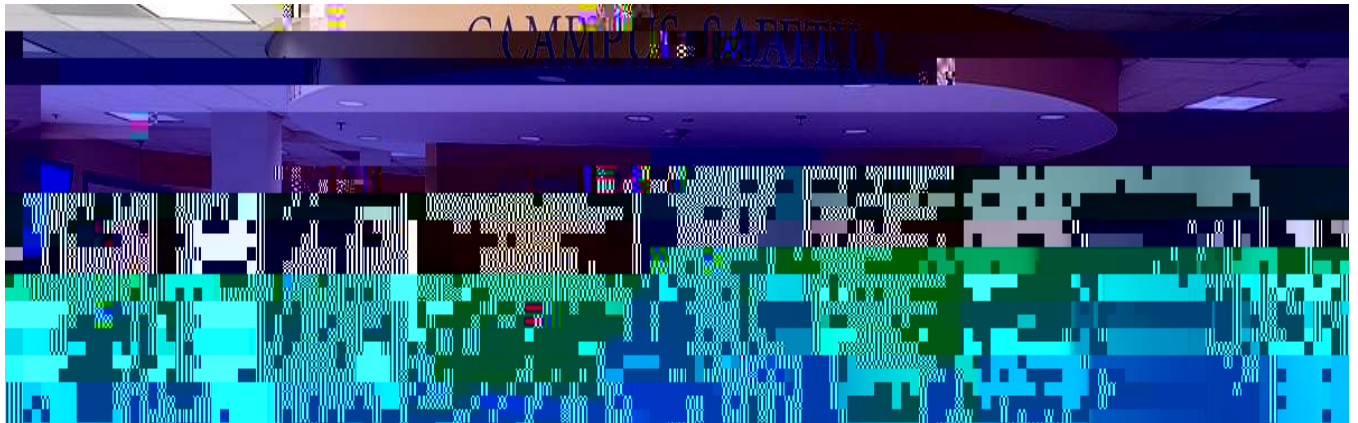


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This report was last updated on October 1, 2024



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**This information is provided to meet the requirements of the Jeanne Clery Disclosed of
Campus Security Policy and Campus Crime Statistics Act of 1998. Great Bay Community
College Campus Safety Department prepared this report using statistical and other
information supplied by GBOC Student Affairs, Portsmouth Police Department, Navington
Police Department, Exeter Police Department, North Hampton Police Department,
Rockingham County Sheriff's Department, Strafford County Sheriff's Department, and the
New Hampshire State Police.**

**Great Bay Community College - Portsmouth is located at 320 Corporate Drive in
Portsmouth, NH.**

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=B: CFA5HCB'**

The most important thing to remember is that suspicion of a crime does not require proof, if you suspect that a crime is being committed, or has been committed, call ~~911~~ or GBOC Campus Safety at ~~603-421-7697~~ immediately.

Call 7Uad gFYdbfjql "

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Administration The public is allowed access only for those with business within the college and only during the business hours of the college

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F Y d f M f is an individual who notifies the Title IX office of potential sex discrimination, sex-based harassment, sexual misconduct or retaliation. The reporter does not have to be the affected party or be involved in the incident to file a report.

F Y g d b X d is an individual alleged to have violated this policy.

H J F X D U f h n f Y d f h is someone who is not an mandatory reporter but who has information regarding someone else whom they have experienced sex discrimination, sex-based harassment, sexual misconduct or retaliation reports that information. To make a third party report, the individual should contact a member of the Title IX office or submit a Title IX reporting form. Upon receipt of that information, Title IX staff will make a preliminary inquiry, which may include contacting the alleged victim, to determine whether further action is warranted.

H J F Y - L 7 o f X j b U e f is the administrator who is identified and authorized as the College employee with the primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator or deputy are available to meet with students and employees regarding these issues as needed. The Title IX Coordinator may delegate duties as necessary or appropriate. Therefore, any reference regarding duties to be performed under this policy should be read to also include the Title IX Coordinators' designees' as appropriate.

H J F Y - L 7 o f X j b U e f

Erick Kubag PhD. 813 838 3333

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o f X j b U e f L 7 o f X j b U e f

g

U' 8]gLFUMHYUa YchB]g]a]DU]cb. Any intentional differential treatment of a person or persons that is based on a person's actual or perceived sex and that

- Excludes a person from participation in
- Denies a person benefits of; or
- Otherwise adversely affects a term of condition of a person's

participation in a College program or activity.

V' 8]gLFUY-a dUNB]g]a]DU]cb. Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in disproportionate impact on the basis of sex that

- Excludes a person from participation in
- Denies a person benefits of; or
- Otherwise adversely affects a term of condition of a person's

participation in a College program or activity.

6' GI!6UYX < UUYa Ych 'A form of sex discrimination and sexual harassment and other harassment on the basis of sex³, including sex stereotypes, sex characteristics, pregnancy, or related conditions, sexual orientation, and gender identity, sexual assault, dating violence, domestic violence, and stalking

1. Ei]XDf c Ei c 'An employee agent or other person authorized by the Ce

because of their temporary or permanent mental or physical incapacity;

- iii. To use an object or instrument (i.e. an inanimate object or body part other than penis) to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the**

- ability to give consent to sexual activity or to make that person vulnerable to non-sexual activity;**
- h. Misappropriation of another person's identity or likeness in person in situations designed for dating or sexual connections;**
 - i. Creating and/or disseminating synthetic images (i.e. video, photography) or audio of an individual's sexual activity, intimate body parts, or nudity without that person's consent.**
- B.**

expressly permitted by the College or publicly disclosing a party's personally identifiable information without authorization or consent.

