



Northeastern University

Police

Annual Security & Fire Safety Report



BOSTON CAMPUS
2021

<https://nupd.northeastern.edu>

TABLE OF CONTENTS

MESSAGE FROM THE CHIEF	5
NOTICE OF NON-DISCRIMINATION	5
PREPARATION OF ANNUAL SECURITY REPORT	5
THE CLERY ACT	5
CAMPUS SECURITY AUTHORITIES	5
DATA COLLECTION AND POLICY REVIEW	6
PUBLICATION AND NOTICE OF AVAILABILITY.....	6
NORTHEASTERN UNIVERSITY POLICE DEPARTMENT.....	7
OVERVIEW	7
AUTHORITY AND JURISDICTION.....	7
PROFESSIONAL TRAINING.....	7
INTERAGENCY RELATIONSHIPS	8
NUPD CRIME, FIRE, AND ARREST LOG.....	8
REPORTING CRIMES AND EMERGENCIES	9
“IF YOU SEE SOMETHING, SAY SOMETHING”	9
CONFIDENTIAL AND ANONYMOUS REPORTING	9
POST-INCIDENT FOLLOW-UP.....	10
STATISTICAL DISCLOSURES AND CONFIDENTIAL REPORTING.....	10
HOW TO REPORT A CRIME IN PROGRESS OR OTHER EMERGENCY.....	11
CAMPUS BLUE PHONES	11
SAFETY FIRST.....	11
SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS	11
SAFETY ESCORT SERVICES.....	11
EMERGENCY TELEPHONES	12
PARKING FACILITY SECURITY	12
SAFEZONE	12
SECURITY AND FIRE ALARM SYSTEMS	12
ARCHITECTURAL DESIGN.....	12
SECURITY SURVEYS	12
FACILITIES SURVEYS	12
NEW STUDENT ORIENTATION	13
ADMISSIONS OPEN HOUSES	13
RESIDENCE HALL SECURITY.....	13
CRIME PREVENTION PRESENTATIONS	13
AIM TO PREPARE.....	13
“A QUICK HEADS UP” VIDEO MESSAGING	13
NEW EMPLOYEE ORIENTATION	14
RAPE AWARENESS, EDUCATION AND PREVENTION.....	14
LAPTOP AND BICYCLE THEFT PREVENTION	14
CRIME PREVENTION MATERIALS.....	14
ACCESS TO CAMPUS FACILITIES.....	14
MAINTENANCE AND SECURITY OF CAMPUS GROUNDS AND FACILITIES	15
TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS	15
CLERY ACT REQUIREMENTS	15

NU ALERT SYSTEM	15
METHODS OF NU COMMUNITY NOTIFICATION	16
EMERGENCY NOTIFICATIONS	16
TIMELY WARNINGS.....	17
REPORTING CRIMES	17
EMERGENCY RESPONSE AND EVACUATION PROCEDURES.....	17
EMERGENCY EVACUATION.....	18
SEXUAL VIOLENCE POLICY AND PROTECTIONS	18
REPORTING PROHIBITED OFFENSES.....	19
THE IMPORTANCE OF OBTAINING MEDICAL CARE IMMEDIATELY FOLLOWING A SEXUAL ASSAULT	19
ASSISTANCE NOTIFYING LAW ENFORCEMENT	19
FILING FOR A PROTECTIVE ORDER	19
ON CAMPUS RESOURCES FOR VICTIMS OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE.....	22
OFF-CAMPUS RESOURCES FOR VICTIMS OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE.....	22
POLICY ON RIGHTS AND RESPONSIBILITIES UNDER TITLE IX.....	23
POLICY PROHIBITING SEXUAL AND GENDER-BASED HARASSMENT	59
EDUCATION, TRAINING AND PREVENTION REGARDING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING.....	80
STUDENT EDUCATION.....	81
FACULTY AND STAFF EDUCATION	81
SURVEY ON SEXUAL AND GENDER-BASED HARASSMENT	82
RESOURCES AND SUPPORT	82
ON CAMPUS RESOURCES	82
OFF CAMPUS RESOURCES	83
SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION.....	84
NORTHEASTERN UNIVERSITY WORKPLACE VIOLENCE POLICY	85
PROCEDURES FOR MISSING STUDENTS RESIDING ON CAMPUS.....	85
DRUG, ALCOHOL, AND NO SMOKING POLICIES.....	86
BRIEF STATEMENT ON ALCOHOL AND OTHER DRUGS.....	86
PREVENTION, EDUCATION & TREATMENT	86
POLICY DEVELOPMENT AND ENFORCEMENT.....	87
OTHER PROGRAMMING.....	90
ONLINE RESOURCES.....	90
CLERY ACT/VAWA CRIME DEFINITIONS	90
CLERY ACT FELONY/PRIMARY CRIME DEFINITIONS.....	90
CLERY ACT SEX OFFENSES DEFINITIONS	91
ARREST AND REFERRALS FOR DISCIPLINE FOR VIOLATIONS OF LIQUOR, DRUG, AND WEAPONS LAWS.....	91
HATE CRIMES	92
VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) CRIMES.....	92
RULES FOR CALCULATING STATISTICS DISCLOSED IN THE ANNUAL SECURITY REPORT	94
PART I CRIMES (FELONY OFFENSES).....	94
PART II CRIMES (ARRESTS/REFERRALS FOR WEAPONS, DRUG, AND LIQUOR OFFENSES).....	95
PART III CRIMES (HATE CRIMES)	95

PART IV CRIMES (VAWA OFFENSES).....	96
CALCULATING STATISTICS SUBJECT TO THE HIERARCHY RULE	96
UNFOUNDED CRIMES	99
NORTHEASTERN UNIVERSITY CRIME STATISTICS	100
ANNUAL SECURITY AND FIRE SAFETY REPORT 2021.....	100
FIRE SAFETY IN ON-CAMPUS RESIDENCE HALLS	102
FIRE ALARM AND SUPPRESSION SYSTEMS.....	102
POLICIES ON RULES FOR ELECTRICAL APPLICATIONS, SMOKING, AND OPEN FLAMES	105
FIRE SAFETY TRAININGS AND EVACUATION PLANS FOR HOUSING AND RESIDENTIAL LIFE STAFF AND RESIDENTS	105
FIRE LOG	106
REPORTING FIRES	106
PLANS FOR FUTURE IMPROVEMENT	106
NORTHEASTERN UNIVERSITY FIRE STATISTICS	108

MESSAGE FROM THE CHIEF

Located in the heart of the City of Boston, Northeastern University is part of the diverse tapestry that makes this city an extraordinary place to live, learn, and grow. As a major urban university, our institution embraces a vibrant community that actively plays an essential role in influencing the Northeastern experience. An evolving network of involvement and inquiry has grown this community into a thriving society for students, faculty, staff, and our visitors.

The Northeastern University Police Department is comprised of an exceptional group of professionals who are relentlessly dedicated to helping establish a safe and secure campus experience. We can only accomplish this with the collective effort of the entire Northeastern community. Not only are we all connected to Northeastern University, but we are each a part of the greater Boston community. Our institution is built on a tradition of engagement with the world and in order to achieve a truly safe campus environment, the cooperation of all students, faculty, and staff is essential. Each of us must assume personal responsibility and take precautions as the potential for crime will always exist.

I encourage you to peruse our annual report to both discover our services and view opportunities in which you may contribute to our mission, your personal safety, and the community.

Michael A. Davis
Vice President for Campus Safety and Policing
Northeastern University

NOTICE OF NON-DISCRIMINATION

Northeastern University (the "University") is committed to providing equal opportunity to its students and employees, and to eliminating discrimination when it occurs. In furtherance of this commitment, the University strictly prohibits discrimination or harassment on the basis of race, color, religion, religious creed, genetic information, sex, gender identity, sexual orientation, age, national origin, ancestry, veteran, or disability status.

PREPARATION OF ANNUAL SECURITY REPORT

THE CLERY ACT

The federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (more commonly referred to as the Clery Act) requires all postsecondary educational institutions participating in federal Title IV student financial assistance programs to comply with the Clery Act and to institutionalize its mandates. Among the various requirements, colleges and universities are required to prepare, publish, and distribute an Annual Security Report ("ASR") concerning campus crime statistics, statements of safety and security policies and procedures, and a fire safety report on an annual basis.

CAMPUS SECURITY AUTHORITIES

Federal law requires the University to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the University's Clery geography and that are reported to

University employees.¹ Under the Clery Act, individuals that are required to report crimes include any member of the Northeastern University Police Department (“NUPD”); any individual who has responsibility for campus security, but who is not a member of NUPD (e.g., contract security officers); any University official who has significant responsibility for student and campus activities; and any individual identified by the University as someone to whom a crime should be reported. The University has designated all employees Responsible Employees under the University’s *Policy on Rights and Responsibilities Under Title IX*. Responsible Employees² include all faculty, staff and student employees within Residential Life. Responsible Employees are required to report all crimes and allegations of Prohibited Offenses³ under the policy. Resident Assistants and Resident Directors are also among the individuals required to immediately report crimes they become aware of.

For Clery Act purposes, Responsible Employees are not required to disclose to NUPD confidential information concerning an incident, such as information that would identify a victim of a crime who wishes for their identity to remain confidential. However, Campus Security Authorities (“CSAs”) are required to report the existence of all known incidents, including confidential incidents, so that those incidents can be recorded as statistics and, where appropriate, disclosed in the University’s ASR.⁴

The University urges all community members to report any criminal incident to NUPD or law enforcement for the geographical jurisdiction in which an incident occurs, particularly where a victim is unable to do so themselves.

DATA COLLECTION AND POLICY REVIEW

NUPD is charged with the responsibility of collecting the information and data for the preparation of this ASR and publishing it by the October 1 deadline each year. That process requires immediate, ongoing, and annual efforts involving outside law enforcement agencies as well as departments University-wide.

Preparation of the ASR includes gathering crime statistics from reports of crimes disclosed to and reported by those identified as Responsible Employees according to University policy, as well as local law enforcement agencies, and reconciling those statistics with NUPD’s own statistics in order to avoid duplicate reporting. In addition, preparation of the ASR requires review of University policies and procedures concerning campus safety and disclosure of those policies and procedures in this report.

PUBLICATION AND NOTICE OF AVAILABILITY

The University publishes its ASR on the NUPD website under Annual Security & Fire Safety Reports <https://nupd.northeastern.edu/annual-reports/>. Each year, an email notification advising of the report’s

¹ Definitions of Clery Act crimes and geographical locations are at page 90 of this ASR.

² Responsible Employees are also CSAs for the purposes of the Clery Act and include all members of NUPD; any individual with responsibility for campus security; and any University official with significant responsibility for student and campus activities.

³ The University’s *Policy on Rights and Responsibilities Under Title IX*, defines Prohibited Offenses to include sexual assault, sexual harassment, domestic violence, intimate partner violence, dating violence, stalking and retaliation involving a student or students.

⁴ Please see Confidential and Anonymous Reporting below, for more information.

availability and containing a direct link to a PDF version of the report is sent to all enrolled students, faculty, and staff. The University community is further advised that paper copies of the report are available upon request at NUPD, 716 Columbus Place, Boston, Massachusetts 02120. Prospective employees and new hires may obtain a copy of the report through Human Resources Management.

NORTHEASTERN UNIVERSITY POLICE DEPARTMENT

OVERVIEW

Full-time Community Service Officers and full-time civilian Dispatchers supplement the full-time professional police officers, bringing the total number of police and civilian staff to approximately ninety men and women. The department's 24-hour communications center coordinates and supports the activities of field personnel and facilitates communication regarding department activities among the community.

AUTHORITY AND JURISDICTION

NUPD is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) and is recognized by the Commonwealth of Massachusetts as a criminal justice agency. All sworn NU police officers are "special state police officers" pursuant to Massachusetts General Laws Chapter 22C, §63.⁵ Under this statute, officers have the same powers to make arrests "in and upon lands or structures, owned, used or occupied by such college as regular police officers." Given the University's urban environment, NUPD officers are also appointed as Suffolk County deputy sheriffs to allow them to provide service while on the public streets and other areas of the city contiguous to the campus when necessary, to maintain the safety and security of the University's property and community.

Most NUPD Officers are also certified as Emergency Medical Technicians and all officers are certified CPR First Responders. Fully equipped emergency medical supply kits, including automatic external defibrillators (AED), are carried in all University Police cruisers, and additional AEDs are installed at publicly accessible locations in various campus buildings. Many officers are certified cardiopulmonary resuscitation instructors who regularly present CPR classes to student and employee groups.

PROFESSIONAL TRAINING

All newly appointed NUPD Officers are graduates of a police academy conducted or sanctioned by the Massachusetts State Police or Massachusetts Police Training Committee, and they must pass an extensive screening process and background check before they are hired. Recruit training academies consist of several months of full-time, in-depth training in all aspects of police operations and are followed by several weeks of field training under the close supervision of a NUPD Police Training Officer. Annual in-service refresher training is provided to all officers, and officers are also frequently assigned to attend in-depth training in a wide variety of specialized topics such as crime prevention theory and the investigation of sexual assaults and bias-motivated crime, as well as other subjects which enhance the department's ability to provide comprehensive public safety services.

The Command and Supervisory staff of NUPD lead by example and actively participate in professional associations which foster increased proficiency in their areas of responsibility. Members of the staff

⁵ See <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter22C/Section63> for the full text of the statute.

maintain active membership as well as leadership positions in the International Association of Campus Law Enforcement Administrators, the Northeast Colleges and Universities Security Association, the Massachusetts Association of Campus Law Enforcement Administrators, the Massachusetts Chiefs of Police Association, the Greater Boston Campus Police Criminal Information Exchange, and the Massachusetts Police Training Officers Association.

INTERAGENCY RELATIONSHIPS

The NUPD maintains a close working relationship with the Boston Police Department (BPD), with state and federal law enforcement agencies, and with various other elements of the criminal justice system in an effort to enhance the quality of NUPD's law enforcement services to the University community. This collaboration includes sharing of intelligence and statistical data related to criminal activity impacting the University community, reciprocal cooperation and assistance with alleged criminal activity affecting the University community and exchanging relevant reports and statistics. NUPD collaborates with local law enforcement agencies that respond to or investigate alleged criminal activity involving students, including when such activity occurs at off campus locations. The University does not have any officially recognized student organizations with non-campus locations. NUPD Detectives are affiliates of the Boston Regional Intelligence Center where they regularly receive and exchange information related to crime trends and homeland security with their local, state and federal law enforcement colleagues. NUPD and BPD have agreed to share crime statistics and information pursuant to investigations. Additionally, NUPD officers have direct radio access to BPD to ensure effective coordination between departments during emergencies.

NUPD CRIME, FIRE, AND ARREST LOG

In accordance with the Clery Act and Massachusetts General Laws Chapter 41, Section 98F, NUPD publishes a daily crime, fire and arrest log, referred to as the Public Police Log.

Content of the Public Police Log

The Public Police Log contains the following information:

- Crimes reported to NUPD.
- NUPD responses to valid calls for services within NUPD jurisdiction, excluding calls for service related to medical or well-being checks, alarms, escorts, and maintenance.
- Fires within residential halls facilities.
- The name, address, and charges against any arrested individual as well as whether the individual was arrested (physical in-custody arrest) or summonsed to court. All individuals arrested or summonsed to court are presumed innocent until proven guilty in a court of law.

The Public Police Log includes the nature, date, time and general location of reported crimes, as well as the disposition of the complaint. Information is added to the Public Police Log within two business days of reporting, except if the disclosure is prohibited by law or would jeopardize the confidentiality of a victim.

Information may be temporarily withheld from the Public Police Log if NUPD determines the release of the information could jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect

to flee or evade detection, or result in destruction of evidence. Once the information is no longer likely to prove harmful, it will be added to the log.

Availability

The Public Police Log for the most recent 60-day period is available to the public. Portions of the log that are older than 60 days are available upon request within two business days to view in person at NUPD headquarters.

As of March 1, 2021, the Public Police Log will be available electronically using the following link – [NUPD Public Police Log](#)

For questions regarding the Public Police Log, please contact: Lt. Det. Wendy Lynch at w.lynch@northeastern.edu.

REPORTING CRIMES AND EMERGENCIES

“IF YOU SEE SOMETHING, SAY SOMETHING”

The University encourages accurate and prompt reporting of all crimes and public safety-related incidents to the NUPD or other appropriate police agencies. Remember, reporting crimes helps in preventing them from happening again. When police arrive at the scene of a crime-in-progress within the first two minutes of receiving a call, the chances of apprehending a suspect are greatly increased. The odds of making an arrest decrease quickly as time passes. The Department uses the information provided by reporters of crimes to coordinate delivery of immediate responses and to track crime and related trends to develop specific ways to combat crime.

CONFIDENTIAL AND ANONYMOUS REPORTING

Confidential and anonymous reports will be accepted and included in the ASR for statistical purposes, but confidential and anonymous reports may significantly limit the ability of police to fully investigate and address the alleged crime.

If a victim of a crime or a Complainant⁶ does not consent to the disclosure of their identity to NUPD, the individual making the report must inform NUPD of the reporting party's wish for confidentiality and report the incident for statistical purposes. The University will take reasonable steps to investigate and respond to a report of a crime or prohibited offense consistent with the request for anonymity, but the University may not be able to honor requests for anonymity in all cases.

If a Complainant requests to remain anonymous during a Title IX investigation,⁷ the Title IX Coordinator will consider the request, balancing the request in the context of the University's responsibility to provide a safe and non-discriminatory environment for the University community, as well as the fair and

⁶ The University uses the term Complainant to mean an individual who was reportedly subjected to an alleged Prohibited Offense under the Policy on Rights and Responsibilities Under Title IX.

⁷ Title IX is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. The University's *Policy on Rights and Responsibilities Under Title IX*, defines Prohibited Offenses which includes sexual assault, sexual harassment, domestic violence, intimate partner violence, dating violence, stalking and retaliation.

equitable treatment of the individuals involved. The University will take reasonable steps to honor the request for anonymity, but may not be able to do so in all cases. In such cases, the Title IX Coordinator will notify the Complainant that the University intends to proceed with an investigation, and the possibility that during the investigation, the Complainant's identity may have to be disclosed to individuals who may have relevant information regarding the allegation.

POST-INCIDENT FOLLOW-UP

NUPD will investigate a matter and provide related support, and/or refer it to the University for administrative review. NUPD will refer a case to local law enforcement if the incident did not occur on University property. NUPD will assist a Complainant in securing appropriate local law enforcement resources at the individual's request. A Complainant may decline to report a matter to local law enforcement.

STATISTICAL DISCLOSURES AND CONFIDENTIAL REPORTING

The University offers confidential resources for medical treatment, emotional support and counseling through Confidential Employees. Confidential Employees⁸ are not required to disclose information about crimes and prohibited offenses without consent from the reporting student. Confidential Resources on campus include University Health and Counseling Services (UHCS), and spiritual advisors at the Center for Spirituality, Dialogue and Service (CSDS) and the Office of Prevention and Education at Northeastern (OPEN) including the Sexual Violence Resource Center.

Contact UHCS:

<http://www.northeastern.edu/uhcs/>
617.373.2772

Contact CSDS:

[https://www.northeastern.edu/spirituallife/
clds@northeastern.edu](https://www.northeastern.edu/spirituallife/clds@northeastern.edu)
617.373.2728

Contact OPEN/Sexual Violence Resource Center:

Walk-in 12:00pm-5:00pm Monday-Friday or email to arrange an alternative time
[https://studentlife.northeastern.edu/open/
open@northeastern.edu](https://studentlife.northeastern.edu/open/open@northeastern.edu)

The University encourages Confidential Employees to verbally inform any persons they are counseling, if and when they deem appropriate, of the procedures to report crimes on a confidential basis for inclusion in the annual disclosure of crime statistics.

⁸ Confidential employees are University employees bound by their profession to confidentiality, and therefore, are not required to disclose information about crimes or prohibited offenses without the consent of the reporting party.

HOW TO REPORT A CRIME IN PROGRESS OR OTHER EMERGENCY

Anyone on campus in need of emergency police, fire, or medical services should call 617.373.3333 to be connected with NUPD's emergency line. Calls are answered 24-hours a day every day by full-time trained Communications Officers at the Department's Police Operations Center, and the Department will dispatch police officers to assist on campus and in the areas immediately surrounding the campus. If an individual requires emergency assistance at an off-campus location, they should call 911 to connect with the police agency that has jurisdiction over the caller's immediate location.

CAMPUS BLUE PHONES

Campus assistance telephones identified by a blue light (typically known as "blue phones") are located throughout the campus, are connected to the Department's 24-hour Police Operations Center, and if activated identify the location of the phone used to place a call should the caller be unable to talk. The phones can be used to report crimes, emergencies, or suspicious activity; to request emergency medical or fire assistance; to request a safety escort; or to call any on-campus extension.

SAFETY FIRST

If you witness a crime or other emergency, immediately go to a safe place and call NUPD if the incident occurs on campus, or call 911 if the incident occurs off campus. If the matter concerns a crime, stay on the line, and tell the dispatcher everything you can remember about the suspect (his/her clothing and appearance, vehicle, direction of travel, and anything else that may be helpful to the department in its effort to apprehend the suspect).

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

The best strategy for addressing crime is to prevent it from happening in the first place. NUPD provides a number of services designed to aid in the prevention of crime, whether through active safety tools for community members, or through community policing engagements facilitated by the Department's Community Engagement Unit ("CEU"). Following is a list of such services and engagement that serve as a foundation for additional programming and services that may be offered throughout the year.

For prevention and education programs offered by other University offices, please see page 80.

SAFETY ESCORT SERVICES

Personal Safety Escort: NUPD provides courtesy safety escorts for members of the University community to and from any on campus location. The service operates 24 hours per day, 7 days a week, throughout the year and is available upon request by calling NUPD at 617.373.2121.

RedEye Off-Campus Safety Escort: a safety escort is available for students who live within two miles of the center of campus. Every night from 7 p.m. until 6 a.m., the RedEye van will pick students up at Snell Library. Students must book a ride in advance using the RedEye App or at the RedEye dispatch center located at the Northeast Security office in the Ruggles Substation.

For more information, visit <https://nupd.northeastern.edu/our-services/safety-escort-services/>.

EMERGENCY TELEPHONES

Well-marked emergency “blue light phones” are located throughout exterior and interior areas of the University to provide the community an immediate means of contacting NUPD dispatch during an emergency. NUPD can also be reached on the “blue light phones” by simply dialing 3333 on the phone.

PARKING FACILITY SECURITY

Parking facilities are staffed by trained parking facility employees and/or security officers. Parking facilities are regularly patrolled by security officers and NUPD officers. Emergency phones, closed circuit television monitoring (“CCTV”), and lighting augment security in parking areas.

SAFEZONE

NUPD utilizes the SafeZone app, a cloud-based mobile application that allows users to send a real-time, geo-located alert to on-duty NUPD personnel allowing resources to quickly respond to emergency situations. Quick access to call NUPD is available through the app, as well as one-touch dialing to local emergency resources when off-campus. Additionally, when a student or employee is working or studying alone in an area on campus, the individual has the ability to share their location by activating the check-in feature. Location information is only sent when the user activates an alert or checks in using the app. For more information, visit <https://nupd.northeastern.edu/safezone/>.

SECURITY AND FIRE ALARM SYSTEMS

A computer-enhanced alarm system monitors a campus-wide network of intrusion, fire, and duress alarms. The alarms are tested monthly to ensure proper functioning, and connect directly to NUPD headquarters.

ARCHITECTURAL DESIGN

Technical and crime prevention specialists work closely with design engineers regarding physical security systems and fire safety equipment when new construction or major renovations are planned on campus. The NUPD subscribes to the proven concepts and principles of Crime Prevention Through Environmental Design (CPTED).

SECURITY SURVEYS

Comprehensive physical and operational security surveys are frequently conducted by NUPD to assist members of the University community to improve the security of their workspaces and personal belongings. Security assessments are available all year long and are provided upon request. Security assessments provide members of the University community an in depth understanding of security procedures and practices, as well as ways to lookout for themselves and others within their environment.

FACILITIES SURVEYS

The Department conducts ongoing facilities surveys designed to identify deficiencies in exterior lighting, locking hardware, and premises so those deficiencies can be addressed in the ordinary course.

NEW STUDENT ORIENTATION

CEU presents crime awareness and prevention information to new students and their parents through a partnership with the University's Office of Student Orientation and Parent/Family Programs. Orientation programming runs during the summer and at the start of every semester throughout the academic year. During such programming, CEU officers present to students and parents, staff event tables, and provide written information discussing tips and strategies for enhancing personal safety.

ADMISSIONS OPEN HOUSES

CEU partners with the Offices of Undergraduate Admissions and provides similar presentations and written materials during prospective student open houses hosted by the Admissions Department.

RESIDENCE HALL SECURITY

CEU works closely with the Department of Residential Life and the Residential Safety Office to promote safety in the residence halls through training and education of staff and residents. This training is conducted at least every academic year for Resident Assistants, Resident Directors, and Proctors. Training covers security procedures and practices within the University residence halls and encourages ways for to collaborate on efforts to enhance personal and campus safety.

CRIME PREVENTION PRESENTATIONS

CEU speaks on crime prevention and response to University community groups in residence halls, academic departments, classroom settings, and professional staff environments multiple times per year. Discussions are tailored to address specific community concerns and are provided upon request.

AIM TO PREPARE

Aim to Prepare is a training series that is provided by NUPD to staff, faculty, and students that covers security awareness training. The trainings in this series include: Security Awareness Training (SAT 101), Active Threat Preparation, Recognition of Suspicious Activities, and De-escalation of Emotionally Charged Situations.

CEU will present information on how best to be prepared, and what actions one can take when faced with various types of situations that can and do arise when we are at work, home, or at play. Many practical safety tips will be relayed to help individuals plan and prepare for their safety/security and that of the ones they love and care for. Included in the discussion will be planning for serious situations and emergencies, recognizing suspicious activity and what to do with that information, de-escalation techniques, and the latest in safety/security communication features.

"A QUICK HEADS UP" VIDEO MESSAGING

CEU distributes video messages through a program called "A Quick Heads Up" several times throughout the year. The messages are available through NUPD's social media platforms. The videos address security procedures, safe practices, and they encourage University community members to proactively collaborate to enhance personal and campus safety.

NEW EMPLOYEE ORIENTATION

CEU provides new employees with campus safety and security information at the start of their employment at the University. The information provided includes safety and security tips and strategies on how to be responsible for their own security and security of others.

RAPE AWARENESS, EDUCATION AND PREVENTION

Specially trained NUPD officers present programs dealing with domestic violence, rape, and sexual assault, and train members of the University community in the Risk Reduction and Self Defense. NUPD offers two separate courses: NUPD Basic Self Defense and NUPD Advanced Self Defense. The NUPD Basic Self Defense course is offered at least once an academic semester, is a 2.5 hour course, and provides risk reduction information and basic self-defense techniques. The NUPD Advanced Self Defense course is offered at least once an academic semester, is a (2) day, 2.5 hour course, and provides additional risk reduction information and advanced self-defense techniques. These programs provide all members of the community with a hands-on understanding of ways to lookout for and protect themselves and others.

LAPTOP AND BICYCLE THEFT PREVENTION

CEU promotes laptop and bicycle theft prevention and advises students, staff and faculty on the use of techniques and products to minimize theft of valuable personal items such as cell phones, iPods, iPads, etc. This prevention effort is done through crime prevention tables at campus events, crime prevention talks, and social media throughout the year. To begin the registration process of laptops and bicycles with NUPD, students are encouraged to visit: <https://nupd.northeastern.edu/our-services/property-registration/>.

CRIME PREVENTION MATERIALS

Crime prevention materials related to a number of topics including domestic violence, sexual assault, bicycle security, motor vehicle security, and residence hall safety and security, are available at NUPD headquarters. Crime prevention materials can also be found at our website: <https://nupd.northeastern.edu/>.

ACCESS TO CAMPUS FACILITIES

Overview

Most campus buildings and facilities, other than student residence halls, are accessible to members of the campus community, their guests, and visitors during normal hours of business, and during designated hours on weekends and holidays, depending on the wide variety of events and activities taking place outside the normal business hours.

Residence Halls

Doors to residence halls remain locked 24 hours a day. Proctors monitor access at most residence halls and access is permitted to residents upon presentation of a valid student ID card. Residence in the hall is verified by an electronic access control system. Guests and visitors must present a photo ID to the proctor and be signed in by their host.

Residence halls are equipped with intrusion alarms on exterior doors as well as alarms to detect doors which have been propped open. These alarms are monitored at the NUPD Operations Center and police officers are dispatched to investigate when an alarm sounds.

