Northeastern University
Police

Annual Security Report

SILICON VALLEY CAMPUS
2026

https://nupd.northeastern.edu

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Message From The Chief

Located in the heart of San Jose, California, Northeastern University, Silicon Valley is part of the diverse and vibrant fabric that makes our city such an extraordinary place to live, learn, and grow. As a major urban university, Northeastern embraces a dynamic community where students, faculty, staff, and visitors each play an important role in shaping the university experience. Our culture of engagement, collaboration, and inquiry continues to strengthen our community and enrich the lives of all who are part of it.

The Northeastern University Police Department (NUPD) is comprised of an exceptional team of professionals who are deeply committed to providing a safe, secure, and welcoming environment for everyone on our campus. Achieving this mission, however, requires more than the efforts of our police officers and public safety professionals. It requires the collective commitment and partnership of the entire Northeastern community.

Northeastern is not only connected through our shared university experience; we are also an integral part of the greater Bay Area community. Our institution has a long-standing tradition of engagement, collaboration, and service, and those principles are essential to creating a campus environment where everyone can learn, work, and thrive safely. While we can never eliminate the possibility of crime or unexpected incidents, we can reduce risk by remaining vigilant, making informed decisions, looking out for one another, and taking personal responsibility for our safety.

I encourage you to take the time to review our annual report to learn more about the services and programs provided by NUPD, the accomplishments of our department, and the many opportunities available for you to become an active partner in our public safety mission. Together, we can strengthen our commitment to personal safety, support one another, and continue building a safer, stronger, and more connected Northeastern community.

Ruben Galindo
Chief of Police
Associate Vice President of Campus Policing

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, gender expression, sexual orientation, age, national origin, ancestry, including shared ancestry, ethnicity, citizenship or country of residence, veteran or military status, or disability status.

Preparation of Annual Security Report

The Clery Act

The federal *Jeanne Clery Campus Safety 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 certain University employees.1 Under the Clery Act, individuals that are required to report crimes include members 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 employees that fall into these categories at the Northeastern University San Jose campus (the "Silicon Valley" campus) as Campus Security Authorities ("CSAs").

CSAs are required to report all crimes and allegations of Prohibited Offenses.2 On the Silicon Valley campus, in addition to employees, Barbier Security Group must report any crimes its employees become aware of.

Individuals are encouraged to report crimes and other incidents they become aware of to NUPD and the Regional Dean of the Silicon Valley campus. Contact NUPD at 617.373.2121. Contact the Dean at 408.707.3848, the San Jose Police Department by dialing 9-1-1 for any emergency and 408.277.8900 for non-emergency inquiries.

You can also report non-emergency incidents that occur in San Jose, CA by using the San Jose Police non-emergency on-line crime reporting services at http://www.sjpd.org/.

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

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[1] See page 63 of the ASR for definitions of Clery Act crimes and geographical locations.

[2] CSAs are also Mandatory University Reporters under the University's *Policy on Sexual and Gender Based Harassment and Title IX* ("Title IX Policy") and are required to report Prohibited Offenses, in accordance with that policy, including sexual assault, sexual harassment, domestic violence, intimate partner violence, dating violence, stalking and retaliation involving a student or students.

Data Collection and Privacy 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 CSAs 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.

The ASR statistics are compiled by the following sources: NUPD case reports, San Jose Police Department case reports, and/or other police agencies case reports where the Clery reportable crimes occurred on campus, public areas immediately adjacent to or running through campus, and non-campus facilities. These reports are cross-referenced to ensure duplication of statistics does not occur.

Publication and Notice of Availability

The University publishes the Silicon Valley campus' ASR on the NUPD website under Annual Security Reports & Fire Safety Reports at https://nupd.northeastern.edu/annual-reports/. Each year, an email notification advising of the report's availability and containing a direct link to a PDF version of the report is sent to all enrolled students, faculty, and staff. Hard copies are available upon request on campus.

Law Enforcement Authority and Interagency Relationships

NUPD maintains a close working relationship with the San Jose Police Department ("SJPD"), regarding the San Jose location and other state and federal law enforcement agencies within San Jose, California, and all appropriate elements of the criminal justice system. SJPD have full law enforcement authority on campus including the authority to fully investigate, power to arrest, and respond to any reports of criminal activity occurring in and upon all property owned, occupied, or used by the University in San Jose. Crime-related reports and statistics are exchanged between SJPD and NUPD. NUPD routinely collaborates with SJPD to investigate alleged criminal activity involving students.