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Consent for sexual activity is clear indication, either through verbal or physical actions, that parties are willing and active participants in sexual activity. Such authorization must be made free of force, threat, intimidation or coercion and must be given actively and knowingly in a state of mind that is conscious, rational, and not compromised by alcohol or drug incapacitation. Only a

- **The Respondent is someone known by the Complainant**
-

inconsistent with the type of community OCSNH upholds and may constitute policy violation if the effect is greater than diminish harm

Deadnaming can be harmful to a person who is transgender, transitioning or binary, or gender-diverse. This is using someone's birth assigned name rather than the name they have chosen for themselves. Unintentional deadnaming can also often be resolved with an apology and an effort

The College recognizes that making the decision to report often takes time. Nevertheless, pending the decision to report, students are strongly encouraged to take immediate steps to preserve all evidence that might support a future report. Such steps may include

- Obtaining a forensic sexual assault examination (before 120 hours or as soon as possible)
- Preserving any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags)
- Preserving any related electronic communications (text messages, emails, Facebook, Instagram, Snapchat, TikTok, or other social media posts to the extent that they can be captured/preserved)
- Preserving any photographs (including stored on smartphones or other devices)
- Preserving any voice mail messages and other physical, documentary, and/or electronic data that might be helpful or relevant in an investigation

Contact information for immediate response resources include the following

- PUBLIC SAFETY CONTACT INFO

GBOC Campus Safety (603) 427-7679

- TITLE IX COORDINATOR

Title IX Coordinator Eric Kulberg Ph.D. (603) 427-7667
ekulberg@ccs.hedu

- LOCAL HOSPITAL CONTACT INFO

Portsmouth Regional Hospital 333 Borwick Ave
Portsmouth, NH 02801
(603) 436-5110

Frisbie Memorial Hospital 11 Whitehall Road
Rochester, NH 03867
(603) 332-5211

- LOCAL DV/SV AGENCY CONTACT INFO

HAVEN

20 International Drive #300
Portsmouth, NH 02801

(603) 994-7233

- LOCAL PD CONTACT INFO

**Portsmouth Police 3 Jurkins Ave
Portsmouth, NH 08801
(603) 427-1300**

**Rochester Police 23 Wakefield Street
Rochester, NH 08857
(603) 330-7127**

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The College can act to remove a respondent entirely or partially from its educational program or activities (including College employment) on an emergency basis when an individualized violence risk assessment has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. See violence risk assessment section of policy.

The CCSNH Director of Risk Management will review requests for an emergency removal from the Title IX Coordinator as well as review the violence risk assessment to make a determination under this policy to implement or stay an emergency removal and to determine the conditions and duration of said emergency removal. Validation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

In all cases in which an emergency removal is imposed, the respondent will be given notice of the action and the option to request to meet (in person or virtually) with the CCSNH Director of Risk Management as soon thereafter as reasonably possible to show why the order of removal should be revoked or modified. This meeting is not a hearing on the merits of the allegations. If this meeting

At the discretion of the Title IX Coordinator and where deemed appropriate, alternative courses or options may be pursued to promote a respondent's success to College academic programs

The Title IX Coordinator may determine emergency actions outside of removal, including but not limited to, removing a student from a residence hall, restricting student access to or use of facilities or equipment, allowing a student to withdraw or take a leave of absence without financial penalty, dismissing or suspending a student from extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics

The Title IX Coordinator may also recommend actions such as temporarily reassigning an employee and/or restricting employee access to or use of facilities/equipment to the CCSNH Director of Human Resources who will present to the College President and/or CCSNH Chancellor to decide on

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The College always maintains the discretion to place an employee Respondent on suspension or administrative leave during

and these mandatory reporters will promptly pass reports to the Title IX Coordinator (and/or police if desired by complainant), who will take action as provided in this policy.

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If an individual would like to confidentially report an alleged violation of this policy, they should contact a confidential resource. A confidential resource is an individual who is legally and ethically bound to keep confidential all information shared with them on the course of providing counsel and support, except under the circumstances noted below.

In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional, religious advisor, or trained sexual assault advocate. The medical, mental health, and religious professionals (individuals acting in their religious professional capacity through a College office) at the College respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. These professionals may have to breach confidence when they perceive a serious risk of danger or threat to any person or property. In addition, medical and mental health professionals may be required by law to report certain crimes (such as allegations of sexual and/or physical abuse of any person under 18).

An individual who speaks to a confidential resource must understand that if they want to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. However, confidential resources may assist the individual in receiving supportive measures or other forms of protection and support, such as victim advocacy, academic accommodations, disability, health or mental health services, and changes to living, working, or transportation arrangements.