Off-Campus Housing Through the University

The University provides housing for some students through agreements with realty management firms for spaces in buildings not managed by the University, otherwise referred to as "leased property." These facilities follow security and fire codes in accordance with the City of Boston regulations.

MAINTENANCE AND SECURITY OF CAMPUS GROUNDS AND FACILITIES

The University maintains a strong commitment to campus safety and security. Exterior lighting is an important part of this commitment. Parking areas, pedestrian walkways and building exteriors are well lit. Surveys of exterior lighting on campus are conducted regularly by NUPD officers and Facilities Department staff. High priority is given to maintenance of exterior lights. Members of the campus community are encouraged to report any exterior lighting outages to the NUPD and/or Facilities Department.

The exterior doors to campus offices and academic buildings are locked following the last class or end of the business day each evening. Door and locking hardware deficiencies should be reported to the Facilities Department immediately upon discovery by Public Safety staff. Shrubbery and trees on campus are trimmed on a regular basis.

Campus streets, parking areas, grounds and buildings are patrolled 24 hours a day, every day of the year by NUPD officers and Community Service officers. Patrols of residence halls include the perimeter as well as lobbies, cafeterias and basements. Contract security officers supplement the Department's officers, providing a visible deterrent to crime and serving as additional "eyes and ears" for NUPD.

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

CLERY ACT REQUIREMENTS

The Clery Act requires the University to issue an "emergency notification" to the campus community upon confirmation of a significant emergency or dangerous situation occurring on campus and involving an immediate threat to the health or safety of the campus community. Examples of situations that may require an emergency notification are a severe weather hazard, serious communicable health threat, crimes that pose an immediate threat to personal safety, or other chemical or hazardous situations.

The Clery Act also requires the University to issue a "timely warning" to the campus community regarding any reported Clery Act crime that occurs within the school's Clery geography, and is deemed to represent a serious or continuing threat to the University community.

NU ALERT SYSTEM

The University employs the NU Alert system to communicate emergency notifications and timely warnings to the affected University campus. A test of the NU Alert system is conducted on an annual

basis to ensure proper functionality. Messages sent from the NU Alert system can be sent to University email accounts and to enrolled mobile phone numbers via text message. NU Alert messages will be sent to all community members with contact information associated with the affected campus. The NU Alert system is updated on a daily basis through centralized University databases. Members of the community are reminded to update their University contact information at the beginning of each semester, or at any time, by visiting the *myNortheastern* portal.

The Office of Emergency Management, plans, publicizes, and conducts a test of the NU Alert emergency response and notification system at least annually, and maintains a record documenting each test, including a description of the test, date and time of the test, and whether it was announced or unannounced.

METHODS OF NU COMMUNITY NOTIFICATION

In situations where the University needs to reach the entire campus community, targeted groups, or share additional information, one of the following methods of notification is used:

Emergency Notifications and *Timely Warnings* seek to accomplish the same objective (*i.e.*, timely notice to the community regarding ongoing dangers), but are distinguishable in terms of what circumstances trigger an emergency notification obligation versus a timely warning obligation. Both types of messages contain a brief description of the type of emergency along with instructions for self-protection. Both are discussed in more detail below.

NUPD Advisories are a method of communication that may be used to facilitate mass email notifications to the University community, to specifically affected University populations, or through NUPD social media accounts. NUPD advisories are utilized to share important information that does not necessarily rise to the level of an emergency notification or timely warning. They may also be used to inform the community about relevant safety awareness campaigns.

EMERGENCY NOTIFICATIONS

The NUPD receives information through officers on patrol, offices and departments on campus, local municipal law enforcement, email, phone calls, text messages, and other media sources. Reported emergencies will be confirmed by police dispatched to the scene, through the use of security cameras, or a combination of both. If the NUPD confirms, based on information received from these sources, or others, that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of the University community, the University will, through NUPD, without delay, and taking into account the safety of the campus community, determine the content of the emergency notification and initiate the notification system. The only reason an emergency notification would not be immediately issued for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

The acting Sergeant on duty, or a higher-ranking command staff member including the Chief of Police, or the University Emergency Manager have the authority to prepare and disseminate an emergency notification without delay, taking into account the safety of the community. In determining an

appropriate emergency notification, the University will take into account several factors, including, but not limited to, the segment of the population threatened and the nature of the immediate threat.

The emergency notification will contain information regarding the event, as well as instructions regarding immediate protective action that should be taken. The NU Alert system will send emergency notifications to the affected population via text message to mobile phones and via University email. Additional methods of communication such as voice message and/or social media may be utilized for emergency notifications. Follow up messaging will be sent to the University community when such instructions are required and/or emergency conditions have abated utilizing the same methods of notification as the initial message at minimum.

Emergency notifications will also be posted on the NUPD safety notification webpage at <https://nupd.northeastern.edu/safety-notifications>.

TIMELY WARNINGS

The University, through the NUPD, issues timely warnings concerning Clery Act crimes that occur on the University's Clery geography, where those crimes pose a confirmed, ongoing threat to the safety of the campus community. The decision to issue a timely warning is made on a case-by-case basis, as soon as pertinent information becomes available, and in light of all known circumstances surrounding a crime, including factors such as whether there exists a continuing threat to the campus community, whether the perpetrator has been apprehended, and the possible risk of compromising law enforcement efforts.

The Chief of Police or designee has the authority to issue timely warnings. The process the University will follow when determining whether to issue a timely warning is designed to expedite the decision-making process, and initiate notification to the community.

Upon receiving a report that may result in the issuance of a timely warning, NUPD command staff will analyze the incident and consult, when necessary, with other University departments (*e.g.*, Student Affairs). This consultation may be conducted in person, or via electronic means, and is undertaken for the purpose of discussing relevant facts, the level of threat to the community, whether a timely warning will be issued, and the content of any timely warning notice. When the University issues a timely warning, it will do so through the NU Alert system which will generate emails to the impacted University students, faculty and staff.

Timely warnings will also be posted on the NUPD safety notification webpage at <https://nupd.northeastern.edu/safety-notifications>.

REPORTING CRIMES

Crimes and emergencies occurring on campus should be reported directly to the NUPD, particularly where an incident may involve the need for issuance of a notification to the University community. NUPD can be contacted at 617.373.3333.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Office of Emergency Management is responsible for coordinating University responses to emergencies, in accordance with established emergency operations plans. Emergency operations plans are developed for each campus and follow the facets of the Incident Command System (ICS). Members of the University community should familiarize themselves with the NU Emergency Guidebook, found online at <https://nupd.northeastern.edu/guide>. The NU Emergency Guidebook is also available in print through the Office of Emergency Management.

Exercises are conducted at least annually to assess one or more core capabilities in the areas of prevention, protection, mitigation, response, and recovery. Exercises range from full-scale exercises to tabletop exercises and align with the U.S. Department of Homeland Security's Exercise and Evaluation Program (HSSEP). Exercises are scheduled and announced by University email notification to minimize the impact to the campus. All exercises are documented, including a description of the exercise and the date and time it occurred. Exercise objectives are evaluated through an exercise evaluation process involving outside organizations and agencies, which leads to after action reporting and improvement planning. Emergency operations plans are revised every three years and exercise after action reports are used in the revision process.

EMERGENCY EVACUATION

In the event that it becomes necessary to evacuate a building, the fire alarm system, or in some buildings a public announcement system, may be used to notify occupants. When the fire alarm sounds, proceed quickly and calmly to the nearest exit or follow the instructions provided over the announcement system. Always bring essentials with you such as an ID, purse, keys, or jacket—you could be displaced from the building for an extended period of time. Do not use elevators. It is recommended that you familiarize yourself with two means of exit from areas where you routinely work, study, or live. Remain outside the building until a public safety official authorizes reentry or directs you to an area of safety if the evacuation will be for an extended period of time.

The University's emergency response and evacuation procedures are publicized at least once a year via University email. Visit <https://nupd.northeastern.edu/guide> for more information on emergency response and evacuation procedures.

SEXUAL VIOLENCE POLICY AND PROTECTIONS

The University is committed to fostering a campus climate of mutual tolerance and respect. Toward that end, the University strictly prohibits and will take prompt and equitable action to prevent, detect, investigate, resolve, avoid recurrence, and remedy acts of sexual assault, sexual harassment, domestic violence, intimate partner violence, dating violence, stalking, and retaliation as those terms are defined both under the Clery Act and under the University's *Policy on Rights and Responsibilities Under Title IX* (the "Title IX Policy").⁹ For ease of reviewing this policy statement, the aforementioned acts are collectively referred to as "Prohibited Offenses."

The U.S. Department of Education issued new Title IX regulations regarding campus sexual harassment that went into effect on August 14, 2020. As a result, the University updated its Policy on Rights and

⁹ See *Rights and Responsibilities Under Title IX* section on page 23.

Responsibilities Under Title IX to be in compliance with the new federal regulations. The University also updated the Policy on Sexual Harassment (now the University's Policy on Sexual and Gender Based Harassment) (the "SGBH Policy") to address conduct that is now outside the scope of Title IX, according to the new federal regulations.¹⁰

REPORTING PROHIBITED OFFENSES

Complainants are urged to report Prohibited Offenses to either or both NUPD (617.373.2121) and the Office for University Equity and Compliance (OUEC) (617.373.4644) as soon as possible, regardless of where an incident occurred, and regardless of whether an assailant is known to a Complainant.

University policy dictates that University officials who are informed in their official capacities of occurrences of Prohibited Offenses must encourage reporting parties to report incidents to the NUPD, other off-campus law enforcement authorities, or to OUEC. NUPD works closely with reporting parties to ensure that appropriate medical care and counseling are made available.

THE IMPORTANCE OF OBTAINING MEDICAL CARE IMMEDIATELY FOLLOWING A SEXUAL ASSAULT

The importance of obtaining medical care immediately following a sexual assault cannot be overstated. Doing so enables a Complainant to obtain medical care for injuries, sexually transmitted diseases, and psychological trauma. In addition, a Complainant may elect to have a forensic examination done at a local hospital from a specially trained SANE nurse (sexual assault nurse examiner). There are SANE nurses on call at the Beth Israel Hospital (617.667.7000 / 330 Brookline Ave, Boston, MA 02215); Boston Medical Center (617.638.8000 / One Medical Center Place, Boston, MA 02118), and Brigham & Women's Hospital (617.732.5500 / 75 Francis Street, Boston, MA 02115). Choosing to obtain a forensic examination does not require a Complainant to file a police report. Rather, a forensic examination helps preserve possible evidence should a victim choose to file a police report at a later time.

ASSISTANCE NOTIFYING LAW ENFORCEMENT

A Complainant is not required to file formal criminal charges, even if they report the incident to NUPD, and it is their right to decline to notify law enforcement in the event of a notification to the University. A University Police investigator, specially trained in dealing with victims of sexual assault, will present the Complainant with a full range of options and services available so the Complainant can choose the most appropriate course of action. In the event a Complainant chooses to report the matter only through the University administration, students accused of sexual assault are subject to disciplinary action in accordance with the provisions of the Code of Student Conduct as contained in the official Student Handbook irrespective of whether a Complainant files a police report.

Complainant names are kept confidential consistent with applicable law.

FILING FOR A PROTECTIVE ORDER

No Contact Orders

¹⁰ See the *Policy Prohibiting Sexual and Gender Based Harassment* on page 59.

A Complainant may request to have the University issue a No Contact order against the accused person if that individual is a University affiliate. No Contact orders direct both the Complainant and the accused to have no contact or communications whatsoever with each other. An order prohibits direct or intentional communication or contact via phone, e-mail, instant or text messages, social media or through a third party. Violation of a No Contact order may result in action being imposed on the accused. No Contact orders differ from restraining orders as they do not prevent the accused from being in the same building, area, etc. as the victim.

A Complainant can make a request for a No Contact order by contacting one of the following departments:

- The NUPD (617.373.2121)
- The Office of University Equity and Compliance (OUEC) (617.373.4644)
- The Department of Residential Life (617.373.2814), or
- By filing a report online with the Office of Student Conduct and Conflict Resolution (OSCCR) through its webpage at www.northeastern.edu/osccr.

A No Contact order may be imposed on the parties involved in the incident when the University determines the severity of an incident rises to the level where continued contact between the involved parties could lead to further incidents and/or the creation of an unhealthy, unsafe and/or hostile environment. Communication of this order will be made via e-mail to the student's University e-mail account. If a violation of the No Contact order occurs, the individual should promptly report the violation to NUPD or OSCCR.

Restraining Orders

The Abuse Prevention Law, Massachusetts General Laws 209A, was enacted to help keep domestic partners and people involved in dating relationships from being abused. A court issued restraining order is a civil order that prohibits the accused from abusing the complainant. A violation of a restraining order is a criminal offense. The police are responsible for enforcing the violation of the restraining order.

Protection offered under the Abuse Prevention Law only applies to "family or household members" which are defined by M.G.L. c209A s.1 as people who are or were:

- Married;
- Living together;
- Related by blood or marriage;
- Parents of a common child regardless of whether they have ever been married or lived together;
or
- Involved in a substantial dating or engagement relationship

If an individual decides to file a complaint for a restraining order or has questions regarding a restraining order, contact the NUPD at 617.373.2121 and NUPD will assist you during the following process.

To obtain a restraining order, a victim is required to file an Application for a Complaint for Protection from Abuse at the local court (this is a civil complaint, not a criminal one). Afterwards, the victim will speak to a judge or clerk to explain what happened and why a protective order is necessary. The judge will then decide whether to grant a Temporary Order, which is valid for ten (10) business days. If the Temporary Order is granted, the party will be given a copy of the order and a summons to return to court within ten (10) business days for a hearing on whether to extend the order. The accused will also be sent a summons to appear and the police will attempt to serve the order upon that person. The hearing will allow both the victim and the abuser an opportunity to tell what happened.

A person applying for a restraining order is allowed to bring any witnesses or evidence that might tend to support the request. If the accused does not appear, the hearing will proceed and may result in the order being extended. The victim must appear at this hearing or the order will automatically be vacated.

If you need immediate protection from your abuser, contact NUPD at 617.373.3333, or if off-campus but in Boston, call 617.343.4911. If you are outside of Boston, call 9-1-1. If you believe you are in danger in your relationship or in a situation involving a domestic/dating partner, consider ways to leave your present situation safely. The police will assist you in obtaining an emergency restraining order valid until the next court business day. Once the order has been issued, you will be given a copy and the police will attempt to serve a copy to the accused.

Violation of an Abuse Prevention Order is a crime. If a person subject to an order violates it, call the police immediately. If you are on campus, reside in University housing, or are in the immediate area, call 617.373.3333. If you are off campus, but in Boston, call 617.373.4911. If you are outside of Boston, call 9-1-1. Explain to the police that the subject of the order has violated it and that you need help right away. If the subject has left the scene, try to provide the direction of flight and a physical clothing description. If the police are unable to locate the subject, NUPD can assist you in going to court where you may file an application for a criminal complaint.

Remember to keep the order on you at all times. Inform family, friends, neighbors and roommates that you have a restraining order. Do not hesitate to call the police immediately if the accused violates the order.

If you are leaving an abusive relationship, remember that doing so can be very difficult and dangerous. Make sure you have a safety plan in place, including identifying ahead of time a safe place to go during an emergency. Bring important documents (driver's license, bankbooks, custody documents, etc.) with you, and tell a friend. Let someone you trust help you take the first step.

Harassment Orders

All members of the University community have the right to be free from being harassed and/or placed in fear. The law provides victims of harassment the ability to obtain relief from the courts even in the absence of a personal relationship to the harassing party. Massachusetts General Laws, Chapter 258E, fills a critical gap in the law to protect victims of criminal harassment, stalking, or sexual assault from being harassed repeatedly regardless of their relationship with the perpetrator by allowing the court to issue orders of protection from harassment.

If you are a victim of harassment, contact NUPD immediately for assistance if the harassment is occurring when you're on campus. Alternatively, you should call the police agency having jurisdiction over your location if the harassment occurs while you are off campus. The procedure for filing for a Harassment Prevention Order is the same as filing for a restraining order described above.

ON CAMPUS RESOURCES FOR VICTIMS OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE

NUPD located at 716 Columbus Ave, Emergency 617.373.3333/Non-Emergency 617.373.2121
nupd.northeastern.edu

University Health and Counseling Services located at 70 Forsyth St, 1st Floor, 617.373.2772
<https://www.northeastern.edu/uhrs/>

Sexual Violence Resource Center located at 407 Ell Hall, 617.373.4459
<https://studentlife.northeastern.edu/open>

WeCare located at 354 Richards Hall, 617.373.7591
<https://studentlife.northeastern.edu/we-care/>

Office of Institutional Diversity and Inclusion (OIDI) located at 106 West Village A, 617.373.2133
<https://provost.northeastern.edu/oidi>

Office of University Equity and Compliance (OUEC), located 125 Richards Hall, 617.373.4644
<http://www.northeastern.edu/ouec>

OFF-CAMPUS RESOURCES FOR VICTIMS OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE

Casa Myrna Vazquez Women's Shelter, 617.521.0100; 24 hour SafeLink hotline 877.785.2020
<http://www.casamyrna.org/>
<https://www.casamyrna.org/get-support/safelink/>

Center for Violence Prevention and Recovery at Beth Israel Deaconess Medical Center, 617.667.8141
<http://www.bidmc.org/violenceprevention>

Domestic Abuse Intervention and Prevention at Brigham and Women's Hospital, 617.732.8753
http://www.brighamandwomens.org/about_bwh/communityprograms/our-programs/violence/passageway.aspx

Haven at Massachusetts General Hospital, 617.724.0054.
<http://www.mghpcs.org/socialservice/programs/haven/>

POLICY ON RIGHTS AND RESPONSIBILITIES UNDER TITLE IX

I. Purpose and Scope

The University is committed to providing equal opportunity to its students and employees, and to eliminating discrimination when it occurs. In furtherance of this commitment, the University strictly prohibits discrimination and harassment on the basis of race, color, religion, religious creed, genetic information, sex, gender identity, sexual orientation, age, national origin, ancestry, veteran, or disability status.

This Policy articulates how the University will respond to reports of discrimination on the basis of sex (as defined below as Prohibited Offenses), in compliance with Title IX of the Education Amendments of 1972 ("Title IX"), as well as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), and the Violence Against Women Reauthorization Act ("VAWA") of 2013 as defined below. This Policy provides a consolidated statement of the rights and responsibilities of University community members under this Policy and describes how individuals may report allegations of Prohibited Offenses to the University; how the University will coordinate the prompt and equitable investigation of allegations of Prohibited Offenses; how the University will identify the roles of and deliver the rights and responsibilities of individuals involved in the investigative process; how the University will provide supportive measures and remedies, resolution process, and relevant disciplinary actions; and how the University will train the campus community about this Policy.

A. Jurisdiction

This Policy applies to all members of the University community, including students, employees, faculty, staff members, volunteers, and guests in connection with University activities. It only applies to allegations of Prohibited Offenses against students, faculty, or staff members in the United States:

- a. that occur in the context of a University education program or activity, including but not limited to research, and the admission and employment processes, University cocurricular, athletic, or other University programs;
 - i. this includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the prohibited conduct occurs; or
- b. that occur in any building owned or controlled by a student organization that is officially recognized by the University¹¹.

¹¹ This does not include buildings owned or controlled by individual members of a recognized student organization or off-campus buildings used, but not owned or controlled, by a recognized student organization.

This Policy does not apply to conduct alleged by Third Party complainants against University community members.

Reports of discrimination based on a Protected Category (race, color, religion, religious creed, genetic information, sex (including pregnancy or pregnancy related condition, gender, gender identity, sexual orientation, age, national origin, ancestry, veteran or disability status) are addressed by the University's Policy on Equal Opportunity.

Reports of allegations of sexual assault, sexual harassment, domestic violence, intimate partner violence, dating violence, stalking and retaliation that occur outside the jurisdiction of this Policy, including those allegedly occurring within the context of a University education program or activity or outside of the United States, are addressed by the University's Policy Prohibiting Sexual and Gender-Based Harassment. All reports of alleged discrimination can be reported to the Office for University Equity and Compliance ("OUEC") at <https://www.northeastern.edu/ouec/file-a-complaint/>.

In the event of any conflict or inconsistency between this Policy and other university policies or procedures that may relate to the subject matter hereof, the university will determine which policy takes precedence.

II. Definitions

For purposes of this Policy:

A. Prohibited Offenses

Prohibited Offenses are the conduct prohibited by this Policy and includes Sexual Harassment, Sexual Assault, Domestic Violence, Intimate Partner Violence, Dating Violence, Stalking and Retaliation.

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee or other community member of the University conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (Quid Pro Quo Sexual Harassment);
2. Unwelcome conduct determined by a reasonable person standard to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
3. One of the following Prohibited Offenses:
 - **Sexual Assault** is any sexual act directed against another person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent.

Sexual Assault includes:

- **Rape:** The carnal knowledge of a person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving

Consent because of their age or because of their temporary or permanent mental or physical incapacity.

- Sodomy—Oral or anal sexual intercourse with another person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
- Sexual Assault with an Object—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
- Fondling: The touching of the private body parts, such as breasts, buttocks, groin, genitals, or the clothing covering them, of another person for the purpose of sexual gratification, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent because of their age or because of their temporary or permanent mental incapacity.

This also includes forcing or coercing another person to touch themselves or someone else with or on someone's breasts, buttocks, groin, genitals, or the clothing covering them.

- Statutory Rape: Unforced sexual intercourse with a person who is under the statutory age of Consent in the state where the sexual intercourse took place

- **Dating Violence** means the use, attempted use, or threatened use of physical force against a person or property of another committed by a person:
 1. who is or has been in a relationship of a romantic or intimate nature with the Complainant; and
 2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship.
 - b. The type of relationship.
 - c. The frequency of interaction between the persons involved in the relationship.

- **Domestic Violence** means the use, attempted use, or threatened use of physical force against a person or property of another:
 - by a current or former spouse or intimate partner of the Complainant,
 - by a person with whom the Complainant shares a child in common,
 - by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner,

- by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Massachusetts, or
 - by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Massachusetts.
- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Examples of stalking include, but are not limited to, acts in which a person follows, monitors, observes, surveils, or threatens someone, conducted in person directly, indirectly, or through third parties, or by mail, phone, electronically, or social media.

- **Retaliation** is any intentional or attempted adverse or negative act against a person who in good faith makes a report, serves as a witness, or participates in an investigation or adjudication process regarding an alleged violation of a Prohibited Offense, the Code of Student Conduct, or other University policy. Retaliation includes threatening, intimidating, harassing, Coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Offenses.

B. Other Definitions

Actual knowledge means notice of allegations of a Prohibited Offense to:

- the University's Title IX Coordinator; or
- any official of the University who has authority to institute corrective measures on behalf of the University, including:
 - Any member of the OUEC; and/or
 - NUPD.

This standard is not met when the only official of the University with actual knowledge is the Respondent.

Advisor refers to an individual chosen by a Complainant or Respondent to provide support and guidance through the investigatory and disciplinary processes of this Policy, including at interviews, meetings and hearings. The Advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The Advisor role is addressed further in Section III (N) of this Policy.

An **Administrative Hearing** is the adjudication process for cases where employees are the Respondent in an investigation under this Policy. The hearing is conducted by a single administrator of a trained pool of University employees and, at the discretion of the Title IX Coordinator, external professionals, trained to adjudicate allegations of Prohibited Offenses. If a potential violation is referred by the Title IX Coordinator to an Administrative Hearing, the Hearing Officer will review the Investigative Report and facilitate the hearing to affirm whether the Investigator's recommended findings are supported by a preponderance of the evidence of Policy violations and, if applicable, determine any appropriate sanction(s).

Allegation is a concern reported to the University that a Prohibited Offense has been committed.

Case Manager refers to the University employee responsible for facilitating access to resources and supportive measures, as listed in Section III(O) of this Policy, for student Complainants and student Respondents.

Charged Student means any student charged by the University with a violation of a University Policy. This designation takes place at the conclusion of an investigation if the Title IX Coordinator determines that the Investigative Report contains information that constitutes an allegation of a Prohibited Offense by a Respondent. The Director of OSCCR or designee will notify the party of charges during a pre-hearing meeting.

The **Clery Act** is a federal law that governs the publication of the Campus Security Policy, the reporting of campus crime statistics, and certain aspects of the University's response to, and investigation of, Prohibited Offenses.

Coercion means the use of an unreasonable amount of pressure to initiate or continue sexual activity against an individual's will. Coercion is more than an effort to gain Consent, or persuade, entice, or attract another person to engage in sexual activity. Coercion is addressed further in Section III(R)(iii) of this Policy.

Complainant means an individual who is alleged to be the victim of conduct that could constitute a Prohibited Offense that is reported to the University. The rights and obligations under this Policy of Complainants who are employees differ from those of students and are separately addressed in Section III(Q) of this Policy.

Confidential Employee refers to University employees who are bound by their profession to confidentiality and, therefore, are not required to disclose information about Prohibited Offenses to the Title IX Coordinator without prior consent of the Reporting Party. Additional information about Confidential Employees can be found in Section III(C) of this Policy.

Consent means a voluntary, affirmative agreement to engage in sexual activity proposed by another; it requires mutually understandable and communicated words and/or actions that would demonstrate to a reasonable person agreement by both parties to participate in sexual activity. Consent is addressed further in Section III(R)(i).

Emergency Removal is the process for removing a student respondent from the University's education program or activity on an emergency basis. The University will conduct an individualized safety and risk analysis, and if it is determined that there exists an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Offense, the student may be removed. When students are removed through this process, the University will provide the Respondent with notice and an opportunity to challenge the decision within three business days of removal, absent extenuating circumstances.

Employees are University faculty and staff members, for the purpose of this Policy.

Incapacitation means a state where someone cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why, or how of their sexual activities. Incapacitation is addressed further in Section III(R)(ii).

Intercourse means vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact. Vaginal penetration occurs, when the penis, other body part, or object touches the vulva or the labia majora, which is the outermost part of the female genital organ.

Investigative Report means the written document produced by the OUEC after completion of the University's investigation into a report of an alleged Prohibited Offense. The Investigative Report may reference or rely upon facts gathered by prior investigators, including but not limited to the NUPD, local law enforcement or external investigators. The Investigative Report will outline the investigator's findings of fact and recommend findings regarding violations of University Policy, as applicable.

Respondent means the individual who has been reported to be the perpetrator of a Prohibited Offense. The rights and obligations of employee Respondents differ from those of student Respondents and are separately addressed in Section III(P) of this Policy.

Restorative Conferences is an option through the Informal Resolution Procedure where students who take responsibility for engaging in behavior prohibited by this Policy that caused harm are offered the opportunity to come together with the party asserting harm, community members, and facilitators to explore ways that the harm can be redressed. This process is voluntary for all parties.

Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive Measures are addressed further in Section III.

Third Party refers to any individual who is not a University student, faculty member, or staff member (e.g., vendors, alumni, students at another college or university or local residents).

Title IX is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial aid.

Title IX Board consists of three members, including one student, of a trained pool of the University community and, at the discretion of the Title IX Coordinator, external professionals, trained to adjudicate allegations of Prohibited Offenses where a student is the Respondent. If a potential violation is referred by the Title IX Coordinator to OSCCR, OSCCR will convene a Title IX Board which will review the Investigative Report and facilitate a live Title IX hearing to affirm whether the Investigator's recommended findings are supported by a preponderance of the evidence of Policy violations and, if applicable, determine any appropriate sanction(s).

Title IX Coordinator refers to the institutional lead and point of contact for the coordination of the University's Title IX initiatives, compliance with Title IX, responses to reports of Prohibited Offenses, development and delivery of training and education related to sexual violence, and the assessment of the University's effectiveness in responding to and remedying the effects of Prohibited Offenses. The Title IX Coordinator resides in the OUEC.

Title IX Coordinating Committee promotes a coordinated response to reported incidents of Prohibited Offenses. Accordingly, the Committee serves in an advisory capacity to the Title IX Coordinator with respect to the University's Title IX compliance efforts. Chaired by the Title IX Coordinator, the Committee consists of representatives from Student Affairs, NUPD, Office of the General Counsel, and Office of Risk Services.

Title IX Reporter refers to any University community member (excluding Confidential Employees), including faculty, staff and student workers who assume roles which other students may reasonably believe obligate that student worker to report allegations of a Prohibited Offense. This includes but is not limited to Resident Assistants in Residential Life, Graduate Research Assistants or Teaching Assistants. Title IX Reporters are required to immediately report allegations of Prohibited Offenses to the Title IX Coordinator.