Barbier Security Group employees have limited responsibility for campus security on the Silicon Valley campus, including monitoring access to buildings and checking student and employee IDs.

Reporting Crimes and Emergencies

All community members in the Silicon Valley Campus, including students and employees, are encouraged to report crimes, suspicious activity or other emergencies to either SJPD immediately, or as soon as possible if the victim is initially unable to file a report. Any incidents occurring in San Jose should be reported to the

SJPD. SJPD's Headquarters is located at 201 W Mission Street, San Jose, CA 95110, and can be contacted by calling 9-1-1, or 408.277.8900.

Members of the Northeastern University community in San Jose are also encouraged to report incidents to the Regional Dean at 408.707.3848 and NUPD at 617.373.2121.

NUPD maintains direct contact with the SJPD and their Fire Departments, ensuring prompt assistance and support from these agencies when needed.

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 Complainant[3] does not consent to the disclosure of their identity to law enforcement, 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[4], 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 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 victim that the University intends to proceed with an investigation, and the possibility that during the investigation, the victim's identity may have to be disclosed to individuals who may have relevant information regarding the allegation.

Statistical Disclosures and Confidential Resources

The University offers confidential resources for medical treatment, emotional support, and counseling through Confidential Employees. Confidential Employees[5] are designated by Northeastern and will not report incidents of sexual violence to OUEC without explicit consent of the student. Confidential resources for students include:

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[3] The University uses the term Complainant to mean an individual who reports an alleged Prohibited Offense under the Title IX Policy.

[4] Title IX is a federal law that prohibits discrimination based on sex or gender in educational institutions that receive federal financial assistance. The University's Title IX Policy defines Prohibited Offenses includeing sexual assault, sexual harassment, gender-based harassment, sexual exploitation, domestic violence, intimate partner violence, dating violence, stalking and retaliation.

[5] 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.

Mental Health support through Find at Northeastern
The Office of Prevention and Education at Northeastern (OPEN) including Sexual Violence Resource Center Services, Confidential Resource Advising, and Community Consultation.
Ombuds for Faculty and Staff
Ombuds for Graduate students
Spiritual advisors at the Center for Spirituality, Dialogue and Service

For a list of confidential resources, please go to: https://ouec.northeastern.edu/resources/

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.

Important Telephone Numbers

San Jose Police Department Headquarters
201 W Mission St
San Jose, CA 95110

Police – Medical Emergency:	**9-1-1**
Non-Emergency:	408.277.8900

San Jose Fire Department
1661 Senter Road
San Jose, CA 95112

Emergency:	**9-1-1**
Non-Emergency:	408.794.7000

Northeastern University – Silicon Valley
4 North Second Street, 9th and 10th floors
San Jose, CA 95113

Campus Welcome Center
75 E Santa Clara Street
Suites 100 & 150
San Jose, CA 95113

Routine Business/Administration	408.229.2292
Barbier Security Group	669.234.0062

Northeastern University Police Department Headquarters

100 Columbus Place
716 Columbus Avenue
Boston, MA 02115

Non-Emergency	617.373.2121
Community Engagement Unit	617.373.3940

Security Awareness and Crime Prevention Programs

The best strategy for addressing crime is to prevent it from happening in the first place. The University offers a number of services designed to aid in the prevention of crime through NUPD, as well as through services provided by the on-site security companies, property management, and SJPD. All services and programs are designed to minimize criminal opportunities, whenever possible, and encourage students and employees to take responsibility for their own security and the security of others. Additionally, NUPD offers active safety tools for community members and community policing engagements facilitated by the Department's Community Engagement Unit ("CEU"). The following is a list of such services and engagement at the Silicon Valley location 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 51.