- LOCAL DV/SV AGENCY CONTACT INFO

HAVEN
20 International Drive #300
Portsmouth, NH 03801
(603) 994-7233

7Ua di gF Vgi fV5Xj Jgfg New Hampshire State law § 18B:17 permits CCSNH to establish confidential resource advisors. These are privileged individuals designated by the College that

example, the regulations provide that colleges must maintain as confidential any supportive measure provided to complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the supportive measures. The regulations also provide that colleges must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sex-based harassment, any individual who has reported to be the perpetrator of sex discrimination, any complainant, any respondent, and any witness except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g or FERPA regulations 34 CFR part 99, or required by law or to carry out the purposes of Title IX regulations including conduct of any investigation, hearing or judicial proceeding arising under the provisions of Title IX.

information to the Title IX Coordinator as soon as possible. Mandatory reporters who themselves are a target of discrimination, harassment, or other misconduct under this policy are not required to report their own experience, though encouraged to do so. If a Mandatory Reporter fails to comply, report an incident or interferes with an investigation, that employee may be subject to disciplinary action. General inquiries to mandatory reporters about policies and procedures and conversations where the alleged perpetrator is not named or implied from the circumstances would not constitute reports for the purpose of this policy. These types of inquiries should nonetheless be directed to the Title IX Coordinator.

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1. Whether there have been other prohibited conduct complaints about the same alleged perpetrator;
2. Whether the alleged perpetrator has a history of arrests or records from a prior institution indicating a history of violence;
3. Whether the alleged prohibited conduct was allegedly committed by multiple alleged perpetrators;
4. Circumstances that suggest there is an increased risk of future acts of prohibited conduct.
 - Whether the alleged prohibited conduct was allegedly perpetrated or facilitated with a weapon; and
 - Whether the alleged victim is a minor.

The presence of one or more of these factors or other factors as deemed appropriate may prompt an investigation and a judicial order under the College's policies and may result in disciplinary action. If none of these factors are present, the College will likely honor the individual's request for confidentiality. The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the College's ability to pursue a formal grievance process fairly and effectively.

When the Title IX Coordinator signs a formal complaint, they do not become the complainant. The complainant is the individual who is alleged to be the victim of the conduct that would constitute a violation of this policy.

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If the College determines that it cannot maintain an individual's request for confidentiality, the College will inform the reported complainant prior to concluding an investigation (unless extenuating circumstances are present). CCSNH will not require the reported complainant to participate in any investigation or disciplinary proceeding. The complainant may have as much or as little involvement in the process as they wish. The complainant retains all rights of a complainant under this policy irrespective of their level of participation. The College will, however, provide certain notices to the complainant regarding the status of the investigation as required by the 2024 Title IX regulations. If the complainant chooses not to participate in a matter covered by the Title IX harassment procedures outlined below, the College will appoint an Advisor to conduct on behalf of the complainant cross-examination of the respondent and any witnesses at any hearing held regarding the matter.

When responding to reports, if the College determines it is obligated to take any action that would involve disclosing a reporting individual and/or complainant's identity to the respondent or take an action from which the reporting individual and/or complainant may be easily determined by the respondent, the individual and/or complainant will be informed before the action is taken unless extenuating circumstances are present. If the individual requests that the respondent be informed that they requested that there be no

incidents reported to them that pose a serious or ongoing threat to the campus community. The College will ensure that a complainant's name and other identifying information is not disclosed while still providing enough information for community members to make safety decisions in light of any serious or ongoing threat. Additionally, the College will not include the names of complainants, respondents, or other identifying information in publicly available reports that are compiled as required by the Clery Act.

Clery officers are also required to report all Violence Against Women

goals and policies. However, for the personal protection of members of our community, relationships in which power differentials are inherent are general

choose not to do so. Outside advisors can request to be trained by the College. Parties may elect to change advisors during the process by providing timely notification to the Title IX Coordinator. A new release must be submitted and consent to share information with the previous advisor is assumed to be terminated.

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present including intake, interviews, hearings, and appeals. The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney but the other party does not or cannot afford an attorney advisor, the College is not obligated to provide one. All advisors are subject to the same requirements whether they are attorneys or not.

Advisors are not permitted to speak for, represent, appear in lieu of anyone, address any other party other than the one they are advising or otherwise actively participated directly in a meeting, interview, or other proceeding unless given specific permission to do so. Parties are

inability to attend as long as bindings do not cause an unreasonable delay. The College will make provisions to allow for alternative forms of meeting including telephone, video, & virtual meeting. A party may elect to change advisors during the process.

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When information about an incident of sex discrimination, sex-based harassment, and/or sexual misconduct is brought to the attention of Title IX staff, staff will promptly contact the complainant to arrange an intake meeting. At a promptly scheduled meeting and/or through initial communications with the complainant, the Title IX Coordinator will discuss and/or communicate the availability of supportive measures as defined, consider the complainant's wishes with respect to supportive measures, and inform the complainant of the availability of supportive measures with or without filing a formal complaint. The Title IX Coordinator may be excused from carrying out their duties under this policy in the event of a conflict of interest or other legitimate reason. In the absence of the Title IX Coordinator, the Deputy Title IX Coordinator or OCSNH Title IX Coordinator will serve as acting Title IX Coordinator for the purposes of the specific case.

QubXcZDfocZ The College operates with the presumption that the respondent is not responsible for the reported misconduct unless and until, through the applicable resolution process, the respondent is determined to be responsible for a policy violation by a preponderance of the evidence (whether it is more likely than not that the respondent is in violation of the alleged policy violation).

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with College policy.

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This policy and below procedures apply only to employee complaints when the allegations fall within the jurisdiction of Title IX. When allegations involving an employee complainant fall outside Title IX jurisdiction, the complaint/report will be sent to the OCSNH Human Resources Director who will consult with the College President and/or OCSNH Chancellor.