III. Policy

The University strictly prohibits and will take prompt and equitable action to prevent, detect and deter Prohibited Offenses, investigate and resolve any reported Prohibited Offenses, avoid their recurrence, and remedy their effects.

A. Reporting Obligations for Allegations of Prohibited Offenses

Any person who becomes aware of an alleged Prohibited Offense is strongly encouraged to report such information to the University as provided below.

University employees, except Confidential Employees, are Title IX Reporters and are obligated to report allegations of Prohibited Offenses immediately to the Title IX Coordinator. However, the University offers options for Complainants, Respondents or other non-Title IX Reporters to make confidential

reports to Confidential Resources, which will not be forwarded to the OUEC for investigation or adjudication. Confidential Employees are discussed further in Section III(C).

Any Title IX Reporter who is found to have knowingly failed to make a report to the Title IX Coordinator regarding an allegation of a Prohibited Offense, is in violation of this Policy and may be subject to disciplinary action.

B. Timeframe for Reporting Allegations by non-Title IX Reporters

While there is no time limit to report a Prohibited Offense for those who are not designated as Title IX Reporters, the University's ability to respond and investigate may be impacted by the passage of time. Therefore, Complainants and anyone with knowledge of a Prohibited Offense are strongly encouraged to report such information to the OUEC as soon as possible after the occurrence of the alleged Prohibited Offense in order to facilitate an effective response. The longer a report is delayed, the more difficult it may be for the University to investigate. Prompt reporting is essential to preserving physical evidence and documenting fresh recollections of events.

Additionally, as time passes, the University may no longer have jurisdiction over Respondents or material witnesses and may be unable to compel their participation or take disciplinary action. In these cases, the University will assist a Complainant to identify and access external reporting options, if applicable, and will provide support and resources. Further, at the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed.

C. Confidential Resources

The University offers confidential resources for medical treatment, emotional support and counseling through Confidential Employees. Confidential Employees are not required to disclose information about Prohibited Offenses to the Title IX Coordinator without prior consent of the student. Confidential Resources on campus include:

- University Health and Counseling Services (UHCS) staff
- Sexual Violence Resource Center (SVRC)
- The Office of Prevention and Education at Northeastern
- Center for Spirituality, Dialogue, and Service (CSDS) spiritual advisors/leaders

For further information about confidential resources, please go to:

<https://www.northeastern.edu/ouec/reporting-options/titleix-prohibited-offenses/>.

D. Reporting Options

The University strongly encourages any person to report information relating to an alleged Prohibited Offense in any of the following ways:

Reporting to the Title IX Coordinator: The University's preferred mechanism to report Prohibited Offenses to the Title IX Coordinator is by completing the form available at

<https://www.northeastern.edu/ouec/file-a-complaint/>. Reports can also be made in person at OUEC, by mail, by telephone or by electronic mail as listed in Section V(A). The Complainant may request anonymity as noted below in Section III(H).

Reporting to Law Enforcement: Community members impacted by Prohibited Offenses are strongly encouraged, but not required, to report any allegations of Prohibited Offenses directly to NUPD as soon as possible, regardless of where the offense took place and whether or not the Respondent is known to the Complainant. As Title IX Reporters, NUPD officers will report Prohibited Offenses to the Title IX Coordinator.

Title IX investigations by OUEC and criminal investigations by law enforcement, including NUPD, may proceed simultaneously as noted below in Section III (E). Reporting a Prohibited Offense to NUPD or other local law enforcement does not commit the Complainant to future legal action.

E. University and Law Enforcement Investigations

The OUEC will conduct a Title IX investigation into allegations of Prohibited Offenses when the Respondent is a University student, faculty or staff member and a formal complaint is filed with the Title IX Coordinator.

The Title IX Coordinator will assign one or more Title IX investigators trained in investigating complaints of sex discrimination. The investigator(s) may be internal (e.g., investigators in the OUEC), and/or investigators in the NUPD, and/or external investigator(s) selected in the university's sole discretion.

Title IX investigations and any subsequent adjudicatory proceedings under this Policy may be carried out prior to, simultaneously with, or following legal proceedings, whether civil or criminal. Neither a decision by law enforcement regarding prosecution nor the outcome of any criminal proceeding will be considered determinative of whether a violation of this Policy occurred. At the request of either NUPD or another law enforcement agency, the Title IX Coordinator may delay the Title IX investigation into an alleged Prohibited Offense for a reasonable period of time during the initial stages of a criminal investigation. Title IX investigations will commence after law enforcement notifies the Title IX Coordinator that it has completed the initial criminal investigatory stages.

Information gathered by NUPD or other law enforcement during a criminal investigation may become part of the Title IX investigation when provided to the Title IX investigator. While a Title IX investigation may be delayed during the preliminary stages of a criminal investigation, the Title IX investigator will make efforts, in collaboration with NUPD, to obtain information gathered by law enforcement and include it in the Investigative Report.

F. Formal Complaints

A Formal Complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging a Prohibited Offense against a Respondent and requesting that the University investigate the allegation. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University with which the Formal Complaint is

filed. A Formal Complaint may be filed with the Title IX Coordinator using the methods as identified in Section III(C) of this Policy. The Formal Complaint must have the Complainant's physical or digital signature, or otherwise indicate that the Complainant is the person filing the Formal Complaint.

If a Complainant chooses not to file a Formal Complaint against a Respondent, the Title IX Coordinator will refer the matter to the Title IX Coordinating Committee for assessment. The Committee will review the allegation in the initial report to determine if an investigation is required in order to address a potential hostile environment in a University education program or to protect the safety of the University community. In making this determination, the Title IX Coordinating Committee will review the initial report for any of the following facts:

- the Respondent has a prior record of committing Prohibited Offenses;
- the Respondent displayed any signs of predatory behavior;
- violence or any weapons were used by the Respondent;
- other individuals were involved in the commission of the Prohibited Offense;
- the Respondent presents a continuing threat to the University community; and/or
- a hostile environment may exist in a University education program as a result of the alleged Prohibited Offense.

If the initial report contains any of the above facts or allegations, the Title IX Coordinator may sign a Formal Complaint. The Title IX Coordinator will notify the Complainant if a determination is made to proceed with an investigation and explain the Complainant's right to participate or not participate in the investigation or in any other actions undertaken by the University.

When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party of the investigation.

If the conduct alleged in the Formal Complaint (1) would not constitute a Prohibited Offense as defined in this Policy, even if proved, (2) did not occur in the recipient's education program or activity, or (3) did not occur against a person in the United States, then the University must dismiss the Formal Complaint with regard to that conduct under this Policy. Such a dismissal does not preclude action by the University under another University policy.

G. OUEC's Response to Reports of Prohibited Offenses

As soon as is practicable, an Investigator from the OUEC will contact the Complainant identified in the report to schedule an initial meeting to:

- Refer them to this Policy at OUEC's website.
- Review the Complainant's Notice of Rights, Remedies and Responsibilities Regarding Reports for Title IX Form to explain avenues for resolution, including:
 - The steps involved in an both the Informal and Formal Resolution Procedures under this Policy;
 - Discuss confidentiality of University investigations;

- Determine whether the Complainant wants to pursue a resolution through the University;
- Refer to law enforcement, counseling, medical, academic, or other resources, as appropriate;
- Discuss, as appropriate, possible supportive, remedial and protective measures that can be provided during the pendency of the investigative and adjudication processes.
- If the Complainant agrees to disclose information regarding the allegation, including the identity of the Respondent, the date, location, if known, and the general nature of the alleged violation of Policy and agrees to file a Formal Complaint, the Complainant will complete their Rights Form accordingly and sign the document.

H. Requests for Anonymity

Per the University's obligations under Title IX, if a Complainant pursues a Formal Complaint, Respondents will receive a Notice of Investigation which includes the identity of the Complainant, if known.

- A Complainant can make a report to the OUEC without giving their name by using a reporting form on the OUEC website.
- A student who is not a Title IX Reporter who is reporting a Prohibited Offense that happened to someone else is not required to disclose the name of the Complainant.
- Complainants may contact a Confidential Resource, as identified in this Policy, who are not required to file a report with the Title IX Coordinator.

However, if a Complainant self-identifies to the OUEC, and the Complainant requests to remain anonymous after filing a Formal Complaint, the Title IX Coordinator will not be able to honor the request for anonymity while pursuing a Resolution Option under this Policy. The University has to balance the request in the context of the University's responsibility to provide a safe and non-discriminatory environment for University community members, as well as the fair and equitable treatment of the individuals involved. This includes the Respondent's right to receive notice of allegations, including the identity of the Complainant, if known to the OUEC, if the University were to initiate a Resolution Process or take any action that affects the Respondent.

When the university is not able to honor requests for anonymity, the Title IX Coordinator will notify the Complainant that the University intends to proceed with an investigation, and the possibility that during the investigation, the Complainant's identity may have to be disclosed to individuals who may have relevant information regarding the allegation.

I. Resolution Options

The University recognizes that it is important to take into account the needs of students involved in a Prohibited Offense. In order to provide options for pathways towards a resolution, this Policy offers two forms of resolution for Formal Complaints of Prohibited Offenses:

1. The Informal Resolution Procedure is a voluntary and remedy-driven pathway to a complaint resolution that is acceptable to the Complainant, Respondent, and the OUEC without a full University investigation and without official findings of fact.
2. The Formal Resolution Procedure provides a structured process for investigating and resolving complaints that includes official findings of fact.

The University takes all complaints of discrimination seriously and will take steps to prevent its recurrence and remedy discriminatory effects where appropriate.

i. Informal Resolution Procedure Overview

The Informal Resolution Procedure offers a way to discuss, evaluate and resolve perceived instances of Prohibited Offenses without initiating a comprehensive investigation through the Formal Resolution Procedure. The University does not require a Complainant to utilize the Informal Resolution Procedure prior to pursuing a Formal Resolution Procedure.

In keeping with the nature and spirit of an informal resolution, the University would not make a determination as to whether a Respondent has violated this Policy. Instead, the OUEC attempts to facilitate a mutually acceptable resolution through the use of conflict resolution techniques.

While the OUEC may resolve reports informally and appropriately based on the circumstances, the Informal Resolution Procedure cannot be utilized to resolve allegations where an employee is the Respondent and a student is a Complainant.

Informal resolutions are pursued after a Formal Complaint of an alleged violation of this Policy is filed with the OUEC, the Complainant has been fully informed of all available resolution options, and the Complainant has explicitly communicated their choice to utilize the Informal Resolution Procedure to the OUEC. A Complainant can request the Informal Resolution Procedure any time prior to the University reaching a determination regarding responsibility of a violation of this Policy.

Possible options of an informal resolution may include, but are not limited to:

- Facilitated Dialogue: a structured conversation, facilitated by a Third Party, between the parties can assist in facilitating an agreed solution
- Restorative Conferences
- Impact statement: a letter written by the Complainant and read by the Respondent

Possible solutions resulting from Informal Resolution may include, but are not limited to:

- a written understanding about future conduct
- establishing mutually agreed upon interim measures,
- broad-based educational programming or training for relevant individuals or groups,

or any other supportive, remedial or protective measures that can be tailored to the involved individuals to stop any unwanted behavior, prevent recurrence of the issues and remedy the effects of the

particular complaint. Complainants and Respondents are not required to communicate directly with each other, unless requested and agreed to by all parties, including the OUEC.

An Informal Resolution Procedure is voluntary, and a Complainant and Respondent can withdraw from the informal process at any time before its completion and resume the grievance process with respect to the Formal Resolution Procedure, which will be facilitated by a different investigator than the one who oversaw the Informal Resolution process. If an Informal Resolution Procedure is ended by request of one of the parties, any information obtained may not be used in a subsequent Formal Resolution Procedure and hearing process. Once a complaint has been resolved through an Informal Resolution Procedure, and both parties have agreed to the terms of the resolution, the matter is closed and the parties are precluded from resuming a Formal Complaint Procedure arising from the same allegations.

ii. Formal Resolution Procedure Overview

A Formal Resolution Procedure will occur when (a) a Formal Complaint of an alleged violation of this Policy is filed with the OUEC and the Complainant seeks a formal resolution; or (b) the Title IX Coordinator determines that a Formal Resolution Process is necessary after considering the safety of the broader campus community. In the situation when there is a serious threat to the University community, but the potential Complainant cannot or does not wish to proceed with the formal process, the Title IX Coordinator, may file a Formal Complaint.

The Formal Resolution Procedure of Formal Complaints of Prohibited Offenses includes a neutral, thorough and reliable investigation by OUEC into the allegations of the complaint in order to reach a determination as to whether the Respondent(s) has violated this Policy. Complainants may initiate the Formal Resolution Procedure by filing a Formal Complaint with OUEC, regardless of whether resolution under the Informal Resolution Procedure has been attempted.

The Respondent is presumed to be not responsible, and this presumption may be overcome only where the Title IX Board (cases where a student is the Respondent) or Administrative Hearing (cases where an employee is the Respondent) concludes that there is sufficient evidence, by a preponderance of the evidence, to support a finding that the Respondent violated the Policy.

Once the investigation is complete, the investigator(s) will submit the Investigative Report to the Title IX Coordinator for their review.

- If the Title IX Coordinator determines that the Investigative Report contains sufficient information to constitute a potential violation of this Policy for a student Respondent, the case will be referred by the Title IX Coordinator to the Director of OSCCR, who will facilitate a live Title IX Hearing.
- If the Title IX Coordinator determines that the Investigative Report contains sufficient information to constitute a potential violation of this Policy for an employee Respondent, the case will be referred by the Title IX Coordinator to an Administrative Hearing.

The hearing process is an opportunity for the parties to address relevant issues to the determination of responsibility to be made by the Title IX Board / Administrative Hearing. A Hearing may be conducted with all parties physically present in the same geographic location or, at the discretion of the Director of OSCCR or Title IX Coordinator, any or all parties, witnesses, or other participants may appear at the Hearing virtually, with technology enabling participants simultaneously to see and hear each other. Both the student and employee hearings utilize cross-examinations by the party's Advisor, and a preponderance of the evidence standard, as part of the process to determine whether to:

- i. affirm the recommended findings of Policy violations contained in the Investigative Report;
or
- ii. make alternative findings of Policy violations than those contained in the Investigative Report.

If a party or witness does not submit to cross-examination at the live Title IX Hearing or Administrative Hearing, the Board/Administrator must not rely on any statement, made at any point during the investigation, of that party or witness in reaching a determination regarding responsibility; provided, however, that the Board/Administrator cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

J. Timeframe for Completion of Resolution Procedures

Both Informal and Formal Resolution Procedures will be completed in a reasonably prompt and equitable manner. The goal is to have Informal and Formal Resolution Procedures completed in approximately 90 days after a Formal Complaint is made. However, the specific circumstances (e.g., availability and cooperation of parties and witnesses, etc.) and complexity of each case could lead to investigations taking longer.

Any time frame set forth in this Policy may be extended for good cause, which may exist if additional time is necessary: to support the integrity and completeness of a resolution procedure; to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation; to accommodate the availability of witnesses or an Advisor, within reason; to account for University and semester breaks; to account for complexities of a case, including the number of witnesses and volume of information provided by the parties; or for other legitimate reasons. The Investigator will notify the parties in writing of any extension of this timeframe and the reason for such extension.

K. Truthfulness; Participation in the Investigatory and Adjudication Processes.

Complainants and Respondents have the right, and are strongly encouraged, to meet with an OUEC investigator to provide relevant information and identify relevant witnesses.

Complainants, Respondents and witnesses are required to be truthful in any report or proceeding under this Policy, to cooperate with the University in its investigation of Prohibited Offenses and to follow the directions of University staff and administrators. Submitting or providing false or misleading information in bad faith in connection with an allegation of Prohibited Offense is subject to disciplinary

sanctions in accordance with applicable University policies. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

Notwithstanding this requirement, Complainants and Respondents may choose to participate or not in the investigation and adjudication, if applicable, of alleged Prohibited Offenses. Those that choose not to participate in a Title IX investigation willingly forego their opportunity to present information and witnesses to be included in the Investigative Report, upon which potential further proceedings will be based. If a party or witness does not submit to cross-examination at the live hearing, the Board/Administrator must not rely on any prior statement of that party or witness in reaching a determination regarding responsibility.

While the University reserves the right to proceed with investigation, adjudication and any resulting disciplinary action in the absence of either party, the Board/Administrator cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

L. Medical Amnesty

The University seeks to remove any barriers to reporting allegations of Prohibited Offenses. Accordingly, Respondents, Complainants and student witnesses will not be subject to disciplinary sanctions for drug or alcohol offenses that may have occurred in connection with an alleged Prohibited Offense. For the full Medical Amnesty Policy, please see the Code of Student Conduct.

M. Medical and Counseling Records

Medical and counseling records of a Complainant and Respondent are privileged records that individuals are not required to disclose. However, if a party believes these records may contain relevant and material information, a party may voluntarily choose to share such records with the Investigator only after waiving the privilege in writing. Any records provided by a party becomes part of the investigative record and are available for review by the other party.

N. Advisors

The Complainant, Respondent and witnesses may be accompanied by their respective Advisors at any meeting or interview related to the investigation and adjudication of a report under this Policy. While Advisors may provide support and advice to the parties during the meeting or interview, they may not speak on behalf of the parties or otherwise actively participate in such meetings and/or proceedings, except as permitted in the cross-examination portion of a live hearing.

If a party does not have an Advisor present at the live hearing, the University will provide an Advisor of the University's choice, without fee or charge to that party, in order to conduct cross-examination on behalf of that party.

An Advisor may not delay or otherwise interfere with or disrupt the investigatory and adjudication process under this Policy. Because the University's process is not the same as a formal, external legal

process, the Advisor, although they may be an attorney, does not represent the party in a legal capacity in the University's process. Absent accommodation for a disability, the Complainant and Respondent may not be accompanied by more than one Advisor or by other individuals during meetings or interviews.

Throughout the investigation and adjudication process of a report under this Policy, all official University communications (both verbal and written) will be between the University and the parties directly. The two exceptions to this will be (1) at the conclusion of the investigative process when the investigator(s) share a draft summary of the facts gathered during the investigation with the Complainant, Respondent and their Advisors for their review and response and (2) during the pre-hearing meeting where they review the Investigative Report that forms the basis of the complaint. The University will not communicate with an Advisor on behalf of a party.

For students, Advisors in the adjudication process are bound by the conditions established for Advisors within the Code of Student Conduct.

O. Supportive, Remedial and Protective Measures

The University offers reasonable and appropriate measures to protect community members who are Complainants, Respondents, and witnesses, as appropriate, and to facilitate their continued access to University education programs and activities for students and work environment for employees, while maintaining the integrity of any investigation into an allegation of a Prohibited Offense. Upon receipt of a report of a Prohibited Offense, the University will inform the Complainant(s) and Respondent(s) of, and promptly provide access to, the following supportive, remedial and protective measures as appropriate:

- options for on- and/or off-campus medical, counseling, and other related services, including access to a Sexual Assault Nurse Examiner;
- options for temporary alternate housing arrangements, including immediate relocation to different University housing (students only);
- options for requesting a residential hall ban (students only);
- options for altering academic class schedules/obligations (students only);
- options for a leave of absence, if qualifications are met;
- options for altering student organization schedules/obligations;
- options for altering work schedule or job assignment;
- Emergency Removal from the University's educational program for student Respondents and administrative leave from employment for employee Respondents (with or without pay);
- options for alternative transportation as well as a campus escort service;
- options for seeking assistance from local law enforcement, including increased security and monitoring of certain areas of campus when possible and as deemed appropriate by the Title IX Coordinator;
- options for seeking disciplinary action against a Respondent who is a University community member;

- options for receiving a university No Contact order; and
- options for seeking protective orders.

The above supportive, remedial and protective measures may be temporary or permanent and are available to Complainants even if they do not wish to participate in a Title IX or criminal investigation of the alleged Prohibited Offense. Except under extraordinary circumstances as determined by the Title IX Coordinator, the University does not provide protective and remedial measures to Third Parties.

P. Overview of Procedures and Sanctions based on Status of Respondent

i. Initial Meeting with Respondent

If the Complainant wishes to file a Formal Complaint and pursue a resolution option through the University, or if the Title IX Coordinator deems that a further investigation is warranted, as soon as is reasonably practicable after the OUEC's initial meeting with the Complainant, the Investigator will send a Notice of Investigation to the Respondent via their University email account and schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Investigator will:

- Review the information in the Notice of Investigation, consistent with privacy laws, to allow Respondent to address the allegation (e.g., the name of the Complainant, the date, location, nature of the alleged violation of policy, etc.).
- Remind them of their right to be accompanied by an Advisor at any meeting or interview related to the investigation and adjudication of a report under this Policy.
- Refer them to this Policy at OUEC's website.
- Review the Complainant's Notice of Rights, Remedies and Responsibilities Regarding Reports for Title IX Form to explain avenues for resolution, including:
 - The steps involved in the Informal or Formal Resolution Procedures as requested by the Complainant;
 - Discuss confidentiality of University investigations;
 - Discuss, as appropriate, available supportive, remedial and protective measures that can be provided during the pendency of the investigative and adjudication processes and any being provided to the Complainant that would directly affect the Respondent.
 - Discuss non-Retaliation requirements;
 - Refer to law enforcement, counseling, medical, academic, or other resources, as appropriate.

ii. Allegations Where the Respondent is a Student

A student found responsible for a Prohibited Offense will be subject to disciplinary action up to and including expulsion from the University. The range of possible disciplinary sanctions for student violations of this Policy will be imposed in accordance with the Code of Student Conduct.

Where there is a finding of responsibility of a violation of this Policy, the Title IX Board may impose one or more sanctions. Sanctions may include any of the sanctions that are available for violations of the

University's Code of Student Conduct, including but not limited to expulsion, suspension, deferred suspension, disciplinary probation, letter of warning, cancellation of the Residence Hall and Dining License Agreement, counseling evaluation, and other sanctions or restrictions deemed appropriate by the University to address the alleged conduct.

In determining the appropriate sanction(s), the Title IX Board will be guided by a number of considerations, including:

- The severity, persistence or pervasiveness of the Prohibited Offense;
- The nature or violence (if applicable) of the Prohibited Offense;
- The impact of the Prohibited Offense on the Complainant;
- The impact or implications of the Prohibited Offense within the University community;
- Prior misconduct by the Respondent, including the Respondent's relevant prior disciplinary history, at the University or elsewhere, and any criminal convictions;
- Whether the Respondent has accepted responsibility for the Prohibited Offense;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling factors.

iii. Allegations Where the Respondent is an Employee

Any dispute regarding the applicable procedures for adjudication (e.g., where a Respondent is both an employee and student) will be resolved in the sole discretion of the Title IX Coordinator.

An employee found responsible for a Prohibited Offense will be subject to disciplinary action in accordance with applicable University policies, ranging from a warning or disciplinary action up to and including permanent separation from the University.

Other potential sanctions may include employment probation, restrictions, attendance in an educational program, or referral to treatment.

iv. Allegations Where the Respondent is Both a Student and an Employee

If there is a question as to the predominant role of the Respondent, the Title IX Coordinator will determine which of the procedures applies based on the facts and circumstances, including which role predominates in the context of the Prohibited Offense. Further, where a Respondent is both an employee and student, they may be subject to any of the sanctions applicable to students and employees.

v. Allegations Where the Respondent is a Third Party

The University's ability to take appropriate corrective action against a Third Party will be determined by the nature of the relationship of the Third Party to the University. The Title IX Coordinator will determine the appropriate manner of resolution consistent with federal law, guidance, and this Policy.

When a Third Party is a Respondent, NUPD or local enforcement may investigate the allegations. The University will assist the Complainant in making a report to the appropriate law enforcement agency

with jurisdiction over the incident, and will provide appropriate supportive, remedial and protective measures as well as ongoing assistance to the Complainant to facilitate their participation in the criminal process.

Q. Standard of Review

The University utilizes a preponderance of the evidence (more likely than not that a Policy violation occurred) standard in the adjudication of Prohibited Offenses.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University.

R. Consent, Incapacitation and Coercion

i. Consent

Sexual activity requires Consent from all involved parties. Consent must be freely given, without physical force, threats, intimidating behavior, duress, or Coercion. Silence, a lack of resistance, previous sexual relationships or experiences and/or a current relationship may not, in itself, constitute Consent. The initiator, or the person who wants to engage in the specific sexual activity, must obtain Consent from the partner(s) for each sexual act. Each participant may be an initiator at different points of sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue that activity.

A person's initiation of a sexual act constitutes Consent to that act, but not necessarily to subsequent acts. Consent to sexual activity may be withdrawn at any time and the withdrawal must be communicated in mutually understandable words and/or actions; if so, sexual activity must cease immediately. Consent may never be given by minors (in Massachusetts, minors for these purposes are those not yet 16 years of age), or those who are unable to understand the who, what, when, where, why, or how of their sexual activities as a result of Incapacitation due to a cognitive disability, intoxication by alcohol or other drug consumption (voluntary or involuntary), or those who are unconscious, or otherwise physically helpless.

Engaging in sexual activity while under the influence of alcohol or drugs may create ambiguity for either party as to whether Consent has been sought or given. A person who has consumed alcohol and/or drugs still has a responsibility to obtain Consent for any sexual activity with another person(s). Being impaired by alcohol or other drugs is no defense to any violation of this Policy.

ii. Incapacitation

A person who is Incapacitated is unable, temporarily or permanently, to give Consent to sexual activity because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be Incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily Incapacitated merely as a result of drinking alcohol or using drugs. The impact of alcohol, medication, and other

drugs varies from person to person. Although every individual may manifest signs of Incapacitation differently, signs could include, but are not limited to, some or all of the following:

- confusion or lack of understanding;
- disorientation to place, time and/or location;
- vomiting;
- incontinence; and/or
- unconsciousness.

A person who is Incapacitated may not be able to understand some, or all, of the following questions:

- "Do you know where you are?"
- "Do you know how you got here?"
- "Do you know what is happening?"
- "Do you know whom you are with?"

For purposes of evaluating Consent, the University considers two questions:

- Did the person initiating sexual activity know that their partner was Incapacitated? If not,
- Would a reasonable person in the same situation have known that their partner was Incapacitated?

If the answer to either of these questions is "yes," Consent was absent.

iii. Coercion

A person subject to Coercion is unable to give Consent to sexual activity. In evaluating whether Coercion was used, the University will consider: (1) the frequency of the application of the pressure, including severe and/or pervasive intimidation, manipulation, threats, and blackmail, which causes a person to engage in unwelcome sexual activity, (2) the intensity of the pressure, (3) the degree of isolation of the person being pressured, and (4) the duration of the pressure.

5. Options and Rights in the Adjudication Process

Adjudication Processes: Upon completion of a Title IX investigation, an Investigative Report will be forwarded to the Title IX Coordinator. If the Title IX Coordinator determines that the Investigative Report contains information that constitutes an allegation of a Prohibited Offense, the case will be referred by the Title IX Coordinator to the Director of OSCCR for student Respondents, or to a Hearing Administrator for employee Respondents.

Outcome and Appeals: Upon conclusion of the adjudicatory process, the Complainant and Respondent will receive simultaneous notification in writing of the outcome. This notice will be delivered to the Complainant's and Respondent's University email accounts. The Complainant and Respondent have the right to appeal the outcome of any adjudicatory proceedings.

Request to Withdraw the Formal Complaint by the Complainant: If at any time during the course of an investigation or hearing, a Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations therein against a Respondent, the Title IX Coordinator will refer the matter to the Title IX Coordinating Committee for assessment. The Committee will review the facts gathered during the investigation to determine if adjudicatory proceedings are nonetheless required in order to address a potential hostile environment in a University education program or to protect the safety of the University community. In making this determination, the Title IX Coordinating Committee will review the Investigative Report for any of the following facts:

- the Respondent has a prior record of committing Prohibited Offenses;
- the Respondent displayed any signs of predatory behavior;
- violence or any weapons were used by the Respondent;
- other individuals were involved in the commission of the Prohibited Offense;
- the Respondent presents a continuing threat to the University community; and/or
- a hostile environment may exist in a University education program as a result of the alleged Prohibited Offense.

If the Investigative Report contains any of the above facts or allegations, an Investigative Report will be forwarded for adjudication consistent with the status of the Respondent as student or employee. The Title IX Coordinator will notify the Complainant if a determination is made to proceed with an investigation and explain the Complainant's right to participate or not participate in the investigation or in any other actions undertaken by the University.

T. Record Retention

Records created and maintained pursuant to this Policy will be retained for a period of seven years by the OUEC unless destruction or expungement is authorized by the Title IX Coordinator, who may act in accordance with a duly executed and binding settlement of claim, and/or by court order.