1. **New Student Orientation**. New students in the Silicon Valley are provided with an overview of crime awareness and prevention information as well as egress drill instructions for the Silicon Valley location.
2. **New Employee Orientation**. New employees are provided with campus safety and security information at the start of their employment that discuss tips and strategies on how to be responsible for their own security and security of others. New employees are directed to the NUPD website for a helpful guidebook that provides incident-specific instructions.
3. **Crime Prevention Presentations**. Presentations are provided by NUPD in person or virtually to both employees and students with a focus on campus safety and security information and strategies on how to be responsible for their own security and the security of others. Additionally, NUPD's CEU provides crime prevention courses several times throughout the year, which can be requested at any time. These presentations address both security procedures and practices and encourage University community members to lookout for themselves and others.
4. **Parking Facility Security**. Parking facilities are surface lots that are monitored by Barbier Security Group and Allied Universal security officers on the grounds of the 4 North Second Street location. Lighting is well maintained.
5. **Personal Safety Escorts**. Personal safety escorts within a one-block radius of campus are provided by Barbier Security Group and Allied Universal upon request**.**
6. **Fire Alarm Systems and Security Cameras**.
7. **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").
8. **Security Assessments**. NUPD provides comprehensive physical and operational security recommendations and guidance for each network location. This guidance provides members of the

University community with an in-depth understanding of security procedures and practices, as well as ways to lookout for themselves and others within their environment.

Crime Prevention Tips

- Stay alert and know your surroundings
- Don't flash large amounts of cash or jewelry
- Have your keys ready before you reach your vehicle
- Don't leave property unattended
- Record serial numbers on computers, tablets, cell phones and other valuables
- Create SafeZone[6] account and understand how to utilize if needed
- Refrain from entering your social security number and other personal data online

Fire Safety Tips

- In case of fire, pull fire alarm and evacuate the building immediately
- Fires produce deadly gases, stay close to the ground
- Do not allow trash to accumulate
- Careless disposal of cigarettes is the cause of many fires
- Do not overload electrical outlets
- Never leave your stove unattended when cooking

Access to Campus Facilities

The Silicon Valley campus is located on the 9th and 10th floors of 4 North Second Street, San Jose, CA 95138. The Silicon Valley Campus Welcome Center is located at 75 E Santa Clara Street, Suites 100 & 150, San Jose CA 95113. Students and employees have access to the Silicon Valley Campus during campus business hours with their issued ID cards. The University space is monitored on-site by Barbier Security Group during all operational business hours. In addition, Allied Universal provides building security 24/7. Visitors are required to have an appointment to visit campus and are required to sign in at the Campus Welcome Center. The Silicon Valley Campus does not have on-campus student housing. The Silicon Valley Campus offered students a leased housing option that was off campus and considered a non-campus location as part of the Semester-In program in 2023 & 2024. The Silicon Valley Campus does not have any officially recognized student organizations with non-campus locations.

Campus Hours:

4 North 2nd Street:
Monday through Friday: 8:30am – 10pm
Saturday: 8:30am – 5pm

Campus Welcome Center:

9am – 5pm Monday to Saturday

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[6] NU Campus Safety and Policing makes the SafeZone app, a cloud-based mobile application that allows users to quickly call local authorities allowing resources to respond to emergency situations, available to all Northeastern community members.

Maintenance and Security of Campus Grounds and Facilities

The University maintains a 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 Barbier Security Group at the Silicon Valley location. Members of the campus community are encouraged to report any exterior lighting deficiencies to Barbier Security Group at the 4 North 2nd Street location.

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 on the University's Clery geography and is deemed to represent a serious or continuing threat to the campus community. Northeastern refers to timely warnings as "safety notifications."

NU Alert System

The University employs the NU Alert system to communicate emergency notifications and safety notifications to the affected University campus. Messages sent from the NU Alert system are sent to University email accounts and to enrolled mobile phone numbers via text message. NU Alert messages will be sent to affected campus community members. The NU Alert system draws contact information from centralized University databases, which are updated daily. Members of the campus community are reminded to update their University contact information at the beginning of each semester, or at any time, by visiting the Student Hub for students and Workday for employees.

The Office of Emergency Management ("OEM") plans, publicizes, and conducts a test of the NU Alert emergency response and notification system twice per year, 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 *Safety Notifications* 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 versus a timely warning. 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 campus community, to specifically affected University populations, or to 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 campus community about relevant safety awareness campaigns.

Emergency Notifications

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 NUPD confirms, based on information received from these sources, or others, that there is a significant emergency or dangerous situation that poses an immediate threat to the health or safety of the campus 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. In determining an appropriate emergency notification, the University will consider several factors, including, but not limited to, the segment of the population threatened and the nature of the immediate threat.

The acting Sergeant on duty, or a higher ranking command staff member including the Chief of Police or, the University Emergency Manager has the authority to prepare and disseminate an emergency notification.

