexual violence.

Formal & Informal Procedures

The complaint process is comprised of two procedures - the informal procedure and the formal procedure.

A. Informal Procedure

Where appropriate, the parties to a dispute and/or the Affirmative Action Officer, may attempt to reach an informal and prompt resolution of the potential complaint. Informal resolution is encouraged and any of the parties involved may request the intervention of the Affirmative Action Officer to assist in resolving the matter informally. An informal resolution is achieved through open dialogue between the parties that allows for the airing of any misunderstandings or disputed issues. The informal procedure shall not be used in an effort to resolve allegations of sexual harassment or sexual violence. Further, at no time shall a Responding Party question or confront a Complainant, or engage a third party to do so, as such conduct may constitute intimidation and/or retaliation, which are strictly prohibited under this Policy.

B. Formal Procedure

The following rules apply throughout all phases of the formal complaint process: (1) all parties to a complaint may have a personal advisor (for union employees this may be a union representative); (2) the role of a personal advisor is limited to providing discrete advice and counsel to the party; (3) the filing of a complaint under this Policy shall not preclude a Complainant from pursuing a complaint in a separate legal forum; (4) a complaint involving a grade dispute shall proceed under this Policy when a student alleges that a grade was improper because of discrimination, discriminatory harassment, sexual violence or retaliation; and (5) all findings reached under this procedure must be based on a "preponderance of evidence" (i.e.; more likely than not) standard.

At any point during the formal complaint procedure, either party may request mediation by contacting the Affirmative Action Officer. The purpose of mediation is to resolve the dispute to the satisfaction of both parties. Mediation shall be mutually agreed upon by the parties. The Affirmative Action Officer, or designee, shall select an impartial mediator, who shall be mutually agreed upon and not unreasonably refused by either party, and inform the parties in writing of the mediation process and schedule. The mediator must have

training or experience in mediating matters subject to this complaint process. Where practicable, a mediation session shall be conducted no later than thirty (30) days after agreed to by the parties. The timelines presented under the Complaint Procedure shall be tolled pending the outcome of mediation. If mediation is successful in resolving the complaint, the Affirmative Action Officer shall reduce to writing the terms of the mediated resolution, which shall be signed by the parties. The mediation process shall not be used in an effort to resolve allegations of sexual harassment or sexual violence. If mediation does not result in a resolution, all mediation discussions shall remain confidential and may not be used or introduced in this process or any other forum.

Step 1 – Affirmative Action Officer Investigation

When a Complainant believes that he/she has been discriminated against because of his/her race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, genetic information, veteran status, maternity leave and/or subjected to sexual harassment, sexual violence, or retaliation, the Complainant may file a formal written complaint in writing with the Affirmative Action Officer. For student Complainants, a formal complaint may be filed within thirty (30) days following the end of the instructional period when the Complainant knew or should have known of the grievable act. For employee Complainants, a formal complaint may be filed within thirty (30) days from when the Complainant knew or should have known of the grievable act. The complaint shall contain a statement of all known facts pertaining to the alleged violation and shall be filed preferably on the Affirmative Action Discrimination Complaint Form (see Appendix A), which shall be available from the Affirmative Action Officer. If a student is involved, the Affirmative Action Officer shall notify the Vice President or Dean of Student Services.

During Step 1, the Affirmative Action Officer has the authority to seek to resolve the complaint through an administrative remedy. If the parties accept the administrative remedy proposed, its terms shall be reduced to writing, signed by both parties and the Affirmative Action Officer shall retain the document, with copies to the parties. Thereafter, the matter shall be considered resolved between the parties.

Upon receiving a written complaint, the Affirmative Action Officer will notify the Responding Party in writing, of the complaint (see Appendix B), and provide the Responding Party with a copy thereof. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Responding Party shall have ten (10) days from receipt of notice to submit to the Affirmative Action Officer a written response to the complaint.

Where practicable, within thirty (30) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Affirmative Action Officer shall conduct an investigation and prepare and issue a Report of Preliminary Findings to the parties. The investigation shall include, but is not limited to, an analysis of the allegations and defenses presented, consideration of all relevant documents, including materials presented by the parties, interviews of the parties and other individuals and/or witnesses, and/or reviewing certain documents or materials in the possession of either party that the Affirmative Action Officer has deemed relevant to the complaint. The Affirmative Action Officer's report shall specify the investigation undertaken and summarize his/her preliminary findings. The report shall be delivered to the parties in hand or by certified mail. If the investigation is not completed within thirty (30) days, status updates shall be provided to the parties every thirty (30) days until its completion.

Thereafter, the parties will have ten (10) days from the date of their receipt of the Report of Preliminary Findings to submit Rebuttal Statements to the Affirmative Action Officer. The parties may present no new allegations at that time. Where practicable, within seven (7) days of receiving the parties' Rebuttal Statements, the Affirmative Action Officer shall review the rebuttal Statements and prepare and submit a Report of Final Findings and Recommendations to the President's Designee for consideration.

Step 2 – Review and Decision by the President's Designee

Where practicable, within ten (10) days of receipt of the Affirmative Action Officer's Report of Final Findings and Recommendations, the President's Designee shall issue a written decision to the parties. The written decision shall accept, reject or modify the Affirmative Action Officer's Final

Findings and Recommendations. The Designee's written decision shall be delivered in hand or by certified mail and shall include the Report of Final Findings and Recommendations. If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall designate a Board member(s) as Designee to administer Step 2 of the Complaint Process.

Step 3 – Appeal to President

A party who is not satisfied with the Designee's written decision may file an appeal with the President within five (5) days of receiving the Designee's decision. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision accepting, rejecting or modifying the Designee's decision. The President's decision is final provided that any corrective action and/or discipline imposed is subject to applicable collective bargaining agreements.