Records include:

- (A) An articulation for Emergency Removal process, if any, and the result of any challenge.
- (B) Investigative Reports for an alleged Prohibited Offense that issues a determination regarding responsibility
- (C) Any audio or audiovisual recording or transcript
- (D) Any supportive measures taken
- (E) Any disciplinary sanctions imposed on the Respondent
- (F) Any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity
- (G) Any appeal and the result
- (H) Any informal resolution and the result
- (I) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an Informal Resolution Procedure.

U. Confidentiality of University Records

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"). The University is committed to protecting the privacy of all parties involved in any aspect of this Policy and will not share any such information except on a need-to-know basis for the purposes of assessing, investigating and resolving the alleged Prohibited Offense and providing access to interim remedial and protective measures. The University will also share information as required by federal, state, or local law or as required by valid subpoena or court order.

V. Confidentiality of the Investigation

All parties and Advisors are required to keep confidential all documents received from the University during the investigatory and adjudication processes and must destroy such documents and information at the direction of the University (except for outcome letters). Disclosing documents outside of the investigation and adjudication processes may be considered Retaliation. However, the University cannot restrict the ability of either party to discuss the allegations under investigation.

W. Training of Hearing Board Members

Title IX Hearing Board members will receive training that includes the University's responsibilities under University Policy, Title IX and the Clery Act. Such trainings shall address, among other things, the impact of trauma on a Complainant's ability to recollect specific facts and events, common examples of predatory behavior associated with Prohibited Offenses, the definition of Consent, the impact of alcohol and drugs on Consent, and the application of the preponderance of the evidence standard.

X. Training and Education for the University Community

Members of the University community are expected to promote an environment free from Prohibited Offenses. Members of the University community are encouraged to take reasonable, safe, and prudent actions to prevent or stop the commission of Prohibited Offenses. Community members who take such actions or who wish to learn more about active bystander prevention are encouraged to access the resources described in this Policy for support and assistance.

The University offers ongoing education to students and employees to promote awareness of Prohibited Offenses. Such education will include definitions of Prohibited Offenses and Consent; best practices for risk reduction, safe and positive bystander intervention; reporting procedures and options; and information concerning rights under Title IX, as described in this Policy.

Y. Review of Trends and Effectiveness

In order to assess the effectiveness of the overall university Title IX training, education, and Prohibited Offense response protocols, the University will annually survey the campus climate, community attitudes, and awareness of its student population regarding sex discrimination prohibited by Title IX. The Title IX Coordinating Committee will review the results of the annual survey and make recommendations intended to enhance the effectiveness of the University's Title IX training and education programs, prevention efforts, investigations and adjudication proceedings.

IV. Additional Information

N/A

V. Contact Information

A. Campus Contact Information

Office for University Equity and Compliance – northeastern.edu/ouec
Richards Hall #125, Boston, MA
617.373.4644 || ouec@northeastern.edu

Northeastern University Police Department (NUPD) – nupd.northeastern.edu
716 Columbus Ave, Boston, MA
Emergency: 617.373.3333 || Non-Emergency: 617.373.2121

Office of Student Conduct and Conflict Resolution (OSCCR) – northeastern.edu/osccr
204 Ell Hall, Boston, MA
617.373.4390 || osccr@northeastern.edu

University Health and Counseling Services (UHCS) – northeastern.edu/uhcs
Forsyth Building, Suite 135, Boston, MA
617.373.2772 || uhcs@northeastern.edu

Center for Spirituality, Dialogue, and Service (CSDS) – northeastern.edu/spirituallife
203 Ell Hall, Boston, MA
617.373.2728 || csds@northeastern.edu

LGBTQA Resource Center – northeastern.edu/lgbtqa
328 Curry Student Center, Boston, MA
617.373.2738 || lgbtqa@northeastern.edu

Office for Residential Life – northeastern.edu/reslife
4 Speare Commons, Boston, MA
617.373.2814 || reslife@northeastern.edu

Office of the Senior Vice Chancellor for Student Affairs – northeastern.edu/studentlife
104 Ell Hall, Boston, MA
617.373.4384 || svcstudentaffairs@northeastern.edu

Sexual Violence Resource Center - northeastern.edu/open
106 St. Stephen Street, Boston, MA
open@northeastern.edu

B. Off-Campus Compliance Reporting Agencies

Boston Police Department (BPD) – www.boston.gov/departments/police
1 Schroeder Plaza, Roxbury Crossing, MA
617.343.4500 || bpi.bpd@cityofboston.gov

U.S. Department of Education, Office for Civil Rights (OCR) -
www2.ed.gov/about/offices/list/ocr/index.html

Massachusetts Office:
Boston Office
Office for Civil Rights
US Dept of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Ph: 617.289.0111
Fax: 617.289.0150
TDD: 800.877.8339
Email: OCR.Boston@ed.gov

National Headquarters:
U.S. Dept of Education Office for Civil Rights
Lyndon Baines Johnson Dept of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100
Ph: 800.421.3481
Fax: 202.453.6012
TDD: 800.877.8339
Email: OCR@ed.gov

Massachusetts Commission Against Discrimination (MCAD) – www.mass.gov/mcad

MCAD Boston Headquarters:
1 Ashburton Place, Suite 601
Boston, MA 02108
Ph: 617.994.6000 || Fax: 617.994.6024 || TTY: 617.994.6196
Email: assistanttochairman@state.ma.us

Equal Employment Opportunity Commission (EEOC) – www1.eeoc.gov/field/boston/index.cfm

Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Ph: 1.800.669.4000 || Fax: 617.565.3196 || TTY: 1.800.669.6820

Informal Resolution Procedure

If the Complainant requests that the Informal Resolution Procedure be utilized after filing a Formal Complaint and having been fully informed of all available options, the following steps shall be taken:

1. OUEC shall request to meet with Complainant, if necessary, to determine whether the complaint states a potential violation of this Policy.
 - a. If OUEC determines that the Complainant's allegations, if true, do not constitute a potential violation of this Policy, or that OUEC has no jurisdiction in the matter, OUEC staff will provide appropriate referrals to both on and off-campus resources. If new information is subsequently provided to OUEC, OUEC may reevaluate whether the allegations constitute a potential violation of this Policy and/or whether OUEC has jurisdiction to investigate.
2. If OUEC determines that the Complainant's allegations, if true, constitute a potential violation of this Policy, OUEC will notify the Respondent, in writing, that a complaint has been filed against them and that the Complainant has requested an informal resolution. The Respondent may agree to the informal resolution or request a formal investigation as detail in the Formal Resolution Procedure section below.
 - a. The OUEC will provide the Complainant and the Respondent a summary of the alleged Prohibited Offense, identify potential Policy violation(s), and provide an explanation of the Informal Resolution Procedure, including:
 - i. completion of the Informal Resolution Procedure, documented through a Memorandum of Agreement (MOA), precludes the parties from resuming a Formal Complaint Procedure arising from the same allegations;
 - ii. any time prior to agreeing to an Informal Resolution, any party has the right to withdraw from the Informal Resolution Procedure and resume the grievance process with respect to the Formal Resolution Procedure,
 1. If an Informal Resolution Procedure is ended by request of one of the parties, any information obtained may not be used in a subsequent Formal Resolution Procedure and hearing process;
 - iii. record maintenance of the procedure;
 - iv. the requirement for the parties' voluntary, written consent to the Informal Resolution Procedure.
3. If the Respondent agrees to an informal resolution, the OUEC Facilitator(s) will request to meet separately with the Respondent, and the Complainant, if necessary, for an interview.
4. Both the Complainant and the Respondent will have the opportunity to provide their version of events the OUEC Facilitator (s) so they may understand the issues. Please note that this is not a formal investigation.
5. A summary of the informal process shall be kept on file with OUEC but will not be considered part of the academic record for students Complainants and Respondents or the employee record for employee Complainants and Respondents.
 - a. Complaints resolved informally require mutual acceptance by the Complainant, the Respondent(s), and the OUEC through MOA. The MOA (1) must be signed by the Complainant, the Respondent(s), and OUEC, (2) shall state the conditions of the

- resolution, if any, and (3) shall state that the resolution of the complaint via the MOA does not imply an admission of wrongdoing or a clearance of charges. The MOA shall also state which issues are being resolved by the parties and which issues remain unresolved, if any.
- b. If an informal resolution is not achieved, the OUEC Facilitator will notify all parties in writing that the informal process has terminated without a resolution.
 - c. If resolution of the Formal Complaint is reached through the Informal Resolution Procedure, the matter will be considered closed.
 - d. If resolution is not reached, if OUEC determines that further process is necessary, or if either party fails to comply with the terms of any agreed resolution, OUEC may initiate the Formal Resolution Procedure.

The University retains the discretion and authority to determine whether the Informal Resolution Procedure is inappropriate or is no longer appropriate. The University will consider, among other things, the following factors in making its decision: the length of time of informal review process, the results of the informal process, the gravity of the alleged offense, the risk of harm to an individual, the risk of a violation of law, or any other reason that necessitates elevation to the Formal Resolution Procedure.

Formal Resolution Procedure

The protocols outlined below describe the steps the University will take to investigate cases involving allegations of Prohibited Offenses detailed in the Policy on Rights and Responsibilities Under Title IX through the Formal Resolution Procedure. In the event of any conflict or inconsistency between the Policy and other policies or procedures that may relate to the subject matter hereof, (e.g., procedures listed in the Code of Student Conduct - www.northeastern.edu/osccr/code-of-student-conduct/) this Policy shall supersede and apply.

Protocols for Allegations of Prohibited Offenses involving a University Student as the Respondent

1. When a Title IX Reporter is notified of an alleged Title IX Prohibited Offense, the Title IX Reporter will notify the Title IX Coordinator (or designee) for review.
2. The Title IX Coordinator will, in collaboration with appropriate University departments, assess the safety and well-being of the parties involved, as well as potential threats to the University community, and will determine the need for any immediate action or interim measures.
3. The Title IX Coordinator will determine whether the complaint states a potential violation of this Policy.
 - a. If the Title IX Coordinator determines that the Complainant's allegations, if true, do not constitute a potential violation of this Policy, or that OUEC has no jurisdiction in the matter, OUEC staff will provide appropriate referrals to both on and off-campus resources. If new information is subsequently provided to OUEC, OUEC may reevaluate whether the allegations constitute a potential violation of this Policy and/or whether OUEC has jurisdiction to investigate.

- b. If the Title IX Coordinator determines that the Complainant's allegations, if true, constitute a potential violation of this Policy, and a Formal Complaint is made, the Title IX Coordinator will initiate a Title IX investigation into the allegations and assign an investigator.
4. Case Managers will be assigned to students who are Complainants or Respondents. Case Managers will serve as the main point of contact for these individuals in order to provide interim measures and resources.
5. Notice of Investigation: Upon initiation of the investigation, the investigator will notify the Complainant and the Respondent of the investigation in writing via their University email account. The notice will (1) provide a summary of the alleged Prohibited Offense including the date, time and location, if known, (2) identify potential Policy violation(s), (3) provide the identities of the Complainant and Respondent, if known, (4) explain the prohibition against Retaliation (5) provide an explanation of the investigation process as described herein and (6) provide 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 hearing process.
6. During the investigation, the parties will have an equal opportunity to be heard. The investigator(s) will request to meet separately with the Complainant and the Respondent for an interview. Either party may choose to participate or decline to participate in the investigation. The investigator(s) may continue to investigate the alleged Prohibited Offense and produce an Investigative Report based on the available information. Both the Complainant and the Respondent will be asked to provide relevant documentary evidence, including electronic or other records of communications between the parties or witnesses (e.g., photographs, text messages, emails, phone records, messages through social media sites, receipts, etc.) and the names of any and all relevant witnesses with information about the alleged Prohibited Offense. Witnesses cannot participate solely to speak about an individual's character.
 - a. Parties involved in the investigation may, under limited and extenuating circumstances, request to submit a written statement instead of participating in an interview with the investigator(s). The Title IX Coordinator will determine whether to include in the Investigative Report information provided in a written statement, taking into consideration the relevance of the information and the rights of the Complainant and Respondent to have equal opportunity to present information and witnesses.
 - b. The investigation may also include the review of any documentation, reports, video or other items the investigator deems relevant to the allegation.
 - c. The University may dismiss a Formal Complaint or any allegations therein, if at any time during the investigation or hearing, (1) a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the University; or (3) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations.
7. The investigator(s), in consultation with the Title IX Coordinator, has the discretion to determine the relevance of any witness or evidence and may exclude irrelevant, immaterial or unduly prejudicial information in preparing the Title IX Investigative Report.

- a. An individual's prior or subsequent sexual activity, behavior or predisposition is not relevant and will not be considered, except for one, limited, factual purpose:
 - i. Evidence of past sexual experience are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
 - ii. The Complainant and the Respondent engaged in consensual sexual activity prior or subsequent to the alleged Prohibited Offense, and
 - iii. The prior or subsequent consensual sexual activity is offered for the sole purpose of demonstrating how Consent was communicated between the parties during the consensual sexual activity, as compared to the alleged Prohibited Offense. Such information will not be used for any other purpose.
8. The investigator(s) will provide each interviewed party a written interview summary for review via their University email account. The interviewed party will review the summary and, within two (2) business days of receipt, will confirm the summary's accuracy or provide a written response. Failure to respond within two (2) business days will be considered confirmation of the accuracy of the summary. The investigator(s) will review any written response by an interviewed party and will incorporate information into the Investigative Report deemed relevant in the discretion of the investigator(s).
9. At the conclusion of the investigative process, the investigator(s) will share a draft summary of the facts gathered during the investigation with the Complainant, Respondent and their Advisors for their review and response. The identities of individuals named in the report may be redacted as deemed necessary in the sole discretion of the investigator. The parties may submit a written response to the investigator(s) within ten (10) business days in order to:
 - a. clarify information,
 - b. provide an additional explanation,
 - c. submit additional questions for the investigator(s) to ask of other parties or witnesses, or
 - d. identify any other relevant information for the investigator to consider.
10. If a written response includes new and relevant information, the investigator will revise the draft summary of facts accordingly and provide the Complainant and Respondent with opportunities to respond to the new information. Thereafter, the investigator(s) will determine if additional investigation is required. Any further investigation will follow the steps above. If no further investigation is needed, the investigator(s) will finalize the Investigative Report.
11. The investigator(s) will submit the Investigative Report to the Title IX Coordinator for their review. The Title IX Coordinator will review the Investigative Report to assess its thoroughness, reliability and impartiality.
12. If the Title IX Coordinator determines that the Investigative Report contains insufficient information to constitute a potential violation of this Policy, the case will be closed and the decision will be simultaneously communicated to the Complainant and the Respondent by the Title IX Coordinator in writing. There is no appeal of this decision.
13. If the Title IX Coordinator determines that the Investigative Report contains sufficient information to constitute a potential violation of this Policy, the case will be referred by the Title IX Coordinator to the Director of OSCCR (or designee).
 - a. In order to protect the privacy of the parties, the Investigative Report forwarded to the Director of OSCCR and reviewed by the Title IX Board will have personally identifiable

- information replaced with their role in investigation (Complainant, Respondent, Witness 1, etc.). Members of the Title IX Board will not know the names of the parties.
14. Facts established as part of a Prohibited Offense investigation that reveal conduct that may violate the Code of Student Conduct will be investigated by the OUEC and a recommended finding will be made in the Investigative Report.
 - a. Title IX rights, including the right to an Advisor throughout the process and Title IX Appeal options (see #22) will apply to these alleged violations of the Code of Student Conduct that stemmed from an investigation of a Prohibited Offense.
 - b. Facts established as part of a Prohibited Offense investigation that reveal conduct that may violate other University policies, procedures or commonly accepted norms of conduct will be referred to the appropriate office for review.
 15. The Director of OSCCR will send a pre-hearing meeting notice to the University email account of the Complainant and the Respondent when they are University students. The pre-hearing meeting, which will take place at least ten (10) days prior to a hearing, is between the party, their Advisor and an OSCCR Hearing Administrator to:
 - a. Review the Investigative Report that forms the basis of the complaint;
 - b. Explain the charges of the Policy violation filed against the Respondent (from this point on in the process, the Respondent will be referred to as the Charged Student);
 - c. Explain the process for resolving the case, including whether the parties accept or contest the recommended findings of the Investigative Report;
 - d. Explain that the Director of OSCCR will appoint a three (3) member Title IX Board; and
 - e. Review the process how to challenge participation by any member of the Title IX Board for perceived bias or conflict of interest.
 16. Complainants and Respondents can accept or contest the recommended findings of the Investigative Report at the pre-hearing meeting. The party's acceptance or contestation of the recommended finding will be noted for the Title IX Board as they review the Investigative Report and hold a Title IX Hearing to determine, using a preponderance of the evidence standard, whether to:
 - i. affirm the recommended findings of Policy violations contained in the Investigative Report;
 - ii. make alternative findings of Policy violations than those contained in the Investigative Report.
 17. The Complainant and the Charged Student will each have the option to present a written or oral statement to the Board. Such statements or the decision to give an oral statement should be provided to the Director of OSCCR at least five (5) business days prior to the Hearing. However, the Title IX Hearing is not a forum for the parties to present facts, information or witnesses. The parties are expected to provide all relevant facts, information and witnesses to the investigator(s) during the investigation. The Title IX Hearing is an opportunity for the parties to present their arguments as to why the recommended findings of Policy violations in the Investigative Report should or should not be adopted by the Board. Any new information presented at the Title IX Hearing will not be considered by the Board. Any party or witness scheduled to participate at the Title IX Hearing must have first participated in the investigation process.

18. The Board will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's Advisor of choice and never by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Board Chair must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party or witness does not submit to cross-examination at the live hearing, the Board must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Board cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

19. Either party may request alternative methods for participating in the Title IX Hearing that do not require physical proximity to the other party, including participating through electronic means that enable the Board and parties to simultaneously see and hear the party or the witness answering questions. This request should be submitted to the Director of OSCCR at least two (2) business days prior to the Hearing.
20. At the conclusion of the Title IX Hearing, the Title IX Board will convene to deliberate and render a decision, by majority vote, regarding whether or not there is a preponderance of the evidence to support the recommended findings in the Investigative Report. No member may abstain. In reaching a determination, the Title IX Board must evaluate all evidence independently and must not give deference to the recommended finding expressed in the Investigation Report.
21. The Director of OSCCR will provide both the Complainant and the Charged Student written notice of the Title IX Board's decision, including a description of the procedural steps taken by the University from the receipt of the Formal Complaint through Board's finding, the rationale for why a Policy violation was or was not found, and any relevant sanctions. The Director of OSCCR will also explain the appeals process to both parties.
22. The Complainant or the Charged Student may file a written appeal within five (5) business days of the Title IX Board's decision. The written appeal will be provided to the non-appealing party, who may but is not required to provide a response within two (2) business days. OSCCR will appoint a Title IX Appeals Board to review the written appeal to determine whether it meets any of the following grounds for appeal:
 - (1) new information not reasonably available by the completion of the investigation that could affect the outcome,
 - (2) procedural error that affected the outcome,
 - (3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter or
 - (4) review of the imposed sanctions based on extraordinary circumstances.

23. If an appeal is granted on the basis of new information, the original Title IX Board will reconvene to determine if the new information alters their original decision. The Director of OSCCR will notify the parties of the Board's decision.
24. If an appeal is granted for procedural error, the process will reset to the point at which the procedural error occurred and proceed from that point.
25. If an appeal is granted based on a review of imposed sanctions, the Director of OSCCR will notify the parties of the decision.
26. If an appeal is granted based on bias from the Title IX Coordinator, Investigator or Chair the Senior Vice Chancellor for Student Affairs or designee will replace the individual and reset the process to the point at which the alleged bias occurred and proceed from that point.
27. The Senior Vice Chancellor of Student Affairs reserves the right to review and revise final outcomes in Title IX cases, including if Title IX Coordinator closes a case at Step 12 of this process, as well as any decision by a Title IX Board or Title IX Appeals Board. Any such revision is not subject to appeal.

Protocols for Allegations of Prohibited Conduct involving University Employees as the Respondent

1. When a Title IX Reporter is notified of an alleged Title IX Prohibited Offense, the Title IX Reporter will notify the Title IX Coordinator (or designee) for review.
2. The Title IX Coordinator will, in collaboration with appropriate University departments, assess the safety and well-being of the parties involved, as well as potential threats to the University community, and will determine the need for any immediate action or interim measures.
3. The Title IX Coordinator will determine whether the complaint states a potential violation of the Policies.
 - a. If the Title IX Coordinator determines that the Complainant's allegations, if true, do not constitute a potential violation of this Policy, or that OUEC has no jurisdiction in the matter, OUEC staff will provide appropriate referrals to both on and off-campus resources. If new information is subsequently provided to OUEC, OUEC may reevaluate whether the allegations constitute a potential violation of this Policy and/or whether OUEC has jurisdiction to investigate.
 - b. If the Title IX Coordinator determines that the Complainant's allegations, if true, constitute a potential violation of this Policy, the Title IX Coordinator will initiate a Title IX investigation into the allegations and assign an investigator.
4. Case Managers will be assigned to students who are Complainants or Respondent. Case Managers will serve as the main point of contact for these individuals in order to provide interim measures and resources.
5. Notice of Investigation: Upon initiation of the investigation, the investigator will notify the Complainant and the Respondent of the investigation in writing via their University email account. The notice will (1) provide a summary of the alleged Prohibited Offense including the date, time and location, if known, (2) identify potential Policy violation(s), (3) provide the identities of the Complainant and Respondent, if known, (4) explain the prohibition against Retaliation (5) provide an explanation of the investigation process as described herein and (6) provide 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 hearing process.

6. During the investigation, the parties will have an equal opportunity to be heard. The investigator(s) will request to meet separately with the Complainant and the Respondent for an interview. Either party may choose to participate or decline to participate in the investigation. The investigator(s) may continue to investigate the alleged Prohibited Offense and produce an Investigative Report based on the available information. Both the Complainant and the Respondent will be asked to provide relevant documentary evidence (e.g., photographs, text messages, emails, phone records, receipts, etc.) and the names of any and all relevant witnesses with information about the alleged Prohibited Offense. Witnesses cannot participate solely to speak about an individual's character.
 - a. Parties involved in the investigation may, under limited and extenuating circumstances, request to submit a written statement instead of participating in an interview with the investigator(s). The Title IX Coordinator will determine whether to include in the Investigative Report information provided in a written statement, taking into consideration the relevance of the information and the rights of the Complainant and Respondent to have equal opportunity to present information and witnesses.
 - b. The investigation may also include the review of any documentation, reports, video or other items the investigator deems relevant to the allegation.
 - c. The University may dismiss a Formal Complaint or any allegations therein, if at any time during the investigation or hearing, (1) a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the University; or (3) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations.
7. The investigator(s), in consultation with the Title IX Coordinator, has the discretion to determine the relevance of any witness or evidence and may exclude irrelevant, immaterial or unduly prejudicial information in preparing the Title IX Investigative Report.
 - a. An individual's prior or subsequent sexual activity is not relevant and will not be considered, except for one limited, factual purpose:
 - i. Evidence of past sexual experience are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
 - ii. The Complainant and the Respondent engaged in consensual sexual activity prior or subsequent to the alleged Prohibited Offense, and
 - iii. The prior or subsequent consensual sexual activity is offered for the sole purpose of demonstrating how Consent was communicated between the parties during the consensual sexual activity, as compared to the alleged Prohibited Offense. Such information will not be used for any other purpose.
8. The investigator(s) will provide each interviewed party a written interview summary for review via their University email account. The interviewed party will review the summary and, within two (2) business days of receipt, will confirm the summary's accuracy or provide a written response. Failure to respond within two (2) business days will be considered confirmation of the accuracy of the summary. The investigator(s) will review any written response by an interviewed party and

will incorporate information into the Investigative Report deemed relevant in the discretion of the investigator(s).

9. At the conclusion of the investigative process, the investigator(s) will share a summary of the facts gathered during the investigation with the Complainant and Respondent for their review and response. The identities of individuals named in the report may be redacted as deemed necessary in the sole discretion of the investigator. The parties may submit a written response to the investigator(s) within ten (10) business days in order to:
 - a. clarify information,
 - b. provide an additional explanation,
 - c. submit additional questions for the investigator(s) to ask of other parties or witnesses, or
 - d. identify any other relevant information for the investigator to consider.
10. If a written response includes new and relevant information, the investigator will revise the summary of facts accordingly and provide the Complainant and Respondent with opportunities to respond to the new information. Thereafter, the investigator(s) will determine if additional investigation is required. Any further investigation will follow the steps above. If no further investigation is needed, the investigator(s) will finalize the Investigative Report.
11. The investigator(s) will submit the Investigative Report to the Title IX Coordinator for their review. The Title IX Coordinator will review the Investigative Report to assess its thoroughness, reliability and impartiality. The Title IX Coordinator may request more information or additional investigation.
12. If the Title IX Coordinator determines that the Investigative Report contains insufficient information to constitute a potential violation of this Policy, the case will be closed and the decision will be simultaneously communicated to the Complainant and the Respondent by the Title IX Coordinator in writing. There is no appeal of this decision.
 - a. Facts established as part of an investigation that reveal conduct that may violate other University policies, procedures or commonly accepted norms of conduct will be referred to the appropriate office for review.
13. If the Title IX Coordinator determines that the Investigative Report contains sufficient information to constitute a potential violation of this Policy, the case will be referred by the Title IX Coordinator to an Administrative Hearing.
 - a. In order to protect the privacy of the parties, the Investigative Report forwarded to Hearing Administrator will have personally identifiable information replaced with their role in investigation (Complainant, Respondent, Witness 1, etc.).
14. The Title IX Coordinator will send a pre-hearing meeting notice to the University email account of the Complainant and the Respondent. The pre-hearing meeting, which will take place at least ten (10) days prior to a hearing, is between the party, their Advisor and the Title IX Coordinator to:
 - a. Review the Investigative Report that forms the basis of the complaint;
 - b. Explain the charges of the Policy violation filed against the Respondent;
 - c. Explain the process for resolving the case, including whether the parties accept or contest the recommended findings of the Investigative Report;
 - d. Explain that the Title IX Coordinator will appoint an Administrator to conduct the Administrative Hearing; and

- e. Review the process for challenging participation by the Administrator for perceived bias or conflict of interest.
15. Complainants and Respondents can accept or contest the recommended findings of the Investigative Report at the pre-hearing meeting. The party's acceptance or contestation of the recommended finding will be noted for the Administrator as they review the Investigative Report and hold an Administrative Hearing to determine, using a preponderance of the evidence standard, whether to:
 - i. affirm the recommended findings of Policy violations contained in the Investigative Report;
 - ii. make alternative findings of Policy violations than those contained in the Investigative Report.
 16. The Complainant and the Respondent will each have the option to present a written or oral statement to the Administrator. Such statements or the decision to give an oral statement should be provided to the Title IX Coordinator at least five (5) business days prior to the Hearing. However, the Administrative Hearing is not a forum for the parties to present facts, information or witnesses. The parties are expected to provide all relevant facts, information and witnesses to the investigator(s) during the investigation. The Administrative Hearing is an opportunity for the parties to present their arguments as to why the recommended findings of Policy violations in the Investigative Report should or should not be adopted by the Administrator. Any new information presented at the Administrative Hearing will not be considered by the Administrator.
 17. The Administrator will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's Advisor of choice and never by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Administrator must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party or witness does not submit to cross-examination at the live hearing, the Administrator must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Administrator cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

18. Either party may request alternative methods for participating in the Administrative Hearing that do not require physical proximity to the other party, including participating through electronic means that enable the Administrator and parties to simultaneously see and hear the party or the witness answering questions. This request should be submitted to the Title IX Coordinator at least two (2) business days prior to the Hearing.
19. At the conclusion of the Administrative Hearing, the Administrator will deliberate and render a decision regarding whether or not there is a preponderance of the evidence to support the recommended findings in the Investigative Report.

20. The Administrator may affirm or alter the recommended findings of Policy violation contained in the Investigative Report. Thereafter, the Administrator will provide both the Complainant and the Respondent written Notice of the Administrator's decision, including a description of the procedural steps taken by the University from the receipt of the Formal Complaint through the Administrator's finding and the rationale for why a Policy violation was or was not found. As appropriate, a copy of the Notice will also be forwarded to the administrative official immediately responsible for supervision of the Respondent and the appropriate Vice President, Dean, or Director for the unit in which the Respondent works for their review and determination of disciplinary action. The Administrator may, as appropriate, provide these offices with recommended action.

The Administrator will also explain the appeals process to both parties through the Notice.