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 campus community, utilizing at minimum the same methods of notification as the initial message, when such instructions are required and/or emergency conditions have abated.

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

Safety Notifications (Timely Warnings)

The University, through the NUPD, issues safety notifications, which are the University's term for timely warnings, concerning Clery Act crimes that occur on the University's Clery geography, and are considered to represent a serious or continuing threat to the safety of the campus community. The decision to issue a safety notification is made by the Chief of Police or designee, in consultation with appropriate university representatives, on a case-by-case basis, as soon as pertinent information becomes available, and in light of all known circumstances surrounding a crime, including the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

The process the University will follow when determining whether to issue a safety notification is designed to expedite the decision-making process, and initiate notification to the campus community.

When the University issues a safety notification, it will do so through the NU Alert system. The content of the safety notification will include pertinent information about the crime that triggered the warning and information that would promote safety and could aid in preventing similar crimes. When appropriate, follow-up information will be sent to the campus community.

Safety notifications 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 local law enforcement particularly where an incident may involve the need for issuance of a notification to the University community. SJPD can be contacted at 9-1-1 or 408.277.8900. NUPD should also be contacted at 617.373.2121.

Emergency Response and Evacuation Procedures

OEM 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 OEM.

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 ("HSEEP"). 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 Title IX Policy.[7] For ease of reviewing this policy statement, the aforementioned acts are collectively referred to as "Prohibited Offenses."

Reporting Prohibited Offenses

Complainants are urged to report Prohibited Offenses to SJPD (9-1-1 or 408.277.8900), NUPD (617.373.2121) and/or 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.

Mandatory University Reporters are required to immediately report information regarding Prohibited Offenses to OUEC. Mandatory Reporters, who are informed in their official capacities of occurrences of Prohibited Offenses, should also encourage individuals to report incidents of prohibited Offenses to NUPD, local 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 Sexual Assault Nurse Examiner ("SANE nurse"). 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 Complainant choose to file a police report at a later time. For local medical resources, please see page 51.

Assistance Notifying Law Enforcement

A Complainant is not required to file formal criminal charges, even if they report the incident to local police or NUPD, and it is their right to decline to notify law enforcement in the event of a notification to the University. If a Complainant reports the incident to NUPD, a University Police investigator, specially trained in dealing with a Complainant 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

[7] See Title IX Policy on page 17.

are subject to disciplinary action in accordance with the provisions of the Code of Student Conduct as contained in the Student Handbook irrespective of whether a Complainant files a police report.

Complainant names are kept confidential consistent with applicable law.

Filing For a Protection Order

No Contact Orders

Complainants 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 disciplinary action being imposed. No Contact orders differ from restraining orders as they do not prevent the accused from being in the same building, area, etc. as the Complainant.

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

- NUPD (617.373.2121)
- OUEC (617.373.4644)
- By filing a report online with the Office of Student Conduct and Conflict Resolution (OSCCR) through its web page at https://osccr.sites.northeastern.edu/.

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

Protective Orders and Other Domestic Violence Prevention Orders, found under California Family Code 6300-6306 are issued to help keep victims from being abused. Protective Orders, most commonly known as a restraining order, will allow the court to issue a protection order notifying your abuser to stop the abuse. The police are responsible for enforcing the violation of the restraining order.

The Domestic Violence Prevention Act and Protective Orders and Other Domestic Violence Prevention orders applies to certain relationships which are defined by California Family Code 6200 as people who are or were:

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

If you decide to file a complaint for a protective order or have questions regarding a protective order, contact the SJPD at 408.277.8900 or NUPD at 617.373.2121 and NUPD can assist you during the following process.

Victims are 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, you will speak to a judge or clerk to explain what happened and why you need protection. The judge will then decide whether to grant a Temporary Order valid for up to twenty-five (25) business days. If the Temporary Order is granted, you will be given a copy of the order and summons to return to court within twenty-five (25) business days for a "permanent hearing". The abuser will also be sent a summons to appear and the police will attempt to serve the order to the abuser. The "permanent hearing" is when the judge will decide whether or not to extend the order. The hearing will allow both the victim and the abuser an opportunity to tell what happened.

You are allowed to bring any witnesses or evidence you might have to support your testimony. If the abuser does not appear, the hearing will still be held and may result in the order being extended. The victim must appear at this hearing or the order will automatically be vacated. The judge will make a determination after hearing testimony if the order will be vacated or extended.