When an employee of the College is a party or witness to an investigation and resolution through this policy and its procedures, the employee shall have the right to have a representative who shall act as a consultant present in any and all related meetings. The Title IX Coordinator will coordinate with the OCSNH Director of Human Resources throughout the grievance process to ensure that any obligations under other applicable laws and regulations are met. Employees who are parties in Title IX matters will receive all of (but not more than) the rights that such employees must be provided under the 2024 Title IX regulations, but all other aspects of their relationship with the College and the handling of the matter will be governed by otherwise applicable College employment practices and policies.

If the respondent is a student and an employee, the Title IX Coordinator will determine which procedures apply based upon the facts and circumstances, such as whether the respondent's status as a student or an employee predominates in context of the prohibited conduct. If a student-employee is found to have engaged in prohibited conduct, they may be subject to sanctions both in connection with their employment and in connection with their student status as appropriate under these and other applicable procedures.

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Within seven (7) days of receiving a report or formal complaint, the Title IX Coordinator will contact the complainant to schedule an intake meeting. During the intake meeting, the Title IX Coordinator will do the following as applicable:

- a. Discussing the policy and Complainant's rights under the policy;
- b. Discuss local resources and on-campus resources including but not limited to mental health services, health services, and victim advocacy;
- c. Discuss confidentiality standards;
- d. Discuss College policy on retaliation and the potential consequences;
- e. Consider the complainant's wishes with respect to supportive measures and do not

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- **A statement of the allegations of behavior potentially constituting prohibited conduct including sufficient detail known at the time and with sufficient time to prepare a response before any initial post-intake interview. Sufficient details include the identity of the parties involved in the incident if known, the conduct allegedly constituting prohibited conduct, and the date/location of alleged incident if known;**
- **A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;**
- **Notification that parties may have an advisor of their choice who may be but is not required to be an attorney;**
- **Notification of existing counseling, health, and mental health services available on campus and/or in the community;**
- **Notification that taking any retaliatory action (directly or through others) against any person because they are involved in the investigation is prohibited and will be considered a separate violation of College policy.**

The office will also notify parties that they may inspect and review evidence during the investigation and resolution process as provided below. If during the course of an investigation the College decides to investigate allegations about any party that are not included in the notice described above, it will provide notice of the additional allegations to the parties whose identities are known and issue an amended NOAI.

At their initial meeting, the Title IX Coordinator will do the following as applicable:

- **Discuss details of the complaint filed, including if known the name of the complainant, the date, location, and nature of the alleged misconduct;**
- **Discuss respondent's rights under the policy;**
- **Discuss on and off campus resources;**
- **Discuss the policy and College procedures for resolution of the complaint;**
- **Explain the steps of a formal Title IX investigation;**

- Explain the right to an advisor;
- Discuss confidentiality standards and concerns;
- Discuss College policy on retaliation and the potential consequences;
- Inform the respondent of any supportive measures that have been put in place with the complainant that directly affect the respondent and determine whether the respondent desires any supportive measures;
- Learn if the respondent is willing to engage in an informal resolution.

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The Title IX Coordinator may determine that a videnerisk assessment should be concluded as part of an initial assessment or otherwise in connection with a report, investigation, or resolution process. A videnerisk assessment can aid in several determinations, including but not limited to determinations regarding

- Emergency removal of a respondent on the basis of an immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue a signafornal complaint even if that is not requested by a complainant;
- Whether reported circumstances may involve a pattern of prohibited conduct and/or disciplinary issues;
- Whether it is appropriate to try to resolve a complaint through informal resolution and what modality may be most successful and appropriate;
- Whether a restraining order is needed.

The Title IX Coordinator will appoint a member of the College who has been trained to perform this assessment. A videnerisk assessment completed by the College is not an evaluation for an involuntary behavioral health hospitalization or a psychological/mental health assessment. A videnerisk assessment assesses the risk of additional evidence, often with a focus on targeted predatory escalations. CCSNH typically utilizes the NABITA training model and uses the

- Assign a dismissal appeal decisionmaker who did not take part in the investigation of allegations or dismissal of the complaint;
- Provide the parties a reasonable and equal opportunity to make a statement in support of or challenging the dismissal; and
- Notify the parties of the result of the appeal and rationale for the result.

Grounds for dismissal appeals are limited to

1. Procedural irregularity that would change the outcome;
2. New evidence that would change the outcome and that was not reasonably available when dismissal was decided;
3. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest/bias for or against either or both parties that would change the outcome;
4. The dismissal was erroneously granted or denied.

Upon receipt of a written dismissal appeal, the Title IX Coordinator will share the petition with the other party and provide three (3) business days for the other party to respond. The appeal should specify at least one of the grounds above and provide reasoning/supporting evidence for why the ground is met. At the conclusion of the response period, the Title IX Coordinator will forward the appeal and response to the dismissal appeal decisionmaker. If the request for appeal does not provide information that meets the grounds above, the request will be denied by the dismissal appeal decisionmaker. The parties, advisors, and Title IX Coordinator will be notified of this in writing with rationale. If the appeal grounds are met, then the dismissal appeal decisionmaker will notify the parties, advisors, and Title IX Coordinator will be notified of this in writing with rationale. The effect will be to reinstate the complaint.