21. The Complainant and Respondent may notify the Title IX Coordinator of their request to appeal the findings of Policy violations within (5) five business days of receiving notice of the recommended findings of fact. The written appeal will be provided to the non-appealing party, who may, but is not required to provide a response within two (2) business days. The Title IX Coordinator will appoint a Title IX Appeals Board or Administrator to review the written appeal to determine whether it meets any of the following grounds for appeal:

- i. new, relevant information not reasonably available by the completion of the investigation;
- ii. procedural error that prevented the appealing party from a fair opportunity to present information and/or witnesses.
- iii. the Title IX Coordinator, investigator(s), or Administrator(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. Once the appeal materials are submitted, the non-appealing party and the investigator will be notified of the appeal and given an opportunity to provide a response within two (2) business days.
 1. If an appeal is granted on the basis of new information, the Appeal Officer will refer the matter back to the Administrator to determine if the new information alters their original decision.
 2. If an appeal is granted for procedural error, the process will reset to the point at which the procedural error occurred and proceed from that point.
 3. If an appeal is granted based on bias from the Title IX Coordinator, Investigator or Administrator, the Appeal Officer will notify the Title IX Coordinator to determine next steps.
 - a. The Appeal Officer, the parties, and if required witnesses, may be reconvened to review only the new information. The Appeal Officer will render a decision based on all the relevant information provided.

22. At the conclusion of the appeal, both the Complainant and Respondent will be notified, in writing, of the outcome by the Appeal Officer, and the Investigative Report will be forwarded to the appropriate office for consideration of the findings of fact. Any disciplinary action taken

based upon the Investigative Report is governed and controlled by other applicable University policy.

Protocols for an Emergency Removal

1. When an alleged violation(s) of the Policy on Rights and Responsibilities Under Title IX is reported and the violation(s) may constitute an immediate threat to the physical health or safety of any student or other individual, the TIX Committee will meet to conduct an individualized safety and risk analysis of the potential need to remove the Respondent(s) from the University on an emergency basis
2. If an Emergency Removal is deemed necessary, the student will receive communication of the Emergency Removal through the Director of OSCCR, or their designee
 - a. This communication will be sent through the Maxient conduct database to the Respondent's University email address;
 - b. A hold will be placed on the student's record;
 - c. The Respondent is not allowed on any University property cannot attend classes or any University sponsored activities both on and off University property;
 - d. The Respondent will need to make advance arrangements with OSCCR for approval any time they may need to be on campus to take care of University-related business during the period of interim suspension;
 - e. Included in the letter will explain the Respondent's opportunity to submit an online request to challenge the decision of the Emergency Removal
3. If the Respondent wishes to challenge the emergency removal, they will submit an online request form within five (5) business days, explaining in detail the reasons for why they are challenging the Emergency Removal. Grounds to challenge an Emergency Removal are:
 - a. The reliability of the information concerning the appellant's alleged conduct, including the matter of their identity; or
 - b. Whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the appellant on University property or within University programs poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of a Prohibited Offense.
4. The appeal will be reviewed within three (3) business days from the date of the request by the Senior Vice Chancellor of Student Affairs, or their designee and the Emergency Removal will remain in effect during the appeal process.
5. The Senior Vice Chancellor of Student Affairs, or their designee, will review the student's appeal, the incident report(s), and the original individualized safety and risk analysis
 - a. The Senior Vice Chancellor of Student Affairs, or their designee, can request to meet with the student in person or virtually, if deemed necessary to obtain any additional information or clarification
 - i. This meeting will not replace the Resolution process, which shall proceed in accordance with procedures identified in this Policy.
6. A final decision to either (1) uphold the Emergency Removal, (2) modify, or revoke it will be provided to the student within 2 business days of receiving the student's request.
 - a. There will be no further appeals to the decision rendered upon review.

- b. If the Emergency Removal is modified or revoked, other supportive, remedial and protective measures may be assigned until the resolution of any related Resolution Option through the OUEC is completed.
 - i. At any point in a Resolution Process of an allegation of a Prohibited Offense, the University has the discretion to impose, lift, reassess, and modify an Emergency Removal as circumstances may warrant and as new information becomes available.
7. If the Emergency Removal is upheld, the Director in OSCCR, or their designee, will send a memo to campus colleagues regarding the Emergency Removal.

POLICY PROHIBITING SEXUAL AND GENDER-BASED HARASSMENT

I. Purpose and Scope

The University is committed to providing equal opportunity to its students and employees in an environment free of Sexual and Gender-Based harassment. Because Sexual and Gender-Based Harassment interferes with the expectation that all individuals at the University will learn and work in an environment that is free from discrimination, it will not be tolerated in any form.

The Policy Prohibiting Sexual and Gender-Based Harassment (the "Policy") applies to all members of the University community, including students, faculty, staff, affiliates, and volunteers when acting on behalf of the University, whether on or off campus, as well as to contractors, parents, and visitors when they are on University property. It further applies to allegations of sexual and gender-based harassment involving students, faculty, or staff members that occur:

- on or off property owned or controlled by the University;
- in the context of a University education or research program or activity, including but not limited to University-sponsored study abroad, or other affiliated programs, or employment; or
- outside the context of a University education or research program or activity, or employment, but which nonetheless creates a hostile environment in a University education or research program or activity, or employment environment.

Reports of Title IX Prohibited Offenses, including Sexual Assault, Sexual Harassment and Domestic or Intimate Partner Violence, are not covered under this Policy but instead are addressed by the University's Policy on Rights and Responsibilities Under Title IX and its accompanying procedures.

II. Definitions

Abuse

- Verbal abuse is the extreme or excessive use of language, often in the form of insults, name-calling, and criticism, designed to mock, shame, embarrass, or humiliate an intimate partner. Verbal abuse often has the aim of diminishing the Complainant's self-esteem, dignity, or security. Singular statements and isolated incidents will likely fall short of this sufficiency standard.
- Physical violence or abuse occurs when one intentionally or recklessly (1) causes bodily harm; (2) attempts to cause another bodily harm; or (3) puts another in reasonable fear of imminent bodily harm.

- Emotional and psychological abuse involves a persistent pattern or prolonged climate of dominating or controlling behavior, often involving some type of power imbalance. The Respondent's behavior is often intended to terrorize, intimidate, isolate, or exclude an intimate partner.

Advisor refers to an individual chosen by a Complainant or Respondent to provide support and guidance through the investigatory and disciplinary processes of this Policy, including at interviews, meetings and hearings. The Advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation.

Coercion means the use of an unreasonable amount of pressure to initiate or continue sexual activity against an individual's will. Coercion is more than an effort to gain Consent, or persuade, entice, or attract another person to engage in sexual activity.

Complainant is the person alleging they were subjected to discrimination or harassment.

Complaint is an allegation(s) of discrimination, harassment and/or Retaliation, filed in good faith and in accordance with this Policy.

Consent means a voluntary, affirmative agreement to engage in sexual activity proposed by another; it requires mutually understandable and communicated words and/or actions that would demonstrate to a reasonable person agreement by both parties to participate in sexual activity.

Confidential Employee refers to University employees who are bound by their profession to confidentiality and, therefore, are not required to disclose information about violations of this Policy to the Office for University Equity and Compliance without prior consent of the Reporting Party. Additional information about Confidential Employees can be found in Section III(E) of this Policy.

Emergency Removal is the process for removing a student Respondent from the University's education program or activity on an emergency basis. The University will conduct an individualized safety and risk analysis, and if it is determined that there exists an immediate threat to the physical health or safety of any student or other individual arising from the allegations of violations of this Policy, the student may be removed from the University community. When students are removed through this process, the University will provide the Respondent with notice and an opportunity to challenge the decision within three business days of removal, absent extenuating circumstances.

Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression that has the purpose or effect of creating a hostile living, learning, or working environment.

Hostile Environment exists when the conduct is sufficiently severe, pervasive and objectively offensive that it unreasonably interferes with, or deprives an individual from participating in or benefiting from, the University's education or employment programs and/or activities or unreasonably interferes with an

individual's work or academic performance. Conduct must be deemed severe, pervasive and offensive from both a subjective and an objective perspective (application of the reasonable person standard).

Retaliation is any intentional or attempted adverse or negative act against a person who in good faith makes a report, serves as a witness, or participates in an investigation or adjudication process regarding an alleged violation of a University policy. Retaliation includes threatening, intimidating, harassing, Coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy.

Retaliation does not include good faith actions lawfully pursued in response to a report under this Policy.

Respondent means the individual who has been reported to be the perpetrator of a Sexual or Gender-Based Harassment as defined by this Policy.

Sexual Exploitation means when a person(s) takes non-consensual sexual advantage of another, for any purpose. Sexual Exploitation includes but is not limited to:

- *Inducing Incapacitation for the Purpose of Sexual Activity*: Providing drugs, alcohol, or other substances to a person(s) with or without their knowledge, with the intent to impair their ability to withhold Consent or their ability to knowingly Consent to sexual activity.
- *Photographing or Video/Audio Taping of Sexual Activity*: The intentional viewing, filming, photographing, and/or recording in any manner or by any means transmitting and/or disseminating any recording of any type of sexual acts, partial or full nudity, and/or related materials, sounds, or images of another person without the Consent of all parties involved.
- *Voyeurism*: The act of intentionally observing, spying on or listening to a person(s) involved in sexual activity or in any state of undress. Voyeurism also occurs when an individual allows others to observe this behavior without the Consent of all parties involved.

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee or other community member of the University conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (Quid Pro Quo Sexual Harassment);
 - Unwelcome conduct of a sexual nature that is not covered under the jurisdiction of Title IX Sexual Harassment, determined by a reasonable person standard to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

Domestic Violence means the intentional infliction of physical, sexual, or psychological harm on a current or former partner or spouse. Domestic Violence includes Dating, Intimate partner, and Relationship Violence.

Sexual Assault consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without (3) Consent.

- **Non-Consensual Sexual Contact** is any intentional touching of a sexual nature performed by a person upon another person, without the Consent of all parties involved, including:
 - the intentional touching of the intimate body parts of another—such as breasts, buttocks, groin, genitals, or the clothing covering them.
 - forcing or Coercing another person touch you or themselves with or on someone’s breasts, buttocks, groin, genitals, or the clothing covering them.
- **Non-Consensual Sexual Intercourse** is any oral, anal, or vaginal penetration, however slight, by an inanimate object, penis, or other bodily part without the Consent of all parties involved;
 - forcing or Coercing another person to penetrate someone else;
 - the attempted oral, anal, or vaginal penetration of an individual(s) by an inanimate object, penis, or other bodily part without the Consent of all parties involved.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress (i.e., significant mental suffering or anguish).

Examples of stalking include, but are not limited to, acts in which a person follows, monitors, observes, surveils, or threatens someone, conducted in person directly, indirectly, or through third parties, or by mail, phone, electronically, or social media.

Third Party refers to any individual who is not a University student, faculty member, or staff member (e.g., vendors, alumni, students at another college or university or local residents).

III. Policy

The University strictly prohibits all forms of Sexual and Gender-Based Harassment by any member of the University community, including visitors to University campuses.

The University reserves the right to address any behavior that it considers inappropriate or inconsistent with University expectations, standards or values, even though such behavior may not rise to the level of discrimination pursuant to this Policy or under state or federal law. Nothing in this Policy is intended to limit the authority of the University to take appropriate action against any individual who violates University rules or policies, whether or not the conduct constitutes a violation of this Policy. The University may assume the role of a Complainant and pursue a report or Complaint of Sexual or Gender-Based Harassment either informally or formally.

A. Prohibited Conduct Under this Policy

Sexual or Gender-Based Harassment includes the following conduct as defined in this Policy when the conduct does not meet the definition of a Title IX Prohibited Offense:

- Domestic Violence (Dating, Intimate Partner, and Relationship Violence)
- Gender-Based Harassment
- Quid Pro Quo Harassment
- Retaliation
- Sexual Assault (Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse)

- Sexual Exploitation
- Stalking

B. Sexual Harassment and Title IX

Reports of Title IX Prohibited Offenses (Sexual Harassment, Sexual Assault, Domestic Violence, Intimate Partner Violence, Dating Violence, Stalking, or Retaliation) are addressed by the University's Policy on Rights and Responsibilities Under Title IX and separate procedures referenced in that policy, which outline the investigation and resolution of claims of Prohibited Offenses. Reports of Prohibited Offenses can be reported to the Office for University Equity and Compliance (OUEC) by completing the form available at: Reporting to OUEC or in person at OUEC. OUEC's policy, as well as other helpful information can be found at <https://www.northeastern.edu/titleix/>. The University reserves the right to address allegations of Prohibited Offenses under this Policy when the behavior occurs outside of the parameters of the University's Policy on Rights and Responsibilities Under Title IX and within the parameters set above.

In the event of any conflict or inconsistency between this Policy and other University policies or procedures that may relate to the subject matter hereof, the University will determine which policy takes precedence.

C. Consent, Incapacitation and Coercion

i. Consent

Sexual activity requires Consent from all involved parties. Consent must be freely given, without physical force, threats, intimidating behavior, duress, or Coercion. Silence, a lack of resistance, previous sexual relationships or experiences and/or a current relationship may not, in itself, constitute Consent.

The initiator, or the person who wants to engage in the specific sexual activity, must obtain Consent from the partner(s) for each sexual act. Each participant may be an initiator at different points of sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue that activity.

A person's initiation of a sexual act constitutes Consent to that act, but not necessarily to subsequent acts. Consent to sexual activity may be withdrawn at any time and the withdrawal must be communicated in mutually understandable words and/or actions; if so, sexual activity must cease immediately. Consent may never be given by minors (in Massachusetts, minors for these purposes are those not yet 16 years of age), or those who are unable to understand the who, what, when, where, why, or how of their sexual activities as a result of Incapacitation due to a cognitive disability, intoxication by alcohol or other drug consumption (voluntary or involuntary), or those who are unconscious, or otherwise physically helpless.

Engaging in sexual activity while under the influence of alcohol or drugs may create ambiguity for either party as to whether Consent has been sought or given. A person who has consumed alcohol and/or drugs still has a responsibility to obtain Consent for any sexual activity with another person(s). Being impaired by alcohol or other drugs is no defense to any violation of this Policy.

ii. Incapacitation

A person who is Incapacitated is unable, temporarily or permanently, to give Consent to sexual activity because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be Incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily Incapacitated merely as a result of drinking alcohol or using drugs.

The impact of alcohol, medication, and other drugs varies from person to person. Although every individual may manifest signs of Incapacitation differently, signs could include, but are not limited to, some or all of the following:

- confusion or lack of understanding;
- disorientation to place, time and/or location;
- vomiting;
- incontinence; and/or unconsciousness.

A person who is Incapacitated may not be able to understand some, or all, of the following questions:

- "Do you know where you are?"
- "Do you know how you got here?"
- "Do you know what is happening?"
- "Do you know whom you are with?"

For purposes of evaluating Consent, the University considers two questions:

- Did the person initiating sexual activity know that their partner was Incapacitated? If not,
- Would a reasonable person in the same situation have known that their partner was Incapacitated?

If the answer to either of these questions is "yes," Consent was absent.

iii. Coercion

A person subject to Coercion is unable to give Consent to sexual activity. In evaluating whether Coercion was used, the University will consider: (1) the frequency of the application of the pressure, including severe and/or pervasive intimidation, manipulation, threats, and blackmail, which causes a person to engage in unwelcome sexual activity, (2) the intensity of the pressure, (3) the degree of isolation of the person being pressured, and (4) the duration of the pressure.

D. Reporting Expectations and Obligations

The University encourages anyone who becomes aware of possible Sexual or Gender- Based Harassment to immediately report it to the OUEC. All faculty and staff, except Confidential Employees, are expected to report any potential violation of this Policy as described in Section III(E).

The OUEC is responsible for enforcing University policies prohibiting discrimination, including this Policy.

If there is any immediate health, wellness or safety concern, individuals are strongly encouraged to first report the incident to NUPD.

- Emergency: 617.373.3333
- Non-Emergency: 617.373.2121

Faculty and staff are obligated to be immediately available to investigators and to be truthful and forthcoming. Lack of cooperation may subject the individual to disciplinary action. If parties refuse to cooperate and/or respond in a timely manner, the OUEC may take any specific action it deems necessary and appropriate to address the situation based on the information available. Failure to cooperate in the review of a Complaint of Sexual or Gender-Based Harassment or Retaliation may be grounds for discipline, up to and including suspension or termination.

All community members are expected to provide truthful information in any report or proceeding under this Policy and have the responsibility to keep information related to such report or proceeding private.

E. Confidential Resources

The University offers confidential resources for medical treatment, emotional support and counseling through Confidential Employees. Confidential Employees are not required to disclose information about alleged violations of this Policy to the OUEC without prior consent of the student. Confidential Resources on campus include:

- University Health and Counseling Services (UHCS) staff
- Sexual Violence Resource Center (SVRC)
- The Office of Prevention and Education at Northeastern (OPEN)
- Center for Spirituality, Dialogue, and Service (CSDS) spiritual advisors/leaders

For further information about confidential resources, please go to:

<https://www.northeastern.edu/ouec/reporting-options/titleix-prohibited-offenses/>.

F. Filing a Formal Complaint

A Complainant may choose to report allegations of Sexual or Gender-Based Harassment to the University, to law enforcement, to both, or to neither. These reporting options are not exclusive. Complainants may simultaneously pursue criminal and disciplinary action through the University. The University will support Complainants in understanding, assessing and pursuing these options.

A Formal Complaint is a document filed by a Complainant or signed by the Assistant Vice President for University Equity and Compliance (Assistant Vice President) alleging Sexual or Gender-Based Harassment against a Respondent and requesting that the University investigate the allegation or pursue a Resolution Option as identified in this Policy. A Formal Complaint may be filed with the OUEC using the methods as identified in this section. The Formal Complaint must have the Complainant's

physical or digital signature, or otherwise indicate that the Complainant is the person filing the Formal Complaint.

If a Complainant chooses not to file a Formal Complaint against a Respondent, the Assistant Vice President will review the facts in the report to determine if an investigation is required in order to address a potential hostile environment in a University education program or to protect the safety of the University community. In making this determination, the Assistant Vice President will review the report for any of the following facts:

- the Respondent has a prior record of committing Prohibited Offenses or Sexual and Gender-Based Harassment;
- the Respondent displayed any signs of predatory behavior;
- violence or any weapons were used by the Respondent;
- other individuals were involved in the commission of the Prohibited Offense or Sexual and Gender-Based Harassment;
- the Respondent presents a continuing threat to the University community; and/or
- a hostile environment may exist in a University education program as a result of the alleged Sexual or Gender-Based Harassment.

If the initial report contains any of the above facts or allegations, the Assistant Vice President may sign a Formal Complaint. The Assistant Vice President will notify the Complainant if a determination is made to proceed with an investigation and explain the Complainant's right to participate or not participate in the investigation or in any other actions undertaken by the University.

When the Assistant Vice President signs a Formal Complaint, the Assistant Vice President is not a Complainant or otherwise a party of the investigation.

If you feel that you have been subjected to Sexual or Gender-Based Harassment, you may file a Formal Complaint with the Office for University Equity and Compliance:

360 Huntington Avenue, 125 Richards Hall
Boston, MA 02115
Phone: 617.373.4644
ouec@northeastern.edu

Reporting to the OUEC: The University's preferred mechanism to report allegations of Discrimination to the OUEC is by completing the form available at <https://www.northeastern.edu/ouec/file-a-complaint/>. Reports can also be made in person at OUEC, by telephone or by electronic mail as listed in this section.

Reporting to Law Enforcement: Community members impacted by Sexual or Gender- Based Harassment are strongly encouraged, but not required, to report any allegations of violations of this Policy directly to NUPD as soon as possible, regardless of where the offense took place and whether or not the Respondent is known to the Complainant. NUPD officers will report allegations of this Policy to the OUEC.

i. Allegations Where the Complainant is a Third Party

Third Party Complainants may make reports to the University of alleged violations of this Policy committed by a member of the University's community by contacting NUPD and/or the OUEC.

A Third Party Complainant may participate in a University Complaint resolution process, as described in this Policy.

- In order to comply with federal privacy laws, Third Party Complainants will not receive written notice of the investigator's recommended finding or OSCCR's decision of responsibility of a University community member. Further, Third Party Complainants do not have appeal rights under this Policy.
- Third Party Complainants participation in the university's investigation process completes on step #10 in the Formal Resolution Procedure Section below.

ii. Allegations Where the Respondent is a Third Party

The University's ability to take appropriate corrective action against a Third Party will be determined by the nature of the relationship of the Third Party to the University. The Assistant Vice President will determine the appropriate manner of resolution consistent with federal law, guidance, and this Policy.

When a Third Party is a Respondent, NUPD or local enforcement may investigate the allegations. The University will assist the Complainant in making a report to the appropriate law enforcement agency with jurisdiction over the incident, and will provide appropriate supportive, remedial and protective measures as well as ongoing assistance to the Complainant to facilitate their participation in the criminal process.

G. Enforcement

A determination of whether conduct is considered discriminatory or harassing in violation of the University's policies is dependent upon the totality of the circumstances, including the severity and persistence of the conduct, from both a subjective and an objective perspective, and whether the conduct is objectively offensive.

The University uses a preponderance of the evidence standard (more likely than not that a Policy violation occurred) in determining whether this Policy has been violated. Any student found responsible for Sexual or Gender Based-Harassment is subject to disciplinary action up to and including expulsion from the University. An employee found to have committed Sexual or Gender Based-Harassment in violation of this Policy is subject to disciplinary action up to and including termination.

H. Retaliation:

It is unlawful to take adverse actions against any member of the University community for filing a Complaint of harassment or discrimination, or for cooperating in an investigation of such a Complaint. Retaliation against a member of the University community who, in good faith, reports alleged harassment or who participates in an investigation is a violation of this Policy. Any person who is determined to have engaged in retaliatory behavior will be subject to appropriate discipline. Retaliation

may have an adverse impact in the following areas: hiring, firing, promotions, demotions, compensation, benefits, grading, pressure to withdraw from class, ignoring, refusing requests for assistance. This list is not exhaustive.

I. Request for Anonymity

If a Complainant requests to remain anonymous during an OUEC Resolution for an allegation of Sexual or Gender-Based Harassment, the Assistant Vice President will consider the request, balancing the request in the context of the University's responsibility to provide a safe and non-discriminatory environment for University community members, as well as the fair and equitable treatment of the individuals involved. This includes the Respondent's right to receive notice of allegations that prompted the investigation. The University will take reasonable steps to investigate and respond to a report of a Sexual or Gender-Based Harassment consistent with the request for anonymity, but its ability to investigate may be limited by the request.

The University may not be able to honor requests for anonymity in all cases. In such cases, the Assistant Vice President will notify the Complainant that the University intends to proceed with the most appropriate resolution procedure, as deemed by the OUEC, and that during the process the Complainant's identity may have to be disclosed to individuals who may have relevant information regarding the allegation.

J. Medical Amnesty

The University seeks to remove any barriers to reporting allegations of Sexual or Gender-Based Harassment. Accordingly, student Respondents, student Complainants and student witnesses will not be subject to disciplinary sanctions for drug or alcohol offenses that may have occurred in connection with alleged harassment or discrimination. For the full Medical Amnesty Policy, please see the Code of Student Conduct.

K. Supportive, Remedial and Protective Measures for Students

The University offers reasonable and appropriate measures to protect students who are Complainants, Respondents, and witnesses, as appropriate, and to facilitate their continued access to University education programs and activities while maintaining the integrity of any investigation into an allegation of harassment or discrimination. Upon receipt of a report of discrimination, the University will inform the student Complainant(s) and Respondent(s) of, and promptly provide access to, the following supportive, remedial and protective measures as appropriate:

- options for on- and/or off-campus medical, counseling, and other related services;
- options for temporary alternate housing arrangements, including immediate relocation to different University housing, when available;
- options for requesting a residential hall ban;
- options for altering academic class schedules/obligations;
- options for a leave of absence;
- options for altering student organization schedules/obligations;
- options for altering work schedule or job assignment;

- Emergency Removal from the University's educational program for student Respondents and administrative leave from employment for employee Respondents (with or without pay);
- options for alternative transportation as well as a campus escort service;
- options for seeking disciplinary action against a Respondent who is a University community member;
- options for receiving a University No Contact order; and
- options for seeking protective orders.

The above supportive, remedial and protective measures may be temporary or permanent and are available to Complainants even if they do not wish to participate in an OUEC or criminal investigation of the alleged discrimination. While the above outlined measures represent options that are generally available to the parties, not every measure is available to every party in every circumstance. Except under extraordinary circumstances as determined by the Assistant Vice President, the University does not provide supportive, protective and remedial measures to Third Parties.

L. Advisors

The Complainant and Respondent may be accompanied by their respective Advisors at any meeting or interview related to the investigation and adjudication of a report under this Policy. While Advisors may provide support and advice to the parties during the meeting or interview, they may not speak on behalf of the parties or otherwise actively participate in such meetings and/or proceedings.

An Advisor may not delay or otherwise interfere with or disrupt the investigatory and adjudication process under this Policy. Because the University's process is not the same as a formal, external legal process, the Advisor, although they may be an attorney, does not represent the party in a legal capacity in the University's process. Absent accommodation for a disability, the Complainant and Respondent may not be accompanied by more than one Advisor or by other individuals during meetings or interviews.

Throughout the investigation and adjudication process of a report under this Policy, all official University communications (both verbal and written) will be between the University and the parties directly. The University will not communicate with an Advisor on behalf of a party.

M. Resolution Options

The Policy offers two forms of resolution for Complaints of Sexual or Gender-Based Harassment, as well as Complaints of alleged Retaliation, as defined by this Policy:

1. The Informal Resolution Procedure is a voluntary and remedy-driven pathway to a Complaint resolution that is acceptable to the Complainant, Respondent, and the OUEC without a full University investigation and without official findings of fact.
2. The Formal Resolution Procedure provides a structured process for investigating and resolving Complaints that includes official findings of fact.

The University takes all Complaints of Sexual or Gender-Based Harassment seriously, and will take steps to prevent its recurrence and remedy discriminatory effects where appropriate.

i. Informal Resolution Procedure Overview

The Informal Resolution Procedure offers a way to discuss, evaluate and resolve perceived allegations of Sexual or Gender-Based Harassment without initiating a comprehensive investigation through the Formal Resolution Procedure. The University does not require a Complainant to utilize the Informal Resolution Procedure prior to pursuing a Formal Resolution Procedure.

In keeping with the nature and spirit of an informal resolution, under this Procedure, the University will not make a determination as to whether a Respondent has violated this Policy. Instead, the OUEC will attempt to facilitate a mutually acceptable resolution through the use of conflict resolution techniques. Informal resolutions are pursued after a Formal Complaint of an alleged violation of this Policy is filed with the OUEC, the Complainant has been fully informed of all available Resolution Options, and has explicitly communicated their choice to utilize the Informal Resolution Procedure to the OUEC. A Complainant can request the Informal Resolution Procedure any time prior to the University reaching a determination regarding responsibility of a violation of this Policy.

Possible outcomes of an Informal Resolution may include, but are not limited to, mediation where a Third Party can assist in facilitating an agreement between the parties, a written understanding about future conduct, establishing mutually agreed upon interim measures, broad-based educational programming or training for relevant individuals or groups, or any other supportive, remedial or protective measures that can be tailored to the involved individuals to stop any unwanted behavior, prevent recurrence of the issues and remedy the effects of the particular Complaint.

Complainants and Respondents are not required to communicate directly with each other during the Informal Resolution process, unless requested and agreed to by all parties, including the OUEC.

An Informal Resolution Procedure is voluntary, and a Complainant and Respondent can withdraw from the informal process at any time before its completion and resume the grievance process with respect to the Formal Resolution Procedure. If an Informal Resolution Procedure is ended by request of one of the parties prior to a resolution being achieved, any information obtained may not be used in a subsequent Formal Resolution Procedure and hearing process. Once a Complaint has been resolved through an Informal Resolution Procedure, the matter is closed and the parties are precluded from resuming a Formal Complaint Procedure arising from the same allegations.

The procedures for the Informal Resolution Procedure of reports of Prohibited Offenses are detailed in the Informal Resolution Procedure section below.

ii. Formal Resolution Procedure Overview

A Formal Resolution Procedure will occur when (a) a Formal Complaint of an alleged violation of this Policy is filed with the OUEC and the Complainant seeks a Formal Resolution; or (b) the Assistant Vice President for the OUEC or designee determines that a Formal Resolution Procedure is necessary after considering the safety of the broader campus community. In the situation when there is a serious threat to the University community, but the potential Complainant cannot or does not wish to proceed with the formal process, the Assistant Vice President, may file a Formal Complaint.