If the President is the Responding Party in an Affirmative Action Complaint, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

Issued: December 9, 2014
Amended and Reissued: March 15, 2015

Affirmative Action Discrimination Complaint Form

The purpose of this form is to record information required to initiate an investigation into an alleged violation of the College's Affirmative Action Policy. All reasonable efforts will be made to maintain the confidentiality of the parties involved during the complaint procedure in accordance with the Affirmative Action Policy.

It is unlawful to retaliate against a student, employee or any other person in the College for filing a complaint or for cooperating in an investigation of a complaint. All parties to a complaint may have a personal advisor (for union employees this may be a union representative) assist them throughout the process.

Date Filed: _____ Date(s) of Alleged Discrimination: _____

A. Name (Print): _____

B. Check One: Student: _____ Employee: _____

Department/Division: _____

C. Type of alleged discrimination or act:

- Race/Color Religion/Creed Age
- National Origin Gender Disability
- Sexual Harassment Sexual Orientation Genetic Information
- Maternity Leave Gender Identity Military Service
- Retaliation Sexual Violence Other: _____

C. Name of individual(s) you believe discriminated against you: _____

D. List any witnesses: _____

Affirmative Action Discrimination Complaint Form – Page 2

D. Description of Complaint - please list the sequence of events, including dates, if possible, and any relevant facts and statements:

(If additional writing space is needed, please attach additional sheets)

To the best of my knowledge and belief, the above information is complete, true and accurate and not a "false charge" as defined under Section D II. of this Policy and I hereby submit this complaint under the College's Affirmative Action Complaint Procedure.

Signature of Complainant _____

Received by the Affirmative Action Officer on: _____

The Annual Security Report, 2015 reports findings for the most recent year for which data is available, 2014.

Holyoke Community College Crime Statistics 2014

2014					
	On Campus	On Campus Residence Halls	Non-Campus Property	Public Property	Notes
Murder	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	1	1 (Reported 0)
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Burglary	0	0	0	0	0 (Reported 2)
Forcible Rape	1	0	0	0	1 (Reported 0)
Attempted Rape	0	0	0	0	0
Forcible Fondling	1	0	0	0	1 (Reported 1) ¹
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Total Non-Forcible Sex Offenses	1	0	0	0	1
Hate Crimes	0	0	0	0	0
Stalking	4	0	0	1	5 (Reported 0)
Domestic Violence	2	0	0	1	3 (Reported 0)
Dating Violence	0	0	0	0	0
Liquor Law Violations					
Arrest	0	0	0	0	
Referral	0	0	0	0	
Drug Law Violations					
Arrest	1	0	0	4	5 (Reported 1)
Referral	0	0	0	0	0 (Reported 1)
Weapons Law Violations [^]					
Arrest	1	0	0	0	1 (Reported 0)
Referral	0	0	0	0	

¹One instance of forcible fondling on campus. Previously reported as one instance of forcible fondling on public property.

Holyoke Community College Crime Statistics 2013

2013					
	On Campus	On Campus Residence Halls	Non-Campus Property	Public Property	Notes
Murder	0	0	0	0	
Negligent Manslaughter	0	0	0	0	
Robbery	0	0	0	1	1 (Reported 0)
Aggravated Assault	1	0	0	2	3 (Reported 1)
Motor Vehicle Theft	0	0	0	0	
Arson	0	0	0	0	
Burglary	0	0	0	0	0 (Reported 1)
Forcible Rape	0	0	0	0	
Attempted Rape	0	0	0	0	
Forcible Fondling	0	0	0	0	
Total Forcible Sex Offenses	0	0	0	0	
Incest	0	0	0	0	
Statutory Rape	0	0	0	0	
Total Non-Forcible Sex Offenses	0	0	0	0	
Hate Crimes	0	0	0	0	
Stalking	0	0	0	0	
Domestic Violence	1	0	0	0	
Dating Violence	0	0	0	0	
Liquor Law Violations					
Arrest	0	0	0	0	
Referral	0	0	0	0	
Drug Law Violations					
Arrest	4	0	0	4	8 (Reported 6)
Referral	0	0	0	0	0 (Reported 6)
Weapons Law Violations [^]					
Arrest	2	0	0	0	2 (Reported 0)
Referral	4	0	0	0	4 (Reported 0)

Holyoke Community College Crime Statistics 2012

2012				
	On Campus	On Campus Residence Halls	Non-Campus Property	Public Property
Murder	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	2	0	0	0
Motor Vehicle Theft	1	0	0	1
Arson	0	0	0	0
Burglary	4	0	0	2
Forcible Rape	0	0	0	0
Attempted Rape	0	0	0	0
Forcible Fondling	1	0	0	0
Total Forcible Sex Offenses	1	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Total Non-Forcible Sex Offenses	0	0	0	0
Forcible Sex Offenses (Reported to Other Campus Agencies)	0	0	0	0
Liquor Law Violations				
Arrest	0	0	0	0
Referral	0	0	0	1
Drug Law Violations				
Arrest	0	0	0	0
Referral	23	0	0	4
Weapons Law Violations [^]				
Arrest	0	0	0	0
Referral	1	0	0	0

*Sex Offenses reported to other campus agencies; Clery reporting validity verified by HCCPD.

**HCCPD arrests – Arrests for both drug law and liquor law violations are counted only as drug law violations - the more serious offense.

[^]Weapons Law Violations - the definition of “weapons violations” is determined by state law; Massachusetts state law is very broad in the definition of what constitutes a weapon