Appeals will be confined to a review of the written documentation and record of the original determination and pertinent documentation regarding the specific appeal grounds. The dismissal appeal decisionmaker has seven (7) business days to review and decide. Extensions can be granted at the discretion of the Title IX Coordinator and the parties will be notified. Dismissal Appeal decisionmakers may consult with the Title IX Coordinator on questions of procedure or rationale for denial if needed. The Title IX Coordinator will document all such consultation.

respondent takes a leave for a specified period of time, the resolution process may continue remotely.

If an employee respondent chooses not to participate in the resolution process, the process will proceed regardless of their participation. If an employee leaves their employment with unresolved allegations, the resolution process may continue. The Title IX Coordinator in consultation with the CCSNH Director of Human Resources and CCSNH Chancellor/College president may exercise their discretion to dismiss the complaint. If the employee attempted to return to CCSNH in any capacity, they may not do so until the complaint is resolved and any sanctions imposed are satisfied. At the discretion of the CCSNH Director of Human Resources and CCSNH Chancellor/College president, an employee may be replaced in the employee's file that they resigned with pending allegations.

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Reports that fall within the scope of this policy may be resolved without a formal investigation and resolution process in one of two circumstances:

1. When the parties resolve the matter through an alternative resolution mechanism;
2. When the respondent accepts responsibility for violating policy and desires to accept a sanction and end the resolution process.

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Informal resolution is a voluntary and needs-based resolution that does not involve taking disciplinary action against a respondent. The aim of informal resolution is not to determine

- Goals of the parties;
- Adequate resources to invest (time, staff, etc)

If at any point during an informal resolution process either the complainant or the respondent communicates dissatisfaction with the process and the Title IX Coordinator deems it appropriate, the Title IX Coordinator can terminate their informal resolution and begin resume a formal investigation and resolution process. The Title IX Coordinator has the discretion to make the

The Title IX team includes those who serve in roles at the discretion of the Title IX Coordinator

based solely on an individual's status or participation as a complainant, respondent, or witness

Unless specifically provided otherwise below, the following procedures will apply generally to cases involving allegations of sex discrimination, sex-based harassment, and/or sexual misconduct:

1 The Title IX Coordinator will assign or retain an investigator. A notice of investigator appointment letter will be sent to both parties. In this letter, the full name of the investigator will be provided. Each party will have 48 hours to object to the investigator's appointment on the grounds that the investigator has a bias for or against complainant(s) or respondent(s) generally or a particular party or has a conflict of interest. Objections must be made in writing and sent to the Title IX Coordinator who will decide whether or not to appoint an alternative investigator. This process will be repeated until an investigator is selected. After this objection time frame passes, all relevant information to the case will be transferred to the appointed investigator.

2 The investigator is authorized to access relevant records, including personnel, grievance, and student records except those deemed confidential or privileged by law. The investigator is authorized to contact any and all individuals without limitation. Both parties will be provided with timely notice of any meeting related to this process that they are invited to or expected to attend. This will include written notice of the date, time, location, participants, and purpose of the meeting with sufficient time for the party to prepare to participate. Meetings will be scheduled in conjunction with the party's academic course schedule to ensure that neither party is disadvantaged by a meeting related to this process. Additional meeting times will be included in notifications sent by the Title IX Coordinator at least 24 hours prior to the scheduled meeting. If a party is unable to attend, they must notify the Title IX Coordinator with the reason for the conflict and set up an alternate meeting time.

3 The parties will be asked to identify all witnesses with whom they wish the investigator to speak with and what questions they wish the investigator to ask of other parties or witnesses. The investigator will interview those witnesses who are believed by the investigator to have first-hand knowledge of the incident or otherwise relevant information. The investigator is not otherwise required to interview any particular witnesses even if identified by one of the parties. The investigator will include in the investigator report a rationale for why they did not interview a particular witness identified by one of the parties. The investigator will provide the draft investigator report to the Title IX Coordinator for their review/feedback.

investigative report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation. This includes evidence the College does not intend to rely on in reaching a determination. The parties will have ten (10) business days to review and comment so that each party may meaningfully respond to the evidence. The parties may elect to waive all or part of the review period. Any responses should be submitted to the Title IX coordinator within this 10-day period.

The Title IX Coordinator will make any party's response available for any other party to review.

5. The investigator will consider the parties' comments, if any, and incorporate relevant elements of the parties' written responses into the final investigative report as deemed appropriate at the investigator's discretion. This includes adding any additional relevant evidence, making necessary revisions, and finalizing the report.

6. At the conclusion of the investigation, the investigator will send the final investigative report to the Title IX Coordinator.

7. The final investigative report created by the investigator will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the investigator. The investigator will not offer recommendations regarding whether or not the policy was violated. At least 10 calendar days prior to the hearing referenced below, the College will send to each party and applicable advisors the final investigative report and exhibits in an electronic format for their review and written responses as detailed below.

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No unauthorized audio or video recording of any kind is permitted during investigation meetings. The investigator may utilize audio and/or video recording interviews at their discretion. All involved parties must be made aware of audio and/or video recording. Parties may review their recordings upon request. Transcripts, if used, will be included in the investigative report.

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Investigators will only consider relevant evidence, which is defined as evidence which may aid in determining whether an allegation occurred or whether the behavior constitutes a violation of policy. Investigators will not consider impermissible evidence, including:

- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior (unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged or if questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent);

- Information protected under a legal recognized privilege (such as privileged

decisionmaker is needed. After the dedication timeframe passes, all relevant information to the case will be transferred to the appointed decisionmaker.