The Formal Resolution Procedure of a Complaint of Sexual or Gender-Based Harassment includes a neutral, thorough and reliable investigation by OUEC into the allegations of the Complaint in order to reach a determination as to whether the Respondent(s) has violated this Policy. Complainants may initiate the Formal Resolution Procedure by filing a Formal Complaint with OUEC, regardless of whether resolution under the Informal Resolution Procedure has been attempted.

The Respondent is presumed to be not responsible, and this presumption may be overcome only where the Hearing Board (where a student is the Respondent) or the Assistant Vice President or designee (where an employee is a Respondent) concludes that there is sufficient evidence, by a preponderance of the evidence, to support a finding that the Respondent violated the Policy.

Once the investigation is complete, the investigator(s) will submit the Investigative Report to the Assistant Vice President for review. If the Assistant Vice President determines that the Investigative Report contains sufficient information to constitute a potential violation of this Policy, any case where a student is the Respondent will be referred by the Assistant Vice President to the Director of OSCCR, who will facilitate a Hearing, to determine, using a preponderance of the evidence standard, whether to:

- i. affirm the recommended findings of Policy violations contained in the Investigative Report;
- ii. make alternative findings of Policy violations than those contained in the Investigative Report.

OUEC responds to Complaints in accordance with the procedures outlined in this Policy. However, there may be circumstances that support a departure from these procedures, and, should such circumstances arise, OUEC will advise the parties.

N. Timeframe for Completion of Resolution Procedures

Both Informal and Formal Resolution Procedures will be completed in a reasonably prompt and equitable manner. The goal is to have Informal and Formal Resolution Procedures completed approximately 90 days after a Complaint is made. However, the specific circumstances and complexity of each case could lead to these processes taking longer.

Any time frame set forth in this Policy may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of a resolution procedure, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, within reason, to account for University breaks, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The Investigator will notify the parties in writing of any extension of this timeframe and the reason for such extension.

O. Confidentiality of University Records

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"). The University is committed to protecting the privacy of all parties involved in any aspect of this Policy and will not share any such information except on a need-to-know basis for the purposes of assessing, investigating and resolving the alleged Sexual or Gender-Based

Harassment and providing access to interim remedial and protective measures. The University will also share information as required by federal, state, or local law or as required by valid subpoena or court order.

P. Confidentiality of the Resolution Process

All parties are required to keep confidential all documents received from the University during the resolution and adjudication processes and must destroy such documents and information at the direction of the University (except for outcome letters). Disclosing documents outside of the resolution and adjudication processes may be considered Retaliation. However, the University cannot restrict the ability of any party to discuss the allegations under investigation.

Q. Record Retention

All student records created and maintained pursuant to this Policy will be retained as described in the Maintenance of Disciplinary Records section of the Code of Student Conduct.

R. Academic Freedom

The University is committed to academic freedom as an institution, and supports community members to express themselves, while protecting and respecting the rights of others to learn, conduct research, and carry out the essential functions of the University free from interference or obstruction. When addressing Complaints of violations of this Policy, the University will take all permissible actions to respond appropriately while respecting the rights of academic freedom in accordance with applicable University policy.

S. Training and Education for the University Community

Every member of the University community is responsible for promoting an environment free from Sexual and Gender-Based Harassment and Discrimination. All members of the community are encouraged to take reasonable, safe, and prudent actions to prevent or stop the commission of all forms of discrimination. Members who take such actions or who wish to learn more about active bystander prevention are encouraged to access the resources described in this Policy for support and assistance.

The University offers ongoing education to students and employees to promote awareness of discrimination. Such education includes definitions of Sexual and Gender- Based Harassment; best practices for risk reduction, safe and positive bystander intervention; reporting procedures and options; and information concerning rights as described in this Policy. Faculty and staff have the obligation to complete mandatory anti-harassment training.

IV. Additional Information

This Policy is available online at <http://www.northeastern.edu/policies/> and the University's nondiscrimination policies and related grievance procedures are available at <https://www.northeastern.edu/ouec/> and in the Office for University Equity and Compliance which is located at 125 Richards Hall.

In addition to the above, if you believe you have been subjected to Sexual or Gender- Based Harassment, you may file a Formal Complaint with any of the government agencies set forth below.

Using our internal Complaint process does not prohibit you from filing a Complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 300 days; MCAD – 300 days).

The Regional Director, Office for Civil Rights, United States Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109; 617.289.0111, www.ed.gov/ocr

Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, Massachusetts 02108-1518; 617.994.6000, www.mass.gov/mcad

Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203. 800.669.4000, <http://www.eeoc.gov/>.

V. Contact Information

Inquiries regarding the University's nondiscrimination and harassment policies may be directed to:

Office for University Equity and Compliance
360 Huntington Avenue, 125 Richards Hall
Boston, MA 02115
Phone: 617.373.4644
ouec@northeastern.edu

Informal Resolution Procedure

If the Complainant requests that the Informal Resolution Procedure be utilized after filing a Formal Complaint and having been fully informed of all available options, the following steps shall be taken:

1. OUEC shall request to meet with Complainant, if necessary, to determine whether the Complaint states a potential violation of this Policy.
 - a. If OUEC determines that the Complainant's allegations, if true, do not constitute a potential violation of this Policy, or that OUEC does not have jurisdiction over the matter, OUEC staff will provide appropriate referrals to both on and off-campus resources. If new information is subsequently provided to OUEC, OUEC may reevaluate whether the allegations constitute a potential violation of this Policy and/or whether OUEC has jurisdiction to investigate.
2. If OUEC determines that Complainant's allegations, if true, constitutes a potential violation of this Policy, OUEC will notify the Respondent, in writing, that a Complaint has been filed against them and that the Complainant has requested an informal resolution. The Respondent may agree to the informal resolution or request a Formal Resolution as detail in the Formal Resolution Procedure section below.
 - a. OUEC will provide the Complainant and the Respondent a summary of the alleged Sexual or Gender-Based Harassment, identify potential Policy violation(s), and provide an explanation of the Informal Resolution Procedure, including:
 - i. completion of the Informal Resolution Procedure precludes the parties from utilizing a Formal Resolution Procedure arising from the same allegations;

- ii. any time prior to agreeing to an Informal Resolution, any party has the right to withdraw from the Informal Resolution Procedure and resume the grievance process with respect to the Formal Resolution Procedure,
 - 1. If an Informal Resolution Procedure is ended without resolution, by request of one of the parties, any information obtained may not be used in a subsequent Formal Resolution Procedure and hearing process;
 - iii. record maintenance of the procedure;
 - iv. the requirement for the parties' voluntary, written consent to the Informal Resolution Procedure.
- 3. If the Respondent agrees to an Informal Resolution, the investigator(s) will request to meet separately with the Respondent, and the Complainant, if necessary, for an interview.
- 4. Both the Complainant and the Respondent will have the opportunity to provide their version of events in order for the investigator(s) to understand the issues. Please note that this is not a formal investigation.
- 5. A summary of the informal process shall be kept on file with OUEC, but will not be considered part of the academic record for student Complainants and/or Respondents or the employee record for employee Complainants and/or Respondents.
 - a. Complaints resolved informally require mutual acceptance by the Complainant, the Respondent(s), and OUEC through a Memorandum of Agreement (MOA). The MOA (1) must be signed by the Complainant, the Respondent(s), and OUEC, (2) shall state the conditions of the resolution, if any, and (3) shall state that the resolution of the Complaint via the MOA does not imply an admission of wrongdoing or a clearance of charges. The MOA shall also state which issues are being resolved by the parties and which issues remain unresolved, if any.
 - b. If an informal resolution is not achieved, the investigator will notify all parties in writing that the informal process has terminated without a resolution, and that any information obtained during the attempted facilitation of the informal process cannot be utilized in any future processes.
 - c. If resolution of the Complaint is reached through the Informal Resolution Procedure, the matter will be considered closed.
 - d. If OUEC determines that further process is necessary, or if either party fails to comply with the terms of any agreed upon resolution, OUEC may initiate the Formal Resolution Procedure.

The University retains the discretion and authority to determine whether the Informal Resolution Procedure is inappropriate or is no longer appropriate. The University will consider, among other things, the following factors in making its decision: the length of time of the informal review process, the results of the informal process, the gravity of the alleged offense, the risk of harm to an individual or the community, the risk of a violation of law, or any other reason that necessitates elevation to the Formal Resolution Procedure.

Formal Resolution Procedure

1. When made aware of a complaint of Sexual or Gender-Based Harassment, the Assistant Vice President will, in collaboration with appropriate University departments, assess the safety and

well-being of the parties involved, as well as potential threats to the University community, and will determine the need for any immediate action or interim measures.

2. The Assistant Vice President or designee will determine whether a Formal Complaint states a potential violation of this Policy.
 - a. If the Assistant Vice President determines that the Complainant's allegations, if true, do not constitute a potential violation of this Policy, or that OUEC has no jurisdiction in the matter, OUEC staff will provide appropriate referrals to both on and off-campus resources. If new information is subsequently provided to OUEC, OUEC may reevaluate whether the allegations constitute a potential violation of this Policy and/or whether OUEC has jurisdiction to investigate.
 - b. If the Assistant Vice President determines that the Complainant's allegations, if true, constitute a potential violation of this Policy, the Assistant Vice President will initiate an investigation into the allegations and assign an investigator.
3. Case Managers will be assigned to students who are Complainants or Respondents. Case Managers will serve as the main point of contact for these individuals in order to provide interim measures and resources.
4. Notice of Investigation: Upon initiation of the investigation, the investigator will notify the Complainant and the Respondent of the investigation in writing via their University email account. The notice will (1) provide a summary of the alleged violations of this Policy including the date, time and location, if known, (2) identify potential Policy violation(s), (3) provide the identities of the Complainant and Respondent, if known, (4) explain the prohibition against Retaliation (5) provide an explanation of the investigation process as described herein and (6) provide 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 hearing process.
5. During the investigation, the parties will have an equal opportunity to be heard. The investigator(s) will request to meet separately with the Complainant and the Respondent for an interview. Either party may choose to participate or decline to participate in the investigation. The investigator(s) may continue to investigate the alleged Sexual or Gender-Based Harassment and produce an Investigative Report based on the available information. Both the Complainant and the Respondent will be asked to provide relevant documentary evidence, including electronic or other records of communications between the parties or witnesses (e.g., photographs, text messages, emails, phone records, messages through social media sites, receipts, etc.) and the names of any and all relevant witnesses with information about the alleged Sexual or Gender-Based Harassment. Witnesses cannot participate solely to speak about an individual's character.
 - a. Parties involved in the investigation may, under limited and extenuating circumstances, request to submit a written statement instead of participating in an interview with the investigator(s). The Assistant Vice President will determine whether to include in the Investigative Report information provided in a written statement, taking into consideration the relevance of the information and the rights of the Complainant and Respondent to have equal opportunity to present information and witnesses.
 - b. The investigation may also include the review of any documentation, reports, video or other items the investigator deems relevant to the allegation.

- c. The University may dismiss a Complaint or any allegations therein, if at any time during the investigation or hearing, (1) a Complainant notifies the Assistant Vice President in writing that the Complainant would like to withdraw the Complaint or any allegations therein; (2) the Respondent is no longer enrolled in or employed by the University; or (3) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations.
6. The investigator(s), in consultation with the Assistant Vice President, has the discretion to determine the relevance of any witness or evidence and may exclude irrelevant, immaterial or unduly prejudicial information in preparing the Investigative Report.
 - a. An individual's prior or subsequent sexual activity, behavior or predisposition is not relevant and will not be considered, except for these limited, factual purposes:
 - i. Evidence of past sexual experience are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
 - ii. The Complainant and the Respondent engaged in consensual sexual activity prior or subsequent to the alleged Sexual Harassment, and
 - iii. The prior or subsequent consensual sexual activity is offered for the sole purpose of demonstrating how Consent was communicated between the parties during the consensual sexual activity, as compared to the alleged Sexual Harassment. Such information will not be used for any other purpose.
7. The investigator(s) will provide each interviewed party a written interview summary for review via their University email account. The interviewed party will review the summary and, within two (2) business days of receipt, will confirm the summary's accuracy or provide a written response. Failure to respond within two (2) business days will be considered confirmation of the accuracy of the summary. The investigator(s) will review any written response by an interviewed party and will incorporate information into the Investigative Report deemed relevant in the discretion of the investigator(s).
8. At the conclusion of the investigative process, the investigator(s) will share a draft summary of the facts gathered during the investigation with the Complainant and Respondent for their review and response. The identities of individuals named in the report may be redacted as deemed necessary in the sole discretion of the investigator. The parties may submit a written response to the investigator(s) within three (3) business days in order to:
 - a. clarify information,
 - b. provide an additional explanation,
 - c. submit additional questions for the investigator(s) to ask of other parties or witnesses, or
 - d. identify any other relevant information for the investigator to consider.
9. If a written response includes new and relevant information, the investigator will revise the draft summary of facts accordingly and provide the Complainant and Respondent with opportunities to respond to the new information. Thereafter, the investigator(s) will determine if additional investigation is required. Any further investigation will follow the steps above. If no further investigation is needed, the investigator(s) will finalize the Investigative Report.
10. The investigator(s) will submit the Investigative Report with their recommended finding to the Assistant Vice President for review. The Assistant Vice President will review the Investigative Report to assess its thoroughness, reliability and impartiality.

11. If the Assistant Vice President determines that the Investigative Report contains insufficient information to constitute a potential violation of this Policy, the case will be closed and the decision will be simultaneously communicated to the Complainant and the Respondent by the Assistant Vice President in writing. There is no appeal of this decision.
12. If the Assistant Vice President determines that an Investigative Report involving a student as the Respondent contains sufficient information to constitute a potential violation of this Policy, the case will be referred by the Assistant Vice President to the Director of OSCCR (or designee). If the Assistant Vice President determines that an Investigative Report involving an employee as the Respondent contains sufficient information to constitute a potential violation of this Policy, the Assistant Vice President will review the report and may affirm or alter the recommended findings of Policy violation contained in the Investigative Report. Thereafter, Assistant Vice President will inform the Complainant and Respondent of the findings of fact of any Policy violation. As appropriate, a copy of the Notice will also be forwarded to the administrative official immediately responsible for supervision of the Respondent and the appropriate Vice President, Dean, or Director for the unit in which the Respondent works. OUEC may, as appropriate, provide the offices identified in Step 3 with recommended action. The next step for cases involving employee Respondents is #20.
 - a. In order to protect the privacy of the parties, the Investigative Report forwarded to the Director of OSCCR and reviewed by a Conduct Board will have personally identifiable information replaced with their role in investigation (Complainant, Respondent, Witness 1, etc.). Members of the Board will not know the names of the parties.
13. Facts established as part of an investigation that reveal conduct that may violate the Code of Student Conduct will be investigated by the OUEC and a recommended finding will be made in the Investigative Report.
 - a. Rights, including the right to an Advisor throughout the process and Appeal options will apply to alleged violations of the Code of Student Conduct that stem from an investigation of a Sexual or Gender-Based Harassment.
 - b. Facts established as part of an investigation that reveal conduct that may violate other University policies, procedures or commonly accepted norms of conduct will be referred to the appropriate office for review.
14. The Director of OSCCR will send a pre-hearing meeting notice to the University email account of the Complainant and the Respondent when they are University students. The pre-hearing meeting is between the party, their advisor and an OSCCR Hearing Administrator to:
 - a. Review the Investigative Report that forms the basis of the Complaint;
 - b. Explain the charges of the Policy violation filed against the Respondent (from this point on in the process, the Respondent will be referred to as the Charged Student);
 - c. Explain the process for resolving the case, including whether the parties accept or contest the recommended findings of the Investigative Report;
 - d. Explain that the Director of OSCCR will appoint a three (3) member Board; and
 - e. Review the process how to challenge participation by any member of the Board for perceived bias or conflict of interest.
15. Complainants and Charged Student can accept or contest the recommended findings of the Investigative Report at the pre-hearing meeting. The party's acceptance or contestation of the

recommended finding will be noted for the Board as they review the Investigative Report and hold a Hearing to determine, using a preponderance of the evidence standard, whether to:

- i. affirm the recommended findings of Policy violations contained in the Investigative Report;
- ii. make alternative findings of Policy violations than those contained in the Investigative Report.

16. The Complainant and the Charged Student will each have the option to present a written or oral statement to the Board. Such statements or the decision to give an oral statement should be provided to the Director of OSCCR at least five (5) business days prior to the Hearing. However, the Hearing is not a forum for the parties to present facts, information or witnesses. The parties are expected to provide all relevant facts, information and witnesses to the investigator(s) during the investigation. The Hearing is an opportunity for the parties to present their arguments as to why the recommended findings of Policy violations in the Investigative Report should or should not be adopted by the Board. Any new information presented at the Hearing will not be considered by the Board.
17. Either party may request alternative methods for participating in the Hearing that do not require physical proximity to the other party, including participating through electronic means that enable the Board and parties to simultaneously see and hear the party or the witness answering questions. This request should be submitted to the Director of OSCCR at least two (2) business days prior to the Hearing.
18. At the conclusion of the Hearing, the Board will convene to deliberate and render a decision, by majority vote, regarding whether or not there is a preponderance of the evidence to support the recommended findings in the Investigative Report. No member may abstain.
19. The Director of OSCCR will provide both the Complainant and the Charged Student written notice of the Board's decision, including a description of the procedural steps taken by the University from the receipt of the Formal Complaint through Board's finding, the rationale for why a Policy violation was or was not found, and any relevant sanctions. The Director of OSCCR will also explain the appeals process to both parties.
20. The Complainant or the Charged Student/employee Respondent may file a written appeal within five (5) business days of the Notice of Decision. The written appeal will be provided to the non-appealing party, who may but is not required to provide a response within two (2) business days.
 - a. In cases involving students as the Respondent, OSCCR will appoint an Appeals Board to review the written appeal to determine whether it meets any of the below grounds for appeal.
 - b. In cases involving employees as the Respondent, the Assistant Vice President will appoint an Appeals Officer to review the written appeal to determine whether it meets any of the below grounds for appeal. Grounds for appeal are: (1) new information not reasonably available by the completion of the investigation that could affect the outcome, (2) procedural error that affected the outcome, (3) review of the imposed sanctions based on extraordinary circumstances (for student Respondents only).
21. If an appeal is granted on the basis of new information, the original Conduct Board (where students are Respondent) or Assistant Vice President (where an employee is the Respondent)

will reconvene to determine if the new information alters their original decision. The Director of OSCCR/ Assistant Vice President will notify the parties of the Board's decision.

22. If an appeal is granted for procedural error, the process will reset to the point at which the procedural error occurred and proceed from that point.
23. If an appeal is granted based on a review of imposed sanctions, the Director of OSCCR will notify the parties of the decision.
24. The Senior Vice Chancellor of Student Affairs reserves the right to review and revise final outcomes in all cases involving students, including if Assistant Vice President closes a case at Step 11 of this process, as well as any decision by a Board or Appeals Board. Any such revision is not subject to appeal.

Protocols for an Emergency Removal

1. When an alleged violation(s) of this Policy is reported and the violation(s) may constitute an immediate threat to the physical health or safety of any student or other individual, the Assistant Vice President will meet with an Evaluation Panel which may include, but not limited to (1) the Assistant Vice President or designee, (2) a representative of NUPD, and (3) a representative from the Division of Student Affairs.
 - a. A representative from Human Resources Management or the Office of the Provost may be placed on the Evaluation Panel, if the Respondent is an employee, in order to determine whether or not an administrative leave is appropriate during the pendency of an investigation.
2. The Evaluation Panel will conduct an individualized safety and risk analysis of the potential need to remove the Respondent(s) from the University on an emergency basis.
3. If an Emergency Removal is deemed necessary, the student Respondent will receive communication of the Emergency Removal through the Director of OSCCR, or their designee
 - a. This communication will be sent to the Respondent's University email address;
 - b. A hold will be placed on the student Respondent's record;
 - c. The Respondent is not allowed on any University property cannot attend classes or any University sponsored activities both on and off University property;
 - d. The Respondent will need to make advance arrangements with OSCCR for approval any time they may need to be on campus to take care of University-related business during the period of interim suspension;
 - e. Included in the letter will explain the Respondent's opportunity to submit an online request to challenge the decision of the Emergency Removal
4. If the Respondent wishes to challenge the Emergency Removal, they will submit an online request form within five (5) business days, explaining in detail the reasons for why they are challenging the Emergency Removal. Grounds to challenge an Emergency Removal are:
 - a. The reliability of the information concerning the appellant's alleged conduct, including the matter of their identity; or
 - b. Whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the appellant on University property or within University programs poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of a violation of this Policy.

5. The appeal of student Respondent's will be reviewed within three (3) business days from the date of the request by the Senior Vice Chancellor of Student Affairs, or their designee and the Emergency Removal will remain in effect during the appeal process.
6. The Senior Vice Chancellor of Student Affairs, or their designee, will review the student's appeal, the incident report(s), and the original individualized safety and risk analysis
 - a. The Senior Vice Chancellor of Student Affairs, or their designee, can request to meet with the student in person or virtually, if deemed necessary to obtain any additional information or clarification
 - b. This meeting will not replace the Resolution process, which shall proceed in accordance with procedures identified in this Policy.
7. A final decision to either (1) uphold the Emergency Removal, (2) modify, or revoke it will be provided to the student within 2 business days of receiving the student's request.
 - a. There will be no further appeals to the decision rendered upon review.
 - b. If the Emergency Removal is modified or revoked, other supportive, remedial and protective measures may be assigned until the resolution of any related Resolution Option through the OUEC is completed.
 - i. At any point in a Resolution Process of an allegation of a violation of this Policy, the University has the discretion to impose, lift, reassess, and modify an Emergency Removal as circumstances may warrant and as new information becomes available.
8. If the Emergency Removal is upheld, the Director in OSCCR, or their designee, will send a memo to campus colleagues regarding the Emergency Removal.
9. Every effort will be made, if practicable, to conclude the hearing and obtain a decision on the charges within 10 business days after the emergency removal was imposed.

EDUCATION, TRAINING AND PREVENTION REGARDING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING

The University offers ongoing education to students and employees to promote awareness and prevention of Prohibited Offenses. Such education includes definitions of the Prohibited Offenses and consent; best practices for risk reduction and safe and positive bystander intervention; and information concerning rights under Title IX. Several different types of campaigns are utilized throughout the year to include presentations, online programs, social marketing campaigns, and discussion groups. The goal of these campaigns and programs is to increase the understanding of topics relevant to, and skills for, addressing Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Active bystander intervention training is provided by the Office of Prevention and Education at Northeastern (OPEN) throughout the year.

The Office for University Equity and Compliance (OUEC) conducts Title IX investigations, oversees Title IX compliance, and provides training and education to all members of the University community regarding Sexual Harassment, Dating Violence, Domestic Violence, Sexual Assault and Stalking. The OUEC office is housed in 125 Richards Hall and can be reached at 617.373.4644 or titleix@northeastern.edu.

OPEN oversees sexual violence prevention and education and provides confidential information and resources to students affected by sexual violence. OPEN can be reached at 617.373.4459 or open@northeastern.edu. Their main office is located at 307 Ell Hall and their Sexual Violence Resource Center is located at 407 Ell Hall.

Throughout 2020, OPEN and OUEC provided approximately 126 synchronous programs across the University's network of campuses regarding on-going prevention, bystander intervention, and awareness of Dating Violence, Domestic Violence, Sexual Assault and Stalking.

STUDENT EDUCATION

All incoming students are required to complete an online and interactive interpersonal violence prevention program. This video based Not Anymore program provides critical information about consent, bystander intervention, Sexual Assault, Dating and Domestic Violence, Stalking, and much more. OPEN began to develop a new, University-specific online training program in 2020 that will launch prior to the start of the Fall 2021 semester.

The University's bystander intervention program, officially branded "Up2Us", teaches students to recognize situations that are potentially high-risk for violence and builds the confidence and skills necessary to increase proactive intervention with the goal of violence prevention. The workshop also teaches about healthy Consent, resource options and how to support survivors. In 2020, OPEN completed bystander intervention programs with over 2,000 University students, including presentations with students in First-Year Seminars, and athletes on varsity athletic teams.

In response to the COVID-19 pandemic, OPEN also created an asynchronous version of "Up2Us," which is accessible via Canvas to the entire University community. Approximately 600 community members completed the online version of "Up2Us" in 2020.

OPEN and OUEC host a number of additional trainings, programs, and events on an ongoing basis throughout the year.

FACULTY AND STAFF EDUCATION

All new faculty members received Title IX training in 2020. In addition, all new employees receive Title IX information at their orientation. Staff training is ongoing and includes training on preventing discrimination and harassment with specific information about resources and reporting procedures related to sexual misconduct, discrimination and Title IX.

The OUEC and the Office of Prevention and Education work together to train faculty and staff to respond to disclosures of sexual misconduct. Such trainings ensure that community members understand definitions of Prohibited Offenses and Consent, information concerning rights under Title IX, obligations of Responsible Employees to report allegations to the OUEC, as well as how to respond in a way that is trauma sensitive.

SURVEY ON SEXUAL AND GENDER-BASED HARASSMENT

The University looks to data to inform ongoing education and prevention efforts. In 2020, the University conducted its annual university-wide Survey on Sexual and Gender-Based Harassment (formerly called campus climate survey). The survey gauges students' perception of prohibited sexual conduct, asks about incidents of prohibited offenses students experienced during their time at the University, and measures student knowledge of campus resources. The data helps inform areas where the University can improve its educational, support, and response programs. The results of the survey can be found [here](#).

RESOURCES AND SUPPORT

OPEN's Sexual Violence Resource Center (SVRC), which relocated to 407 Ell Hall in February 2020, continues to serve as a confidential entry point for survivors of sexual violence. OPEN staff at the center help to connect survivors with information about on- and off-campus resources and reporting options. The SVRC also provides virtual resources- "[We Believe You Guide: Information on Trauma and Coping for Survivors of Sexual Violence](#)" and an online training called "[RESPOND: Trauma-Informed Response to Disclosures of Sexual Violence](#)."

Throughout the COVID-19 pandemic, staff continued to meet with students seeking SVRC services remotely. Students can email open@northeastern.edu to set up an appointment with an SVRC staff member. The University provides sexual violence survivors with a number of on-campus and off-campus resources to facilitate access to immediate confidential medical care and counseling services, and incident reporting. The University's We Care team is also available to provide academic and personal support.

With the goal of making more services more accessible, University Health and Counseling Services (UHCS), in conjunction with OPEN, continues to provide a psychoeducational support group, HEAL, for survivors of sexual violence. The group ran twice during the Spring and Fall 2020 semesters.