If you need immediate protection from your abuser, contact the SJPD (9-1-1 or 408.277.8900).

Consider ways to leave your present situation safely. The police can assist you in obtaining an Emergency Restraining Order valid for up to 7 business days, providing enough time for the Complainant to file for a restraining order in Court. Once the order has been issued you will be given a copy and the police will attempt to serve a copy to the abuser.

Violation of a Protective Order is a crime. If your abuser violates the order call SJPD (9-1-1 or 408.277.8900) immediately. Explain to the police that your abuser has violated the protective order and you need help right away. If the abuser has left the scene, try to provide the direction of flight and a physical clothing description.

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 abuser violates the order. If you are leaving an abusive relationship, remember leaving a violent relationship can be very difficult and dangerous; make sure you have a safety plan in place. Know ahead of time a safe place you can go to in an emergency. Bring along important documents (driver's license, bankbooks, custody documents, etc.) and tell a friend. Let someone you trust help you make the first step.

Civil Harassment Restraining Orders

All members of the University community have the right to be free from being harassed and/or placed in fear. The law has provided victims of harassment with the ability to obtain relief from the courts even though there is no relationship with the abuser. The Civil Harassment Restraining Orders, California Code of Civil Procedure Section 527.6, 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.

If you are a victim of harassment and wish to obtain a Civil Harassment Restraining Order, contact the SJPD immediately for assistance or your local police where you live. The procedure for filing for a Civil Harassment Restraining Order is the same as filing for a Domestic Violence Restraining Order described above.

Policy on Sexual and Gender-Based Harassment and Title IX

I. Purpose and Scope

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 prohibits discrimination and harassment based on protected characteristics as identified in the university's Policy on Nondiscrimination and Equal Opportunity.

In accordance with this Policy, the university specifically prohibits Sexual Harassment as defined by Title IX, which includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking on the basis of sex in an education program or activity ("Title IX Prohibited Offenses"). The university also prohibits other forms of sexual and gender-based misconduct, including Sexual Exploitation, Gender-Based Harassment, Sex-Based Discrimination, Failure to Comply and Retaliation under this Policy ("Sexual or Gender-Based Prohibited Offenses") (collectively, "Prohibited Offenses").

This Policy articulates how the university will respond to reports of conduct prohibited by this Policy and take prompt action to eliminate such conduct, prevent its recurrence, and remedy adverse effects in Northeastern's education programs and activities, including, as appropriate, by way of the resolution procedures associated with this Policy, consistent with applicable laws, including Title IX of the Education Amendments of 1972 ("Title IX"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Violence Against Women Reauthorization Act of 2022. This Policy also provides a consolidated statement of the rights and responsibilities of university community members and describes how individuals may report allegations of conduct prohibited by this Policy to the university.

This Policy applies to members of the university community, including students, faculty, staff, volunteers, guests, alumni, and third parties who are participating in or attempting to participate in Northeastern's education programs or activities, including admission and employment.

Vendors and contractors serving the university are subject to the policies and procedures of their employers. When a Respondent under this Policy is an employee of a vendor or contractor, the university will collaborate with the vendor or contractor to address the alleged Prohibited Offense consistent with the company's policies as well as the university's obligations under this Policy.

Similarly, the university will assist and support a student or employee Complainant who experiences discrimination while on a co-op or in other academic or work environments external to the university where policies and procedures of the host organization may give the Complainant recourse. If effects of such external conduct impact a student or employee's work or educational environment, the university often can seek to address those effects if a report is filed with the university.

II. Definitions

The university prohibits the conduct defined below under this Policy.

Federal regulations for the implementation of Title IX provide detailed rules for addressing Formal Complaints about some types of sexual harassment. A Formal Complaint about conduct that falls within Title IX's definition of Sexual Harassment, which includes Quid Pro Quo Sexual Harassment,

Hostile Environment Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Retaliation ("Title IX Prohibited Offenses") may be addressed using the university's Informal or Formal Resolution Procedures for Title IX Prohibited Offenses involving Student and Employee Respondents when the alleged conduct occurred in the United States and:

1. In the University's education programs and activities, including but not limited to research, the admission and employment processes, and university co-curricular, athletic, or other programs. This includes conduct that occurs in locations, events, or circumstances, including online conduct, in which the University exercises substantial control over both the Respondent and the context in which the conduct occurred; or
2. In any building owned or controlled by a university-recognized student organization. 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.