- c. The decisionmaker may consider arguments from the parties on evidence being relevant or inadmissible in the parties' written responses and will rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing. The decisionmaker may consult with the Title IX Coordinator.**
- d. The decisionmaker, after any necessary consultation with the parties' investigator/Title IX Coordinator, will provide the names of persons who will be participating in the hearing¹⁸, all pertinent documentary evidence, the final investigative report, and a schedule/Zoom link to the parties at least seven (7) business days prior to the hearing in an email notice to all parties. Witnesses will be notified at least five (5) days before the hearing of the time they are asked to attend as pertinent information and any other pertinent information. Witnesses will only be present during their portion of questioning.¹⁹ Hearings will be scheduled into the summer as needed to avoid lengthy delays and may be scheduled over several days depending on witness schedules.**
- e. At least two (2) days before the hearing, the parties may submit (this may be done in consultation with their advisor) to the decisionmaker a written statement that identifies the facts they dispute and questions they believe the decisionmaker should ask of the parties and/or witnesses so that the decisionmaker may question the parties about these facts during the hearing. Facts that are undisputed by all parties may be relied upon by the decisionmaker even if they are not directly discussed at the hearing. The decisionmaker is not required to ask questions they deem irrelevant and/or inadmissible. The decisionmaker will share with all parties these statements as well as reasoning for not asking irrelevant/inadmissible questions. The decisionmaker may consult with the Title IX Coordinator on questions of admissibility regarding these determinations.**
- f. Ordinarily, but subject to the discretion of the decisionmaker, hearings will open with the hearing facilitator explaining the upcoming process and schedule, followed by an opening statement from the parties (but not their advisors) if they so choose. The decisionmaker will then ask their questions of the parties. Witnesses will be heard in a hearing.**

or appropriate and will provide notice to the parties if that occurs. Parties may request investigative updates at any time throughout the process.

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Appeals must be submitted in writing to the Title IX Coordinator within 5 business days of receipt of the notice of outcome. An appeal will not be considered if submitted after the allotted five (5) days have elapsed. The other party will be notified of the appeal and the grounds the appeal was filed under. Any sanctions imposed in the notice of outcome are paused during the appeal process. The appeal's decision maker may consult with individuals as deemed necessary in order to reach their decision. They will communicate their decision to the parties in writing within five (5) days of the date of the appeal with a copy to the Title IX Coordinator. Appeals are limited to the following grounds:

- A procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available at the time of determination;
- A member of the Resolution Process Title IX team had a conflict of interest or bias that would change the outcome;
- The sanctions are not appropriate for the level of the policy violation and/or cumulative disciplinary record.

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Any party may appeal a determination regarding responsibility under the grounds set forth in this policy. Supportive measures may be continued or reinstated by the Title IX Coordinator during the appeals process. If no appeal is filed or an appeal is not timely, the original finding will stand effective on the date the appeal period ends. The appeal procedures are implemented equally for all parties.

1. Upon delivery of the notice of outcome, both parties may submit an appeal to the Title IX Coordinator within 5 business days. Following receipt of a notice of dismissal for the purposes of Title IX, the parties may submit an appeal to the Title IX Coordinator within 5 business days. An appeal must articulate the specific grounds for the appeal and provide a statement and/or evidence.
2. The Title IX Coordinator will appoint an appeal decision maker to determine if the request meets the grounds for an appeal. This will be an independent person of the previous process including from any dismissal appeal that may have been heard earlier in the process. The parties will have 24 hours to object to the appointment of the appeal decision maker, in writing, on the basis of perceived bias or conflict of interest. The Title IX Coordinator has the sole authority to determine whether or not to replace an appeal's decision maker and that decision is final.
 - a. If the request does not meet the grounds for appeal, the request will be denied and the appeal decision maker

- 3** Modify the outcome and/or sanction with a rationale supporting the modification
- 6** Within five (5) business days of the date of appeal, and if of appeal outcome will be sent to all parties and the Title IX Coordinator simultaneously via email or mail which includes the decision on each ground cited and rationale for each decision. The notice of appeal outcome will provide specific

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- Prohibiting a student from holding office or participating in student activities (including sports for a specified time period);
- Restriction from other relevant activities or locations, such as a gym or recreational space;
-

leave of absence. While receiving academic modifications, students will remain registered and retain benefits accordingly.

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A copy of this policy will be made available to faculty and employees in an annually required training and posted on the College's website. The College will alert all new students about this policy in new student training. The Title IX office will make educational materials available to all members of the College community to promote compliance with this policy and familiarity with its procedures.

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All students and employees within our campus community deserve to feel safe and supported. The Community College System of New Hampshire works year-round to provide education, tools, and resources to recognize concerning or harmful behavior and strategies for intervening or to help others get the support they need. As part of these efforts, CCSNH provides primary prevention and awareness campaigns for all incoming students and new employees as well as ongoing prevention and awareness campaigns for all students and employees in compliance with the 2024 Title IX regulations, VAWA, and NH RSA 188H. These programs are comprehensive, intentional, and integrated initiatives, strategies, and campaigns intended to combat relevant Title IX issues. CCSNH considers each individual campus unique and designs its programs to fit each community to ensure they are culturally relevant, inclusive of diverse communities/identities, sustainable, responsive, and informed by research.