For more resources, both on and off-campus, please visit the following websites:

ON CAMPUS RESOURCES

University Health and Counseling Services located at 70 Forsyth Street, 1st Floor, 617.373.2772
www.northeastern.edu/uhcs

Office of Prevention and Education at Northeastern University (OPEN) located at 307 Ell Hall,
617.373.4459
<https://studentlife.northeastern.edu/open/>

OPEN's Sexual Violence Resource Center located at 407 Ell Hall
<https://studentlife.northeastern.edu/open/meet/sexual-violence-resource-center/>

Department of Housing and Residential Life located at 4 Speare Commons, 617.373.2814
www.northeastern.edu/housing/residential-life

Office of Student Conduct and Conflict Resolution located at 204 Ell Hall, 617.373.4390
www.northeastern.edu/osccr

Office of Institutional Diversity and Inclusion (OIDI) located at 106 West Village Complex A,
617.373.2133
<https://provost.northeastern.edu/oidi>

Office of University Equity and Compliance (OUEC) located at 125 Richards Hall, 617-373-4644
<https://www.northeastern.edu/ouec/>

We Care located at 354 Richards Hall, 617.373.7591
<https://studentlife.northeastern.edu/we-care/>

Confidential Resource Adviser
<https://studentlife.northeastern.edu/open/confidential-resource-advisor/>

OFF CAMPUS RESOURCES

Boston Area Rape Crisis Center, 24-hour phone line at 800.841.8371, Office Phone - 617.492.8306
www.barcc.org

Casa Myrna, 617.521.0100; 24 hour SafeLink hotline 877.785.2020, Hearing Impaired Hotline -
877.521.2601
<http://www.casamyrna.org/>
<https://www.casamyrna.org/get-support/safelink/>

Center for Violence Prevention and Recovery at Beth Israel Deaconess Medical Center, 617.667.8141
www.bidmc.org/violenceprevention

Domestic Abuse Intervention and Prevention at Brigham and Women's Hospital, 617.732.8753
www.brighamandwomens.org/about_bwh/communityprograms/our-programs/violence/passageway.aspx

Emergency Care Center at Boston Medical Center, 617.414.4075.
www.bmc.org/emergencymedicine.htm

Jane Doe Inc. - Massachusetts Coalition Against Sexual Assault and Domestic Violence, 617.248.0922
www.janedoe.org/

Asian Task Force Against Domestic Violence, Emergency Helpline - 617.338.2355, Office Phone -
617.338.2350, Email - info@atask.org
<https://www.atask.org/site/>

Fenway Health Violence Recovery, To become a patient - 617.927.6202, GBT Helpline 617.267.9001
<https://fenwayhealth.org/care/behavioral-health/violence-recovery/>

The Network (LaRed), Hotline Voice - 617.742.4911, Hotline TTY - 617.227.4911, Office Phone - 617.695.0877
<http://www.tnlr.org/en/contact-us/>

Victim Rights Law Center, Phone - 617.399.6720, Toll Free - 877.758.8132
<https://victimrights.org/>

SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION

The federal "Campus Sex Crimes Prevention Act" (P.L. 106-386, Sec. 1601) (the "CSCPA"), enacted on October 28, 2000, became effective on October 28, 2002. This law requires institutions of higher education to advise the members of their campus communities of the location where to obtain information concerning individuals employed by, enrolled in, and/or serving at the institution who are registered sex offenders <http://bpdnews.com/sex-offender-registry/>. Under the provisions of the same law, individuals who are required to register with the appropriate state office as sex offenders must inform the state office in which they are registered whenever they enroll in, become employed by, or undertake a vocation at an institution of higher education. The CSCPA requires the state Sex Offender Registry offices to notify an institution of higher education whenever a sex offender on its registry provides notice they are enrolled in, employed by, or has undertaken a vocation at that institution and to provide information concerning that individual. The CSCPA does not require institutions of higher education to request information from state sex offender registries.

At the University, all publicly available information received from state Sex Offender Registry offices will be maintained by the NUPD. Any member of the public who is at least 18 years of age or older may request sex offender information. The information will be provided to any person who is seeking the information for his/her own protection, for the protection of a child under the age of 18, or for the protection of another person for whom the requesting person has responsibility, care, or custody. Information concerning an individual enrolled in, employed by, or undertaking a vocation at the University who is required to register as a sex offender may be obtained by appearing in person at the NUPD and asking to review the registered sex offender log.

Additional information about persons required to register as sex offenders and how to obtain information concerning such persons may be obtained from the Massachusetts Sex Offender Registry Board, P.O. Box 4547, Salem, MA 01970; 800 - 93 MEGAN; www.mass.gov/sorb or from the BPD <http://www.cityofboston.gov/POLICE/>. Information from the Sex Offender Registry Board is available concerning those sex offenders who have been finally classified by the Board as Level 2 (Moderate Risk) or Level 3 (High Risk) offenders.

Persons seeking Sex Offender Registry information should be aware there are criminal penalties for use of Sex Offender Registry information to commit a crime or to engage in illegal discrimination or harassment of an offender.

NORTHEASTERN UNIVERSITY WORKPLACE VIOLENCE POLICY

The University is committed to promoting a safe workplace for all faculty, staff, students and visitors. It is the University's policy to create a workplace free from violence, threats of violence, harassment, intimidation and other disruptive behavior. The University will not tolerate violence or the threat of violence in the workplace. The University expressly prohibits violence, threats of violence, hostile behavior, harassment, intimidation, on or off campus, or damage to University property. Violence or threatening behavior can include physical acts of violence, gestures, intimidating presence, oral, written or electronic statements, Sexual Assaults and weapons possession whether on or off campus.

The University will take appropriate action in response to reports of such incidents, which may include, but is not limited to, disciplinary action up to and including termination and /or criminal prosecution.

This Policy does not address allegations of Prohibited Offenses in violation of Title IX, which are governed by the Policy on Rights and Responsibilities Under Title IX. That Policy also provides separate procedures that outline reporting options and explain how the University assesses, investigates and resolves reports of Prohibited Offenses involving students.

Faculty and staff play a major role in the University's efforts by complying with this Policy and treating all threats seriously and reporting incidents immediately. It is the responsibility of all managers and supervisors to report acts of workplace violence to Human Resources Management ("HRM")/NUPD, including violent, threatening, harassing, intimidating or other disruptive behaviors. Faculty and staff are expected to report any conduct that is inappropriate and/or causes concern. Imminent threats, violent incidents, or dangerous or emergency situations should be reported immediately to NUPD at 617.373.3333.

Verbal abuse, perceived intimidation, harassment or other non-emergency situations should be reported immediately to the immediate supervisor, manager, the OUEC and/or HRM. For all other situations, or if you are not sure, call HRM at 617.373.2230, or the NUPD at 617.373.2121.

The University offers all employees counseling services and confidential referrals through the Employee Assistance Program (EAP). For support call 877.739.3989 or for additional information, please contact Human Resources Management at 617.373.2230.

PROCEDURES FOR MISSING STUDENTS RESIDING ON CAMPUS

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, the NUPD should be contacted immediately at 617.373.2121. An incident report will be generated and an investigation will be initiated in order to attempt to locate the missing student. The NUPD has a detailed and specific protocol for conducting missing person investigations, utilizing a wide range of electronic resources as well as making personal contact with friends, classmates, co-workers and relatives.

When registering the name of a person as an emergency contact in the online registration process through the *myNortheastern* portal, students also have the option to confidentially identify an individual

to be contacted by the University in the event the student is determined to be missing for more than 24 hours. Missing person emergency contact information will only be accessible to authorized campus officials, and such information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

If the NUPD determines that a student is missing and has been missing for more than 24 hours, the department will notify BPD, the police department for the jurisdiction of the missing person's home of record, and the contact person the student designated to be contacted in the event the student is determined to be missing. These notifications will be made no later than 24 hours after the student is determined to have been missing for 24 hours, and if the missing student is under the age of 21, a missing person notice will be posted on the national police information network. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student's parent or legal guardian, and the student's missing persons contact, if he or she has registered one, immediately after the NUPD has determined that the student has been missing for more than 24 hours.

DRUG, ALCOHOL, AND NO SMOKING POLICIES

BRIEF STATEMENT ON ALCOHOL AND OTHER DRUGS

The University works to provide drug-free campuses and workplaces for all University employees and students. The University supports the observance of all laws and regulations governing the use, purchase and sale of alcohol. The unauthorized distribution, sale or consumption of alcohol on University-owned or leased property is prohibited. No employee may report to work while under the influence of unauthorized drugs, alcohol or intoxicants.

The University strictly prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in or on any University property.

The University fosters a community that reinforces healthy choices and encourages responsible decision-making regarding the use of alcohol and other drugs. The University fulfills this philosophy by providing educational programs, resources for treatment, and referrals for students, faculty, and staff who may experience problems related to substance use.

University Health and Counseling Services (UHCS) and HRM provide resources for treatment and referral for students and employees with substance abuse problems. Educational programs for students, employees and managers are presented through UHCS, HRM and the Division of Student Affairs and cover the dangers of alcohol and drug abuse, the availability of assistance for counseling and rehabilitation, and penalties for violating University policies.

PREVENTION, EDUCATION & TREATMENT

The University has developed a comprehensive approach to alcohol abuse prevention and education modeled after the NIAAA's College AIM (Alcohol Intervention Matrix) recommendations, which strongly support the use of programs with complementary components that include: individual level strategies for at-risk or alcohol-dependent drinkers and environmental strategies that target the campus

community and student population as a whole. Specifically, alcohol and other drug education, prevention, intervention and treatment efforts at the University include:

- Assessment, brief intervention and referral services at OPEN
- Clinical assessment, short-term counseling and referral services at the UHCS
- Campus-wide programming providing facts/data, encouraging informed decisions
- Orientation, freshmen seminars, residence hall programming, fraternity/sorority life presentations, athletics
- Required online alcohol education program for all incoming students
- Customized presentations that combine interaction with normative feedback (using PRS remotes)
- Peer led alcohol education program designed to help students identify alcohol emergencies and call for assistance

POLICY DEVELOPMENT AND ENFORCEMENT

The University expects that all of its students, whether on or off campus, abide by the law and University regulations concerning alcohol and drug use. Where a student engages in conduct off campus that violates University regulations concerning alcohol and drug use and such violation results in behavior which, in the University's sole judgment, is destructive, abusive, or detrimental to the University's interests, the University's conduct process shall apply and such matters will be processed accordingly. The following are prohibited on University premises and at University sponsored events:

Alcohol

1. A person under the age of 21 is prohibited from being in the presence of alcoholic beverages in the residence halls housing provided and/or arranged by the University, with the following exception: an individual under the age of 21 who has a roommate of legal drinking age may be in the presence of an open container of alcohol in the room only if the roommate of legal drinking age is also present. Non-roommates who are under the age of 21 may not be in the room when alcohol is being consumed by the of-age roommate.
2. A person under the age of 21 is prohibited from possessing empty alcohol containers.
3. For non-University sponsored events at which alcohol will be served or consumed, no postings, announcements, promotions, or ticket sales may be made, placed, or distributed on University-owned or -leased property.

4. On campus possession of a keg, beerball, alcohol by the case, other central sources of alcoholic beverages, or other unauthorized quantities of alcohol is not permitted. Personal possession of alcoholic beverages is limited to one twelve-pack of beer (144 ounces/4 .26 liters) OR one-half gallon (64 ounces/1 .89 liters) of wine OR one pint (16 ounces/470 milliliters) of hard liquor.
5. Possession or consumption of alcoholic beverages in locations or under conditions prohibited by University policy or by law.
 - a. A person must be of legal drinking age to possess or consume alcoholic beverages. In the United States, the legal drinking age is 21.
 - b. An individual 21 years of age or older may possess and/or consume alcohol only in the student's residence hall room or in the residence hall room of another resident who is 21 years of age or older and present in the room, provided alcohol is permitted in that residence hall for students of legal age.
 - c. Any person under 21 years of age may not transport or carry alcohol.
 - d. Prohibited locations include, but are not limited to, hallways, lobbies, lounges, stairwells, classrooms, studios, technical facilities, auditoriums, bathrooms, outdoor areas, vehicles, or any other public areas without authorization.
6. The possession or use of items that encourage heavy alcohol consumption is prohibited (examples could include alcohol funnels, AWOL (Alcohol Without Liquid) generators or vaporizers, etc.), regardless of age.
7. Providing alcohol to anyone under the legal drinking age and/or allowing anyone under the legal drinking age to consume alcohol in on or off campus residences.
8. Expecting and/or requiring the consumption of alcohol by someone as a condition of initiation or admission into, affiliation with, or continued membership or participation in any group or organization.
9. Distribution, sale, or manufacture of alcohol.
 - a. Manufacturing alcohol on University-owned or -leased property
 - b. Selling alcohol without a liquor license, include, but are not limited to, the sale of cups and/or any other form of container for the distribution of alcohol.
 - c. Distributing alcohol includes providing a central source or large quantity of alcohol.

Drugs

1. Knowingly being in the presence of illegal drugs.
2. Possession or consumption of: illegal drugs (including marijuana), salvia divinorum, prescription medications belonging to another individual, or over-the-counter substances, nitrous oxide, or other available substances to "get high" or induce a mind-altering state.

3. Possession, use, manufacture, distribution, or sale of drug paraphernalia or other items used in preparing or consuming illegal drugs (including marijuana).
4. Promotion of illegal drugs (including marijuana).
5. Providing or sharing drugs.
6. Distribution, sale, or manufacture of drugs (marijuana, mushrooms, prescription drugs, etc.). This includes
 - a. Manufacturing or cultivation of drugs, on or off campus,
 - b. Sale or distribution of drugs or intention of sale or distribution.
7. Smoking on any and all University property.

In addition to imposition of disciplinary sanctions under University procedures, including suspension or separation from the University for such acts, students and employees may face prosecution and imprisonment under Federal and Massachusetts laws which make such acts criminal offenses.

OSCCR impose disciplinary sanctions for student violations of the University's Alcohol or Drug policies. Sanctioning of students in violation of any alcohol or drug related policies may include a combination of active and inactive sanctions.

Active Sanctions: Sanctions that require work on a student's part to complete. These include, but are not limited to, educational sanctions, such as attending classes or writing research or reflection papers, performing mandated service, or paying a monetary fine.

Inactive Sanctions: Sanctions that, by themselves, do not require work on a student's part to complete. These include, but are not limited to, written warnings, disciplinary probation, deferred suspension, suspension, and expulsion. These sanctions may put restrictions on students, such as limiting access to campus recreational facilities, residence or dining halls, or the ability to hold student leadership positions.

NUPD runs alcohol suppression operations throughout the year near campus retail alcohol outlets with the goal of reducing procurement of alcohol by underage individuals. The laws against the sale of alcohol to minors, procurement of alcohol to minors, and minors in possession of alcohol are enforced either through OSCCR or through the local court. NUPD forwards all incident reports involving cases of student alcohol or other drug possession, consumption, underage purchase, etc., to OSCCR for adjudication.

Annually, all Resident Directors and Residents Assistants (RAs) are provided training in the University's policy around student alcohol and drug use, and how to enforce the policy among the on-campus resident population. RAs document known incidents of student behavior appearing to be in violation of alcohol and drug use policies, and forward those reports to OSCCR for adjudication.

Students are held accountable to the Student Code of Conduct for any conduct in violation of alcohol drugs law and University policy, whether on- or off-campus, to the extent such conduct is brought to the attention of the University.

OTHER PROGRAMMING

Alcohol-free events and activities are created and promoted on a consistent and ongoing basis through efforts of the Center for Student Involvement. The campus offers a student center, recreation center, and an alcohol-free nightclub, all with expanded hours.

ONLINE RESOURCES

More information and a complete description of the University's drug and alcohol abuse policies, educational programs and sanctions may be found in the *Undergraduate Student Handbook*, and on the following websites:

Office of Student Conduct and Conflict Resolution (OSCCR) at <http://www.northeastern.edu/osccr/>

University Health and Counseling Services at <https://www.northeastern.edu/uahcs/>

Office of Prevention and Education at Northeastern University (OPEN) at <https://studentlife.northeastern.edu/open/>

Human Resources Management at <http://www.northeastern.edu/hrm/>

CLERY ACT/VAWA CRIME DEFINITIONS

The following definitions apply to the incidents of crime disclosed in the crime statistics tables contained in this report:

CLERY ACT FELONY/PRIMARY CRIME DEFINITIONS

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.

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. Simple assaults are excluded.

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, or personal property of another.

Burglary: The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

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 or violence and/or by putting the victim in fear.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

CLERY ACT SEX OFFENSES DEFINITIONS

The following sex offenses fall with the definition of "sexual assault" under the Clery Act:

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of Consent.

ARREST¹² AND REFERRALS FOR DISCIPLINE FOR VIOLATIONS OF LIQUOR, DRUG, AND WEAPONS LAWS

Liquor Law Violations: The violation of state and local municipal laws and 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; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Weapons Law Violations: The violation of federal, state and local 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; and all attempts to commit any of the aforementioned.

¹² Under Clery, an "arrest" is defined as the processing of a person by arrest, citation, or summons. A "referral for disciplinary action" is defined as the referral of any person to an institution official who institutes a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Disciplinary action occurs where an official receiving the information initiates a disciplinary action, a record of the action is kept, and the action may, but not need have to, result in a sanction. Disciplinary actions may be initiated in both informal and formal manners and can include an interview or a simple, initial review of names submitted to an institutional official. An incident involving both an arrest and a referral for discipline is counted only as an arrest.

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

HATE CRIMES

Under the Clery Act, a hate crime is a criminal offense that manifests evidence that the victim was selected because of the perpetrator's bias against the victim.¹³ For Clery purposes, hate crimes include any Clery Act felony/primary crime (Murder or Non-Negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, or Arson) together with any of the following crimes to the extent they manifest evidence of bias.

Larceny-theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple assault: An unlawful physical attack by one person on another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack.

Destruction, damage or vandalism of property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of the property.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) CRIMES

The Violence Against Women Reauthorization Act of 2013 requires that institutions report incidents of Sexual Assault, Domestic and Dating Violence (also known as 'Intimate Partner Violence) and Stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law jurisdictions of the same crimes.

Federal Definitions

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other

¹³ Under Clery, "bias" is a "preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity."

person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

Sexual Assault: Any sexual act directed against another person without the Consent of the victim, including instances where the victim is incapable of giving Consent.

State Definitions

The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to require that institutions publish in their annual security reports state law definitions of the following terms: Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Consent. Massachusetts statutory law does not expressly define these terms. However, the terms "Domestic Violence," "Dating Violence," "Sexual Assault," and "Stalking" all describe conduct prohibited under Massachusetts law. The term "Consent," although not expressly defined is an element of the crimes of rape and indecent assault and battery as defined below.

Dating Violence and Domestic Violence

Under Massachusetts law, acts of Domestic/Dating Violence are deemed "abuse" under Mass. Gen. Laws c. 209A, §1 and are defined as the occurrence of one or more of the following acts between family or household members: (1) attempting to cause or causing physical harm; (2) placing another in fear of imminent serious physical harm; or (3) causing another to engage involuntarily in sexual relations by force, threat of force, or duress.

The terms "family" or "household members" are defined as 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) have a child in common regardless of whether they have ever been married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by District, Probate or other courts in consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the parties; and (iv) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

Sexual Assault

The crimes of rape, Indecent Assault and Battery, Incest, and Statutory Rape are forms of Sexual Assault under Massachusetts law.

Rape: Compelling a person to engage in sexual intercourse or unnatural sexual intercourse by force and against his/her will or by threat of bodily injury. See Mass. Gen. Laws c. 265, § 22.

Indecent Assault and Battery: Engaging in physical contact of a sexual nature with a person where such contact is made without the person's consent. See Mass. Gen. Laws c. 265, § 13H.

Incest: Intermarrying, sexual intercourse, or sexual activities between persons within degrees of consanguinity. See Mass. Gen. Laws c. 272, §17.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the age of 16 years. See Mass. Gen. Laws c. 265, §23.

Stalking

Under Massachusetts law, an individual engages in Stalking if s/he: 1) 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 2) makes a threat with the intent to place the person in imminent fear of death or bodily injury. See Mass. Gen. Laws c. 265, §43.

In addition, Massachusetts prohibits repeated telephonic or other electronic communications (whether directly or indirectly) with a person for the sole purpose of harassing, annoying or molesting the person or the person's family, whether or not conversation ensues, and further prohibits repeated telephonic or other electronic communication directed at a person where such communication contains indecent or obscene language. See Mass. Gen. Laws c. 269, §14A.

Consent

Although Massachusetts law does not contain a statutory definition of Consent, reference is made to the definitions of "Rape" (Mass. Gen. Law. c, 265, § 22) and "Indecent Assault and Battery" (Mass. Gen. Laws c. 265, §13H), both of which provide that "lack of Consent" is an element of the crime.

RULES FOR CALCULATING STATISTICS DISCLOSED IN THE ANNUAL SECURITY REPORT

The Clery Act groups crimes into the following categories in descending order of severity: Part I Crimes (felonies); Part II Crimes (arrests and referrals for discipline for violations of weapons, drug, and liquor laws); Part III Crimes (hate crimes); and Part IV Crimes (crimes added to the scope of the Clery Act pursuant to the Violence Against Women Reauthorization Act of 2013 ("VAWA"). Offense groupings must be reported in separate statistics grids (with the exception of hate crime statistics, which may be published in narrative format).

The Clery Act's "hierarchy rule" applies to calculation of statistics concerning incidents in which multiple offenses are reported to have occurred within a single event. The rule requires that institutions count only the most serious offense where more than one Clery Act offense has occurred, subject to certain exceptions described below.

PART I CRIMES (FELONY OFFENSES)

The Clery Act requires disclosure of statistics concerning the reported occurrence of any of the crimes listed below in order of severity.

1. Criminal Homicide:
 - a. Murder and Non-Negligent Manslaughter
 - b. Manslaughter by Negligence
2. Sex Offenses:
 - a. Rape
 - b. Fondling
 - c. Incest
 - d. Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson

PART II CRIMES (ARRESTS/REFERRALS FOR WEAPONS, DRUG, AND LIQUOR OFFENSES)

1. Weapons Law Arrests
2. Drug Law Arrests
3. Liquor Law Arrests
4. Weapons Law Referral for Discipline
5. Drug Law Referral for Discipline
6. Liquor Law Referral for Discipline

PART III CRIMES (HATE CRIMES)

Under the Clery Act, a "hate crime" is a criminal offense committed against a person or property, which is motivated (in whole or in part), by the offender's bias. For Clery purposes, "hate crimes" include any Clery Act felony/primary crime under Part I to the extent such crimes manifest evidence of bias. "Hate crimes" also include four additional misdemeanor offenses.

Part I Felonies Subject to Hate Crime Counting Requirements

1. Criminal homicide:
 - a. Murder and Non-Negligent Manslaughter
 - b. Manslaughter by Negligence
2. Sex Offenses:
 - a. Rape
 - b. Fondling

- c. Incest
- d. Statutory Rape
- 3. Robbery
- 4. Aggravated Assault
- 5. Burglary
- 6. Motor Vehicle Theft
- 7. Arson

Additional Misdemeanor Offenses Subject to Hate Crime Counting Requirements

- 1. Larceny – theft
- 2. Simple assault
- 3. Intimidation
- 4. Destruction, damage or vandalism of property

PART IV CRIMES (VAWA OFFENSES)

- 1. Domestic Violence
- 2. Dating Violence
- 3. Stalking

CALCULATING STATISTICS SUBJECT TO THE HIERARCHY RULE

Some single incidents involve multiple Clery Act offenses, and often, a determination of which offense to disclose in the ASR's statistics grids is made simply based on where the offense lies in the hierarchy. For example, if a student under the legal drinking age is arrested on campus while in possession of a stolen motor vehicle and an alcoholic beverage, the institution is required to disclose only the motor vehicle theft because it is the more serious crime according to the hierarchy rule. However, in some instances involving multiple offenses, the hierarchy rule will not apply. Some counting requirements and examples are provided below to provide context for statistics in the ASR's statistics grids.

- Crimes that occur in on-campus residence halls are counted twice – once in the general 'on-campus' category, and once in the 'residence hall' category.
- Arson is always counted, regardless of whether it is more or less severe than any other Clery Act offense in the same incident. (For example, if someone commits Arson during a Burglary, then the institution must record a statistic in both the Arson and Burglary categories, thus appearing to reflect two separate incidents, but really only documenting one event.)

- Murder/Non-Negligent Manslaughter and Manslaughter by Negligence statistics are calculated based on the number of victims in a single incident. (For example, if two people are murdered in the same incident at the same time, or die due to the gross negligence of another person, then the institution must record two statistics in the murder category – one statistic for each victim.)
- Any incident involving both a Murder/Non-Negligent Manslaughter and either a Robbery, Burglary, Aggravated Assault, or Motor Vehicle Theft must be recorded as one statistic in the Murder/Non-Negligent Manslaughter category. (Robbery, Burglary, Aggravated Assault, and Motor Vehicle Theft are subsumed within the Murder/Non-Negligent Manslaughter category. However, Arson, Sexual Assault, Hate Crimes, and Part IV VAWA crimes are not subsumed by any other category and therefore must be reported in addition to another Clery offense involved in the same incident.)
- Sex Offenses (Rape, Fondling, Incest, and Statutory Rape) are always counted, even where they also involve a Murder or Non-Negligent Manslaughter.
- Crimes less severe than Sex Offenses (Rape, Fondling, Incest, and Statutory Rape) are not counted unless the less severe crime is one of Dating Violence, Domestic Violence, or Stalking, or unless it is a Hate crime Misdemeanor (Larceny – theft; Simple assault; Intimidation; or Destruction, damage or vandalism of property).
- Robbery statistics are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. (For example, if one offender robs three individuals at gunpoint at the same time and while in the same place, the institution must record one statistic in the Robbery category.)
- Aggravated Assault statistics are calculated based on the number of victims involved in a single incident. (For example, if two people are assaulted with a weapon during the same incident, then the institution must record two statistics in the Non-Negligent Manslaughter category – one statistic for each victim.)
- Burglary statistics generally are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. (For example, if one offender breaks into a structure and steals two laptops belonging to two different people who reside in the same room, then the institution must record one statistic in the Burglary category.)
- There are special rules for the counting of Burglaries: Each room in a student housing facility is considered a separate dwelling for purposes of calculating Burglaries. (For example, if a burglar enters a resident hall suite and steals a television from the common area, and then enters two separate bedrooms within the suite and steals laptops from each bedroom, the institution must record three statistics in the burglary category – one for the common area, and two for the bedrooms (one for each bedroom)). However, various rooms within an

academic building are considered to be under the control of a single entity. Therefore, the Burglary of a single academic building is counted as one offense, regardless of the number of offices or other spaces from which items may have been stolen, unless the various rooms were burglarized within different time frames. In that case, each Burglary separated by time would be recorded as separate statistic in the Burglary category.

- Part I Felony Crimes committed on the basis of a prohibited bias (i.e., “hate”) are always counted twice – once in the Part I Felony Crime grid, and once separately in the Hate Crimes grid/narrative. In the event a single incident involves multiple Part I offenses based on bias, the hierarchy rule does not apply to disclosure of statistics in the hate crimes grid/narrative, and all Part I offenses must be reported separately. (For example, if an incident involves both an Aggravated Assault and Motor Vehicle Theft based on bias, the institution must record statistics in both the Aggravated Assault and Motor Vehicle Theft categories in the Hate Crimes grid/narrative. However, only the Aggravated Assault would be disclosed in the Part I grid based on the hierarchy rule.)
- The four Part III misdemeanor Hate Crimes (Larceny – theft; Simple Assault; Intimidation; or Destruction, damage or vandalism of property) are only reported in the Hate Crime grid/narrative.
- Part IV VAWA crimes (Domestic Violence, Dating Violence, and Stalking) are reported in a separate grid. If any Part I felony incident also involves a Part IV VAWA incident, then both incidents are reported – the Felony Crime is reported in the Part I grid, and the VAWA crime is reported in the Part IV grid.
- In the event a Part IV VAWA offense might be classified as both “Domestic Violence” and “Dating Violence”, the incident is reported as one of “Domestic violence.”
- In the event a Part IV VAWA offense involves stalking together with Domestic or Dating Violence, both the Stalking and Domestic/Dating Violence are reported separately. One statistic must be recorded in the Stalking category, and one statistic must be recorded separately in the Domestic/Dating Violence category.
- Where an incident involves both an arrest and a referral for discipline for a Weapon, Liquor or Drug Law Violation, only the arrest is recorded.
- Where an arrest or referral for discipline is made in response to a Part II incident involving more than one offense (for example, unlawful possession of drugs *and* liquor), only one statistic is recorded. In the event of such a Part II offense, the decision how to report should be made by a sworn law enforcement officer. For purposes of this report, in the event of such an incident, statistics will be recorded according to the following order: (1) Weapons, (2) Drugs, and (3) Alcohol, unless circumstances suggest alternative reporting is more appropriate. (For example, if a student arrested for serving a large volume of liquor to underage students one night, and at the time of the arrest police discover a very small

amount of marijuana on the student's person, then the incident is reported as one statistic reflecting an arrest for violation of liquor laws because the relative severity of the liquor offense outweighs that of the drug offense.)

- **Stalking** is counted uniquely under VAWA.
 - When recording a Stalking report, an institution is required to record a crime statistic only once for the calendar year in which the course of conduct was reported to a local police agency or campus security authority.
 - If the course of conduct involves the same parties and continues in a subsequent year, then the Stalking must also be recorded for the subsequent year as well.
 - An institution must record each report of Stalking as occurring at only the first location within the institution's Clery geography in which the perpetrator engages in the Stalking or a victim first becomes aware of the Stalking. Therefore, a report of Stalking must be reported in an institution's ASR if it meets the definition of Stalking even though the Stalking course of conduct does not occur on the institution's campus or in or on any of its other Clery geography.

UNFOUNDED CRIMES

A crime is considered unfounded for Clery Act purposes only when law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place.