CCSNH also considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal level so that we can address actual issues that may influence how violence is occurring within our own community and how these programs

- Recognizing situations or potential harm
- Understanding institutional structures and cultural conditions that facilitate violence
- Overcoming barriers to intervening
- Identifying safe and effective intervention options, and
- Taking action to intervene

Safety is your top priority when intervening. Before jumping into a potentially dangerous situation, be smart and think about your own safety. Ask how can I keep myself safe? What are all options available? Whose might be able to assist me? Aside from safety in numbers, you may have more influence on the situation when you work together with someone else or even several people.

Remember the 3D's of bystander intervention

8-F 97H Directly confront the inappropriate behavior

Point out the threatening or inappropriate behavior in a safe, respectful manner.

8-GF 57H Draw away or divert attention

Make up an excuse to help a friend get away from someone who might pose danger (Let's go

- **Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability for sexual victimization**
-

Title IX New Student Training – Mandatory training completed online or in person at the start of every academic year that reviews College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction

Title IX Employee Training – Mandatory training completed online or in person at the start of every academic year that reviews mandatory reporter expectations, how to take/submit reports to the Title IX office, College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction

- Also completed for all new employees upon hire

USafeUS App – A free and confidential 24/7 online safety and prevention tool in response to Title IX related offenses that includes fake text/call features, GPS tool, alerts with friends, drink recipes to alert bartenders for help, contact information for campus reporting and local resources, College policy overview, and nationally available resources

- Download the app in the App store or Google Play & select your College campus

Title IX Refresher – Training offered upon request that can be done for campus clubs, student groups, classes, employees, etc. Material can be tailored to individual needs and can generally include College policy and procedures, definitions, jurisdiction, reporting options, resolution options, and risk reduction

Stalking Awareness Training – Training offered upon request that focuses on the Title IX offense of stalking, general awareness, case discussion, online safety measures, safety planning, bystander awareness, intervention, and reporting options

In addition to the above programming training that is offered every year, the College also hosts local domestic and sexual violence agencies on campus to engage in a variety of prevention and awareness programming each academic year. These change year to year to best address the needs of the community.

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All members of the Title IX team will receive training related to their duties

- **Applicable laws, regulations, and federal regulatory guidance**
- **How to implement appropriate and situation-specific remedies**
- **How to investigate/coordinate investigations in a thorough, reliable, timely, and impartial manner;**
- **Train informed practices pertaining to investigations and resolution processes**
-

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The Great Bay Community College provides direct service programs to the members of the College community. Groups in the Portsmouth area also provide programs and services to the members of the College community programs which are dedicated to the prevention of crime on campus, they vary in scope and content, with the emphasis on community involvement. Specific programs dealing with campus safety issues include the following

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Seacoast Mental Health Center	603668-4111
NH Area Assembly of Alcoholics Anonymous	(800) 593-3330
HAVEN (domestic and sexual violence)	603994-7233
National Suicide Hotline	988

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Campus Safety provides and facilitates various lectures, discussions, and training throughout the academic year on safety and security-related topics. The key to crime awareness is best achieved through education. At GBOC, security, faculty, staff, students, and others help one another to take responsibility for their respective safety and security.

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Here are some easy ways to help prevent thefts and other crimes to yourself and your property while on campus

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Lock ignition and remove keys. Close and lock windows and doors. Keep all valuables out of sight; use the trunk whenever possible. Choose a well-lit area to park at night. When returning to your vehicle, have your keys ready and check interior of your vehicle before entering. Be aware of the surroundings as you enter the parking area and near your vehicle.

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5J C-8K 5@? -B; 5@CB9, especially at night. Don't take shortcuts thru unlit or unfamiliar isolated areas; travel well-lit busy routes. If you feel like you're being followed, change directions and head for an area with lights and people. Use your cell phone if you have one and call the Police. If you're in trouble, G/F 95A ***It's your number or defense.

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7U'-%/cf *\$!(&!+* -+ and stay on the phone where it is safe or until told otherwise. Supply the address of the incident.

Campus focused

[Oley Center for Security on Campus, Inc](#)
[Campus Outreach Services](#)

Male focused

[Male Survivor The](#)

[Write Ribbon Campaign Men](#)

[Stopping Rape Welcome to](#)

[tin6](#)

[Men Can Stop Rape](#)

[My Strength is not For Hurling](#)

[Men Stopping Violence](#)

LGBTQ+

<http://www.gblhline.org> [The](#)

[Violence Recovery Program \(VRP\) at Fenway Health Gay](#)

[Men's Domestic Violence Project](#)

[New Hampshire Coalition Against Domestic and Sexual Violence](#)

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

6i f [U n i s t h e u n l a w f u l e n t r y o f a s t r u c t u r e t o c o m m i t a f e l o n y o r a t h e f t . F o r r e p o r t i n g p u r p o s e s , t h i s d e f i n i t i o n i n c l u d e s a n u n l a w f u l e n t r y w i t h i n t e n t t o c o m m i t a l a c e n y o r a f e l o n y , b r e a k i n g a n d e n t e r i n g w i t h i n t e n t t o c o m m i t a l a c e n y , h o u s e b r e a k i n g s a f e r a d k i n g a n d a l l a t t e m p t s t o c o m m i t a n y o f t h e a f o r e m e n t i o n e d . A n i n c i d e n t m u s t m e e t t h r e e c o n d i t i o n s : a) e v i d e n c e o f u n l a w f u l e n t r y (t r e s p a s s) , b) u n l a w f u l e n t r y m u s t o c c u r w i t h i n a s t r u c t u r e t h a t h a s f o u r w a l l s , r o o f , a n d d o o r , c) t h e s t r u c t u r e w a s u n l a w f u l l y e n t e r e d t o c o m m i t a f e l o n y o r t h e f t .