NORTHEASTERN UNIVERSITY CRIME STATISTICS

ANNUAL SECURITY AND FIRE SAFETY REPORT 2021

CLASSIFICATION	2018					CLASSIFICATION	2019					2020				
	On Campus	Student Housing	Noncampus	Public Property	Total		On Campus	Student Housing	Noncampus	Public Property	Total	On Campus	Student Housing	Noncampus	Public Property	Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0	2	2	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	13	8	0	3	16	Sex Offenses Total	17	13	0	2	19	7	7	0	0	7
-Rape	11	9	0	1	12	-Rape	13	11	0	0	13	5	5	0	0	5
-Fondling	2	1	0	2	4	-Fondling	4	2	0	2	6	2	2	0	0	2
Non-Forcible Sex Offenses																
-Incest	0	0	0	0	0	-Incest	0	0	0	0	0	0	0	0	0	0
-Statutory Rape	0	0	0	0	0	-Statutory Rape	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	10	10	Robbery	1	0	0	9	10	2	0	0	7	9
Aggravated Assault	4	2	0	6	10	Aggravated Assault	5	4	0	12	17	3	2	0	3	6
Burglary	7	2	1	0	8	Burglary ¹	13	8	0	0	13	11	8	0	0	11
Motor Vehicle Theft	2	0	0	6	8	Motor Vehicle ² Theft	6	0	1	11	18	11	0	0	6	17
Arson	2	0	0	0	2	Arson	0	0	0	0	0	1	1	0	0	1
Violence Against Women Act Totals	21	12	0	5	26	Violence Against Women Act Totals	20	10	0	7	27	14	9	1	4	19
Stalking	9	1	0	3	12	Stalking	15	6	0	1	16	9	4	0	0	9
Domestic Violence	6	6	0	2	8	Domestic Violence	0	0	0	5	5	3	3	1	3	7
Dating Violence	6	5	0	0	6	Dating Violence	5	4	0	1	6	2	2	0	1	3
Arrests																
Liquor Law Violations	0	0	0	0	0	Liquor Law Violations	0	0	0	2	2	0	0	0	0	0
Drug Violations	6	1	0	9	15	Drug Violations	4	0	0	13	17	1	0	0	5	6
Weapons Violations	1	0	0	2	3	Weapons Violations	2	0	0	4	6	2	0	0	3	5
Disciplinary Referrals																
Liquor Law Violations	481	481	0	32	513	Liquor Law Violations	381	376	5	35	421	181	172	0	55	236
Drug Violations	6	5	0	1	7	Drug Violations	5	5	0	2	7	7	7	0	0	7
Weapons Violations	4	3	0	0	4	Weapons Violations	0	0	0	0	0	0	0	0	0	0

Unfounded Crimes	0	0	0	0	0	Unfounded Crimes	0	0	0	0	0	0	0	0	0	0
<p>Hate Crimes:</p> <p>2020 – One on-campus residence hall intimidation incident characterized by racial bias; one on-campus residence hall simple assault incident characterized by racial bias; one public property intimidation incident characterized by national origin bias; one public property intimidation incident characterized by racial bias.</p> <p>2019 – One on-campus residence hall intimidation incident characterized by religious bias, one on-campus residence hall destruction/damage/vandalism incident characterized by national origin bias, one on-campus intimidation incident characterized by racial bias, one on-campus intimidation incident characterized by racial bias.</p> <p>2018 – One on-campus residence hall intimidation incident characterized by disability bias, one on-campus residence hall destruction/damage/vandalism incident characterized by racial and gender identity bias, two on-campus destruction/damage/vandalism incidents characterized by religious bias, and one on-campus aggravated assault incident characterized by racial bias.</p> <p>Footnote 1: Three of the on-campus residence hall burglaries in 2019 occurred on the same night and were committed by the same individual.</p> <p>Footnote 2: Five out of the six motor vehicles stolen on campus in 2019 were mopeds/scooters. Eight out of the eleven motor vehicles stolen on campus in 2020 were mopeds/scooters and a golf cart.</p>																

FIRE SAFETY IN ON-CAMPUS RESIDENCE HALLS

The Northeastern University Fire Safety Unit administers a comprehensive program of regular inspection, testing and maintenance of University premises (including University owned residential facilities) to ensure compliance with applicable fire and life safety codes and standards, conducting regular egress drills, and providing a variety of educational and training programs for students, faculty and staff.

FIRE ALARM AND SUPPRESSION SYSTEMS

Fire Safety Systems in NU Owned Residential Facilities						
Residence Facilities Name	Address	Fire Alarm Monitoring Done on Site (by NUPD)	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Number of Evacuation Drills per Calendar Year
106 St. Stephen St.	106 St. Stephen St.	x	x	x	x	3
110 St. Stephen St.	110 St. Stephen St.	x	x	x	x	3
116 St. Stephen St.	116 St. Stephen St.	x	x	x	x	3
122 St. Stephen St. - Levine	122 St. Stephen St.	x	x	x	x	3
144 Hemenway St.	144 Hemenway St.	x	x	x	x	3
319 Huntington Ave	319 Huntington Ave	x	x	x	x	3
337 Huntington Ave	337 Huntington Ave	x	x	x	x	3
407 Huntington Ave	407 Huntington Ave	x	x	x	x	3
Burstein Hall	458 Huntington Ave	x	x	x	x	3
East Village	291 St. Botolph St.	x	x	x	x	3
International Village	1155 Tremont St.	x	x	x	x	3
Kennedy Hall	115, 119 Hemenway	x	x	x	x	3
Kerr Hall	96 The Fenway	x	x	x	x	3
Light Hall	81-83 St. Stephen St	x	x	x	x	3
Lightview ¹	744 Columbus Ave.	No	x	x	x	None
Loftman Hall	153, 157, 163 Hemenway St.	x	x	x	x	3
Melvin Hall	90 The Fenway	x	x	x	x	3
Rubenstein Hall	464 Huntington Ave	x	x	x	x	3
Smith Hall	129 Hemenway St	x	x	x	x	3
Speare Hall	10 Speare Place	x	x	x	x	3
Stetson East	11 Speare Place	x	x	x	x	3
Stetson West	10 Forsyth St	x	x	x	x	3
West Village A North	500 Parker St	x	x	x	x	3
West Village A South	510 Parker St	x	x	x	x	3
West Village B	460 Parker St	x	x	x	x	3

West Village C	480 Parker St	x	x	x	x	3
West Village E	10 Leon St	x	x	x	x	3
West Village F	40 Leon St	x	x	x	x	3
West Village G	450 Parker St	x	x	x	x	3
West Village H	440 Huntington Ave	x	x	x	x	3
White Hall	21 Forsyth St	x	x	x	x	3
Willis Hall	50 Leon St	x	x	x	x	3
YMCA - Hastings	320 Huntington Ave	x	x	x	x	3
768 Columbus Ave	768 Columbus Ave	x	x	x	x	3
Davenport A	700 Columbus Ave	x	x	x	x	3
Davenport B	696 Columbus Ave	x	x	x	x	3
780 Columbus Ave	780 Columbus Ave	x	x	x	x	3
10 Coventry Street	10 Coventry St	x	x	x	x	3

Footnote 1: Lightview is an independently owned residential building that houses Northeastern students on Northeastern property.

Fire Safety Systems in NU Leased Property Residential Facilities						
Leased Property Address	Fire Alarm Monitoring Done on Site (by NUPD)	Full Sprinkler System	Partial Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Number of Evacuation Drills per Calendar Year
132 Hemenway Street	No	None		x	x	None
136 Hemenway Street	No	None		x	x	None
165 Hemenway Street	No	None		x	x	None
171 Hemenway Street	No	None		x	x	None
204 Hemenway Street	No		x	x	x	None
309 Huntington Ave	No		x	x	x	None
311 Huntington Ave	No		x	x	x	None
313 Huntington Ave	No		x	x	x	None
315 Huntington Ave	No		x	x	x	None
331 Huntington Ave	No	X		x	x	None
335 Huntington Ave	No	X		x	x	None
97 St. Stephen Street	No	None		x	x	None
109 St. Stephen Street	No		x	x	x	None
115 St. Stephen Street	No		x	x	x	None
49 Symphony Road	No	x		x	x	None
84 The Fenway	No	x		x	x	None
16 Westland Ave	No	x		x	x	None
52 Westland Ave	No		x	x	x	None
650 Columbus Ave	No	x		x	x	None
801 Tremont Street	No	x		x	x	None
220 Huntington Ave	No	None	None	x	x	None

1065 Tremont St.	No	x		x	x	None
10 Huntington Ave	No	x		x	x	1

All University owned residence halls are equipped with both automatic and manually operated fire alarm notification devices and sprinkler systems that meet, and in many cases exceed, state and local building and fire safety codes. The fire alarm systems in all University owned residential facilities consist of horns and strobe lights alerting residents to an alarm, and are also remotely monitored by the University's computerized campus-wide alarm monitoring system at the Police Operations Center, which is designated by the Boston Fire Department as an approved proprietary supervising station for receiving fire alarms.

All fire alarm systems contain emergency batteries for operation during a power outage, and most facilities also have emergency generators designed to automatically activate whenever there is a power outage. These back-up batteries and generators will operate life safety systems, including fire safety equipment and emergency exit lighting.

University owned residence halls are also equipped with fire-rated smoke/fire doors designed to impede the spread of smoke and fire. The Fire Safety Unit, Housing and Residential Life staff and Facilities staff conduct regular and frequent inspections. During those inspections, they report fire hazards in University owned housing and facilitate prompt resolution. High-rise University owned residence halls are also equipped with smoke-control and reduction mechanisms designed to further minimize the spread of smoke and fire. Upon receipt of a fire alarm, Police Officers are immediately dispatched and the Boston Fire Department is notified.

University owned housing consists of a variety of configurations, including traditional residential-style buildings, former apartment buildings acquired and renovated by the University, and newly constructed apartment style and suite style facilities. Each facility is equipped with the fire and life safety systems required by the building codes. Fire sprinkler systems, which are more extensive than required by building codes, have been installed in older facilities.

Fire safety equipment is reviewed regularly to identify locations where enhancements, such as additional sprinkler and smoke detection systems, beyond those required by building codes are appropriate. Enhancements are integrated into the university's annual facilities maintenance project plan. For a detailed explanation of the specific fire alarm and suppression systems in any of Northeastern's University owned residence facilities, contact the University Fire Safety Officer at 617.373.2754.

The University also leases several residential apartments within different buildings that are not owned by the University. The leased apartments that are located within one mile of the main campus are included in the university's residential facilities, as required by Clery Act guidance. All leased residential facilities are equipped with fire alarm suppression equipment that meet state and local building and fire safety codes. The management companies for the leased facilities are responsible for maintaining and testing the fire safety equipment within these buildings. The fire safety suppression equipment within

the leased residential facilities is not monitored or tested by NUPD. The "Fire Safety Systems in Leased Residential Facilities" table above contains the fire safety systems located in each leased residential facility.

POLICIES ON RULES FOR ELECTRICAL APPLICATIONS, SMOKING, AND OPEN FLAMES

Only a limited number of appliances approved by Underwriters Laboratories are permitted within the Residential Life system, and smoking of any substance is not permitted inside any University building. Open flame containers or items are prohibited. Prohibited personal items include: plastic milk crates and stackable storage containers that are not fire resistant, non-metal waste baskets, candles, incense, halogen lamps, halogen bulbs, sun lamps, immersion heaters, space heaters, electric percolators, electric frying pans, hot plates, and student owned air conditioners.

Certain additional cooking appliances are prohibited in traditional residential-style rooms, such as microwave ovens, toaster ovens, coffee makers, and George Foreman grills, but are permitted in the apartment style facilities. Residents are reminded to use extension cords only if they bear the UL label. Never run cords under rugs or across doorways and use cords appropriately designed for the electrical load. For a detailed list of approved appliances for each facility and policy statements please refer to *A Guide to Residence Hall Living*.

FIRE SAFETY TRAININGS AND EVACUATION PLANS FOR HOUSING AND RESIDENTIAL LIFE STAFF AND RESIDENTS

NUPD's Crime Prevention Coordinator provides training for Resident Assistants (RA) during the annual RA training prior to the beginning of the academic year. A PowerPoint program entitled *Campus Orientation for Public Safety for RAs* serves as the outline for this training and is posted to the Blackboard application of the Department of Housing and Residential Life as a resource for the student and professional staff of the Department throughout the year. This training includes instructions that all residents and staff are to evacuate immediately upon activation of any fire alarm.

The University Fire Safety Officer regularly reviews evacuation plans for all University owned residence halls and evacuation plans are posted in each residential community. Procedures for student housing evacuation are as follows and are to be followed by all students and employees within residence halls, and dining halls that are directly attached to residence halls:

- At the sound of the alarm, move quickly and quietly to your closest exit, including the alarmed emergency exits. Close doors behind you as you leave.
- In an orderly fashion, follow the direction of your hall staff, NUPD, or City of Boston Fire Department and wait for further instructions.
- If possible, wear a coat and shoes and carry a towel to use in case of smoke. If possible, take your Husky Card with you.
- If you are away from your room when the alarm sounds, proceed to the nearest exit without returning to your room.

The alarm signal is the same for a drill as for an actual emergency. The following residence halls at Northeastern utilize fire escapes as an alternative means of egress: 153 Hemenway Street, 319 Huntington Avenue, 337 Huntington Avenue, 407 Huntington Avenue, Rubenstein Hall, Kennedy Hall, and Light Hall. Fire escapes can be accessed through dedicated windows in these residence halls. For a complete list of all dedicated windows in these residence halls, please refer to the Guide to Residence Hall Living document.

Fire egress drills are scheduled at least once each semester for all University owned residential facilities and are guided by University Police staff and Housing and Residential Life staff. Drills are conducted so all residents and employees can practice the evacuation procedure on campus. Drills include being shown the proper exits in the building and where to safely assemble once outside the building. Residents and employees are also trained through the fire egress drills and through residential hall meetings where the fire extinguishers are located within each building. Residents and employees in University owned housing, and dining facilities that are attached to residence halls, are also routinely provided with a variety of fire safety information and fire safety principles. NUPD Crime Prevention and Community Engagement Unit also provides information and training through crime prevention tables and presentations, brochures, PowerPoints, and social media. These trainings include the proper use of fire extinguishers and evacuation procedures.

FIRE LOG

NUPD will immediately respond to fire alarms activated by the University's automatic alarm system, or to reports of the presence of smoke to investigate the cause of the alarm. In the case of a fire, an incident report is generated, and a detailed record of the fire is maintained. A record of all fires in University owned residence hall facilities is also included in the public log of crimes maintained by NUPD, which is available for public viewing at NUPD headquarters during normal business hours.

REPORTING FIRES

Anyone who observes a fire in a residence hall must dial 911 immediately and activate the fire alarm, if the fire alarm is not already sounding, by operating the nearest manual pull station. Pull stations are typically located near doors leading to stairways and exits. Upon hearing a fire alarm all occupants should immediately evacuate the building by stairs and exits. Federal law and Housing and Residential Life policy require staff members who discover evidence of a fire that was extinguished before a fire alarm was activated to report their observations to NUPD (617.373.2121). Such reports will also result in an investigation and an entry in the public log.

PLANS FOR FUTURE IMPROVEMENT

As funding becomes available, the University plans to convert older horn/strobe-based fire alarm notification circuits to speaker/strobe circuits. This feature will allow emergency responders to broadcast live or recorded messages and instructions to building occupants. The University also plans to upgrade smoke detectors in older living units from local only to system-based units that report abnormal conditions to the proprietary supervising station through the fire alarm control panel. During

the three-year reporting period covered by this report, the following fires were reported in University owned residence halls.

NORTHEASTERN UNIVERSITY FIRE STATISTICS

Fire Statistics 2018						
Residence Facilities	Total Fires In Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Cause by Fire
106 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
110 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
116 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
122 St. Stephen St. - Levine	0	0	N/A	N/A	N/A	N/A
319 Huntington Ave	0	0	N/A	N/A	N/A	N/A
337 Huntington Ave	0	0	N/A	N/A	N/A	N/A
407 Huntington Ave	0	0	N/A	N/A	N/A	N/A
Burstein Hall 458 Huntington Ave	0	0	N/A	N/A	N/A	N/A
East Village 291 St. Botolph St.	0	0	N/A	N/A	N/A	N/A
International Village 1155 Tremont St.	0	0	N/A	N/A	N/A	N/A
Kennedy Hall 115, 119 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Kerr Hall 96 The Fenway	0	0	N/A	N/A	N/A	N/A
Light Hall 81-83 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
Loftman Hall 153, 157, 163 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Melvin Hall 90 The Fenway	0	0	N/A	N/A	N/A	N/A
Rubenstein Hall 464 Huntington Ave	0	0	N/A	N/A	N/A	N/A
Smith Hall 129 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Speare Hall 10 Speare Place	1	1	Unintentional/Cooking - Microwave fire	0	0	\$1,000 - \$9,999
Stetson East 11 Speare Place	0	0	N/A	N/A	N/A	N/A
Stetson West 10 Forsyth St.	1	1	Unintentional/Electrical fire - Electric skateboard exploded when charging	0	0	\$1,000 - \$9,999
West Village A North 500 Parker St.	1	1	Unintentional/Cooking - Stovetop fire	0	0	\$1,000 - \$9,999
West Village A South 510 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village B 460 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village C 480 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village E 10 Leon St.	0	0	N/A	N/A	N/A	N/A
West Village F 40 Leon St.	0	0	N/A	N/A	N/A	N/A
West Village G 450 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village H 440 Huntington Ave	0	0	N/A	N/A	N/A	N/A
White Hall 21 Forsyth St.	0	0	N/A	N/A	N/A	N/A
Willis Hall 50 Leon St.	0	0	N/A	N/A	N/A	N/A
YMCA - Hastings 320 Huntington Ave	0	0	N/A	N/A	N/A	N/A

768 Columbus Ave	0	0	N/A	N/A	N/A	N/A
Davenport A 700 Columbus Ave	0	0	N/A	N/A	N/A	N/A
Davenport B 696 Columbus Ave	0	0	N/A	N/A	N/A	N/A
780 Columbus Ave	0	0	N/A	N/A	N/A	N/A
10 Coventry Street	1	1	Unintentional/Cooking - Stovetop fire	0	0	\$25,000 - \$49,999
132 Hemenway Street	0	0	N/A	N/A	N/A	N/A
136 Hemenway Street	0	0	N/A	N/A	N/A	N/A
165 Hemenway Street	0	0	N/A	N/A	N/A	N/A
171 Hemenway Street	0	0	N/A	N/A	N/A	N/A
204 Hemenway Street	0	0	N/A	N/A	N/A	N/A
309 Huntington Ave	0	0	N/A	N/A	N/A	N/A
311 Huntington Ave	0	0	N/A	N/A	N/A	N/A
313 Huntington Ave	0	0	N/A	N/A	N/A	N/A
315 Huntington Ave	0	0	N/A	N/A	N/A	N/A
331 Huntington Ave	0	0	N/A	N/A	N/A	N/A
335 Huntington Ave	0	0	N/A	N/A	N/A	N/A
97 St. Stephen Street	0	0	N/A	N/A	N/A	N/A
109 St. Stephen Street	0	0	N/A	N/A	N/A	N/A
115 St. Stephen Street	0	0	N/A	N/A	N/A	N/A
49 Symphony Road	0	0	N/A	N/A	N/A	N/A
84 The Fenway	0	0	N/A	N/A	N/A	N/A
16 Westland Ave	0	0	N/A	N/A	N/A	N/A
52 Westland Ave	0	0	N/A	N/A	N/A	N/A
650 Columbus Ave	0	0	N/A	N/A	N/A	N/A
801 Tremont Street	0	0	N/A	N/A	N/A	N/A
220 Huntington Ave	0	0	N/A	N/A	N/A	N/A

Fire Statistics 2019						
Residence Facilities	Total Fires In Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Cause by Fire
106 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
110 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
116 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
122 St. Stephen St. - Levine	0	0	N/A	N/A	N/A	N/A
319 Huntington Ave	1	1	Unintentional/Electrical fire - bathroom vent fell catching rug on fire	0	0	\$1,000 - \$9,999
337 Huntington Ave	0	0	N/A	N/A	N/A	N/A
407 Huntington Ave	0	0	N/A	N/A	N/A	N/A
Burstein Hall 458 Huntington Ave	0	0	N/A	N/A	N/A	N/A
East Village 291 St. Botolph St.	1	1	Unintentional/Cooking - Stovetop Fire	0	0	\$100 - \$999
International Village 1155 Tremont St.	0	0	N/A	N/A	N/A	N/A

Kennedy Hall 115, 119 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Kerr Hall 96 The Fenway	0	0	N/A	N/A	N/A	N/A
Light Hall 81-83 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
Loftman Hall 153, 157, 163 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Melvin Hall 90 The Fenway	0	0	N/A	N/A	N/A	N/A
Rubenstein Hall 464 Huntington Ave	0	0	N/A	N/A	N/A	N/A
Smith Hall 129 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Speare Hall 10 Speare Place	0	0	N/A	N/A	N/A	N/A
Stetson East 11 Speare Place	0	0	N/A	N/A	N/A	N/A
Stetson West 10 Forsyth St.	0	0	N/A	N/A	N/A	N/A
West Village A North 500 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village A South 510 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village B 460 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village C 480 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village E 10 Leon St.	0	0	N/A	N/A	N/A	N/A
West Village F 40 Leon St.	0	0	N/A	N/A	N/A	N/A
West Village G 450 Parker St.	0	0	N/A	N/A	N/A	N/A
West Village H 440 Huntington Ave	0	0	N/A	N/A	N/A	N/A
White Hall 21 Forsyth St.	0	0	N/A	N/A	N/A	N/A
Willis Hall 50 Leon St.	0	0	N/A	N/A	N/A	N/A
YMCA - Hastings 320 Huntington Ave	0	0	N/A	N/A	N/A	N/A
768 Columbus Ave	0	0	N/A	N/A	N/A	N/A
Davenport A 700 Columbus Ave	0	0	N/A	N/A	N/A	N/A
Davenport B 696 Columbus Ave	1	1	Unintentional/Cooking – Oven Fire	0	0	\$0 - \$999
780 Columbus Ave	0	0	N/A	N/A	N/A	N/A
10 Coventry Street	1	1	Unintentional/Cooking - Stovetop fire	0	0	\$1,000 - \$9,999
132 Hemenway Street	0	0	N/A	N/A	N/A	N/A
136 Hemenway Street	0	0	N/A	N/A	N/A	N/A
144 Hemenway Street	0	0	N/A	N/A	N/A	N/A
165 Hemenway Street	0	0	N/A	N/A	N/A	N/A
171 Hemenway Street	0	0	N/A	N/A	N/A	N/A
204 Hemenway Street	0	0	N/A	N/A	N/A	N/A
309 Huntington Ave	0	0	N/A	N/A	N/A	N/A
311 Huntington Ave	0	0	N/A	N/A	N/A	N/A
313 Huntington Ave	0	0	N/A	N/A	N/A	N/A
315 Huntington Ave	0	0	N/A	N/A	N/A	N/A
331 Huntington Ave	0	0	N/A	N/A	N/A	N/A

335 Huntington Ave	0	0	N/A	N/A	N/A	N/A
97 St. Stephen Street	0	0	N/A	N/A	N/A	N/A
109 St. Stephen Street	0	0	N/A	N/A	N/A	N/A
115 St. Stephen Street	1	1	Unintentional – fire in bedroom trash can	0	0	\$100 - \$999
49 Symphony Road	0	0	N/A	N/A	N/A	N/A
84 The Fenway	1	1	Unintentional/Cooking – Stovetop fire	0	0	\$1,000 - \$9,999
16 Westland Ave	0	0	N/A	N/A	N/A	N/A
52 Westland Ave	0	0	N/A	N/A	N/A	N/A
650 Columbus Ave	0	0	N/A	N/A	N/A	N/A
801 Tremont Street	0	0	N/A	N/A	N/A	N/A
1110 Commonwealth Ave	0	0	N/A	N/A	N/A	N/A
220 Huntington Ave	0	0	N/A	N/A	N/A	N/A
1065 Tremont Street	0	0	N/A	N/A	N/A	N/A
Lightview – 744 Columbus Ave	0	0	N/A	N/A	N/A	N/A

Fire Statistics 2020						
Residence Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Cause by Fire
106 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
110 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
116 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
122 St. Stephen St. - Levine	0	0	N/A	N/A	N/A	N/A
319 Huntington Ave	0	0	N/A	N/A	N/A	N/A
337 Huntington Ave	0	0	N/A	N/A	N/A	N/A
407 Huntington Ave	0	0	N/A	N/A	N/A	N/A
Burstein Hall 458 Huntington Ave	0	0	N/A	N/A	N/A	N/A
East Village 291 St. Botolph St.	0	0	N/A	N/A	N/A	N/A
International Village Tremont St. 1155	0	0	N/A	N/A	N/A	N/A
Kennedy Hall 119 Hemenway St. 115,	0	0	N/A	N/A	N/A	N/A
Kerr Hall 96 The Fenway	1	1	Intentional/Fire set in bathroom stall	1	0	\$1,000 - \$9,999
Light Hall 81-83 St. Stephen St.	0	0	N/A	N/A	N/A	N/A
Loftman Hall 157, 163 Hemenway St. 153,	0	0	N/A	N/A	N/A	N/A
Melvin Hall The Fenway 90	0	0	N/A	N/A	N/A	N/A
Rubenstein Hall Huntington Ave 464	0	0	N/A	N/A	N/A	N/A
Smith Hall 129 Hemenway St.	0	0	N/A	N/A	N/A	N/A
Speare Hall 10 Speare Place	0	0	N/A	N/A	N/A	N/A

Stetson East Speare Place	11	0	0	N/A	N/A	N/A	N/A
Stetson West Forsyth St.	10	0	0	N/A	N/A	N/A	N/A
West Village A North Parker St.	500	0	0	N/A	N/A	N/A	N/A
West Village A South 510 Parker St.		0	0	N/A	N/A	N/A	N/A
West Village B Parker St.	460	0	0	N/A	N/A	N/A	N/A
West Village C Parker St.	480	0	0	N/A	N/A	N/A	N/A
West Village E Leon St.	10	0	0	N/A	N/A	N/A	N/A
West Village F Leon St.	40	0	0	N/A	N/A	N/A	N/A
West Village G Parker St.	450	0	0	N/A	N/A	N/A	N/A
West Village H Huntington Ave	440	0	0	N/A	N/A	N/A	N/A
White Hall 21 Forsyth St.		0	0	N/A	N/A	N/A	N/A
Willis Hall 50 Leon St.		0	0	N/A	N/A	N/A	N/A
YMCA - Hastings Huntington Ave	316	0	0	N/A	N/A	N/A	N/A
768 Columbus Ave		0	0	N/A	N/A	N/A	N/A
Davenport A Columbus Ave	700	0	0	N/A	N/A	N/A	N/A
Davenport B Columbus Ave	696	0	0	N/A	N/A	N/A	N/A
780 Columbus Ave		0	0	N/A	N/A	N/A	N/A
10 Coventry Street		0	0	N/A	N/A	N/A	N/A
132 Hemneway Street		0	0	N/A	N/A	N/A	N/A
136 Hemenway Street		0	0	N/A	N/A	N/A	N/A
144 Hemenway Street		0	0	N/A	N/A	N/A	N/A
165 Hemenway Street		0	0	N/A	N/A	N/A	N/A
171 Hemenway Street		0	0	N/A	N/A	N/A	N/A
204 Hemenway Street		0	0	N/A	N/A	N/A	N/A
309 Huntington Ave		0	0	N/A	N/A	N/A	N/A
311 Huntington Ave		0	0	N/A	N/A	N/A	N/A
313 Huntington Ave		0	0	N/A	N/A	N/A	N/A
315 Huntington Ave		0	0	N/A	N/A	N/A	N/A
331 Huntington Ave		0	0	N/A	N/A	N/A	N/A
335 Huntington Ave		0	0	N/A	N/A	N/A	N/A
97 St. Stephen Street		0	0	N/A	N/A	N/A	N/A
109 St. Stephen Street		0	0	N/A	N/A	N/A	N/A
115 St. Stephen Street		0	0	N/A	N/A	N/A	N/A
49 Symphony Road		0	0	N/A	N/A	N/A	N/A
84 The Fenway		0	0	N/A	N/A	N/A	N/A
16 Westland Ave		0	0	N/A	N/A	N/A	N/A
52 Westland Ave		0	0	N/A	N/A	N/A	N/A
650 Columbus Ave		0	0	N/A	N/A	N/A	N/A
801 Tremont Street		0	0	N/A	N/A	N/A	N/A

1110 Commonwealth Ave	0	0	N/A	N/A	N/A	N/A
220 Huntington Ave	0	0	N/A	N/A	N/A	N/A
1065 Tremont Street	0	0	N/A	N/A	N/A	N/A
Lightview 744 Columbus Ave	1	1	Unintentional/Oven grease fire	0	0	\$0 - \$50
10 Huntington Ave	0	0	N/A	N/A	N/A	N/A