A d e f J V [M H A] i s t h e t h e f t o r a t t e m p t e d t h e f t o f a n o t o r v e h i c l e . (C l a s s i f y a s n o t o r v e h i c l e t h a t a l l c a s e s w h e r e a u t o m o b i l e s a r e t a k e n b y p e r s o n s n o t h a v i n g l a w f u l a c c e s s , e v e n t h o u g h t h e v e h i c l e s a r e l a t e r a b a n d o n e d - i n c l u d i n g j o y r i d i n g)

5 f g b i s a n y w i l l f u l o r m a l i c i o u s b u r n i n g o r a t t e m p t t o b u r n , w i t h o r w i t h o u t i n t e n t t o d e f r a u d , a d w e l l i n g h o u s e , p u b l i c b u i l d i n g , n o t o r v e h i c l e o r a i r c r a f t , o r p e r s o n a l p r o p e r t y o f a n o t h e r .

K Y u b b @ U k J [c U] b g a r e v i d a t i o n s o f l a w s o r o r d i n a n c e s p r o h i b i t i n g t h e m a n u f a c t u r e , s e l e , p u r c h a s e , t r a n s p o r t a t i o n , p o s s e s s i o n , c o n c e a l m e n t , o r u s e o f f i r e a r m s , c u t t i n g i n s t r u m e n t s , e x p l o s i v e s , i n t e n d e d d e v i c e s o r o t h e r d e a d l y w e a p o n s . T h i s c l a s s i f i c a t i o n e n c o m p a s s e s w e a p o n s o f f e n s e s t h a t a r e r e g u l a t o r y i n n a t u r e . M a n u f a c t u r e , s e l e , o r p o s s e s s i o n o f d e a d l y w e a p o n s , c a r r y i n g d e a d l y w e a p o n s , c o n c e a l e d o r o p e r t y , u s i n g m a n u f a c t u r i n g e t c . s i l e n c e s , f u r n i s h i n g d e a d l y w e a p o n s t o n i n o s , a l i e n s , p o s s e s s i o n d e a d l y w e a p o n s . T h i s t y p e o f v i d a t i o n a l s o a p p l i e s t o w e a p o n s u s e d i n a d e a d l y n a m e r .

8 f i [5 M g / J] c U] b g a r e v i d a t i o n s o f l a w s p r o h i b i t i n g t h e p r o d u c t i o n , d i s t r i b u t i o n , a n d / o r u s e o f c e r t a i n c o n t r o l l e d s u b s t a n c e s a n d t h e e q u i p m e n t o r d e v i c e s u l i z e d i n t h e i r p r e p a r a t i o n a n d / o r u s e . T h e u n l a w f u l c u l t i v a t i o n , m a n u f a c t u r e , d i s t r i b u t i o n , s e l e , p u r c h a s e , u s e , p o s s e s s i o n , t r a n s p o r t a t i o n o r i m p o r t a t i o n o f a n y c o n t r o l l e d d r u g o r n a r c o t i c s u b s t a n c e . A r r e s t s f o r v i d a t i o n s o f s t a t e a n d l o c a l u n l a w f u l t i o n s o f n a r c o t i c d r u g s

@ b e i c f @ U k J [c U] b g a r e v i d a t i o n s o f l a w s p r o h i b i t i n g t h e m a n u f a c t u r e , s e l e , t r a n s p o r t i n g , m a i n t a i n i n g u n l a w f u l d i n k i n g , i n t e m p e r a t e p e r s o n , u s i n g v e h i c l e c o n v e y a n c e , a l l a t t e m p t s t o c o m m i t a f e l o n y o r a t t e m p t e d t h e f t o f a n o t o r v e h i c l e .

- B. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or temporary or permanent mental or physical incapacity.**
- C. Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law**
- D. Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.**

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

A bias-related (hate) crime is not a separate, distinct crime, but it is the commission of a criminal offense which was motivated by the offender's bias. For example, a person assaults another person, which is a crime. If the facts of the case indicate that the crime was motivated by bias, it is a hate crime.

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

Di VJWZfcdMhnb' All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus

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		Cb7Uadi g DfcdMfjg	Di VjW DfcdMfm	I bzi bXK Vfja Yj
Murder, Nonnegligent Manslaughter				
	2021	0	0	\$
	2022	0	0	\$
	2023	0	0	\$
Manslaughter by Negligence				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0
Rape				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0
Fondling				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0
Incest				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0
Statutory Rape				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0
Ridbary				
	2021	0	\$	\$
	2022	0	\$	\$
	2023	0	\$	\$
Aggravated Assault				
	2021	0	\$	\$
	2022	0	\$	\$

	2022	0	0	0
	2023	0	0	0
Drug Law Violations Referred for Disciplinary Action				
	2021	0	0	0
	2022	0	0	0
	2023	0	0	0