Title IX Prohibited Offenses do not apply to conduct alleged by Third Party Complainants against university community members.

In addition to Title IX Prohibited Offenses, this Policy also prohibits other kinds of sexual and gender-based harassment and misconduct, as described below. All other conduct prohibited by this Policy, including Sexual or Gender-Based Prohibited Offenses and conduct that occurs outside the context of a university education or research program or activity or employment, but which nonetheless creates a hostile environment in a university program or activity, will be addressed using the university's Sexual and Gender-Based Harassment ("SGBH") Informal or Formal Resolution Procedure.

TITLE IX PROHIBITED OFFENSES

1. **Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following:
    a. An employee or other community member of the university conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual conduct (quid pro quo sexual harassment);
    b. 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 (hostile environment sexual harassment); or
    c. Any of the other Title IX Prohibited Offenses, as defined below.

The term "effectively denies" does not require a Complainant to be entirely or physically excluded from educational opportunities and may be established when the conduct so undermines and detracts from the Complainant's educational experience that access is effectively denied.

In evaluating whether the unwelcome conduct is so severe, pervasive, and objectively offensive that it effectively denies a person equal access, the university uses a reasonable person standard that takes into account the totality of known circumstances in a particular situation, including but not limited to:

- The frequency, nature, and severity of the conduct;

- The age, disability status, and other characteristics of the parties;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state; and
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or university programs or activities.

2. **Sexual Assault** means an offense classified as a forcible or nonforcible sex offense, meaning any sexual act directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent. This includes the following conduct:

    a. **Rape:** 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, or by a sex-related object. This definition also includes instances in which the Complainant is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the Complainant to demonstrate lack of consent.
    b. **Criminal Sexual Contact:** The intentional touching of clothed or unclothed body parts without consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the Complainant of the Actor's clothed or unclothed body without the consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
    c. **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    d. **Statutory Rape**: Nonforcible sexual intercourse with a person who is under the statutory age of consent in the jurisdiction where the sexual intercourse took place.

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

4. **Domestic Violence** means the use, attempted use, or threatened use of physical force against a person or property of another:
    a. by a current or former spouse or intimate partner of the Complainant,
    b. by a person with whom the Complainant shares a child in common,
    c. by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, or
    d. by a person similarly situated to a spouse of the Complainant under the family violence laws of the jurisdiction in which the allegation takes place.

5. **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or to suffer substantial emotional distress.

   "Course of conduct" means two or more acts, including, but 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.

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

6. **Retaliation:** means intimidation, threats, coercion, or discrimination against a person by the university, a student, or employee for the purpose of interfering with any right or privilege secured by this Policy, or because the person has engaged in a process identified in this Policy, including:
   - making a good faith report;
   - filing a Formal Complaint;
   - serving as a witness;
   - assisting, participating or refusing to participate (except as required for employees) in any manner in an investigation, adjudication or resolution procedure under this Policy, including an Informal Resolution procedure, or in any other appropriate steps taken by the university to promptly and effectively end any Prohibited Offense in its education program or activity, prevent its recurrence, and remedy its effects.

   Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Offenses.

SGBH Prohibited Offenses

The definitions listed above for Stalking and Retaliation under Title IX Prohibited Offenses also apply for allegations of SGBH Prohibited Offenses when the allegations fall outside of the Title IX jurisdiction.

1. **Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following and does not fall within the definition of Sexual Harassment under Title IX as outlined in Section II.A:
   a. An employee or other community member of the university conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual conduct (quid pro quo sexual harassment); and/or
   b. Unwelcome conduct determined by a reasonable person standard to be so severe, pervasive, and objectively offensive that it creates a hostile environment.
2. **Domestic Violence** means the intentional infliction of physical, sexual, or psychological harm on a current or former partner or spouse that does not fall within the definition of Domestic Violence under Title IX as outlined in Section II.A.

3. **Gender-Based Harassment** includes harassment based on gender, gender identity, gender expression, sexual orientation or pregnancy/pregnancy-related conditions that has the effect of creating a hostile living, learning, or working environment.
4. **Sexual Assault** consists of Sexual Contact and/or Sexual Intercourse that occurs without Consent and does not fall within the definition of Sexual Assault under Title IX as outlined in Section II.A.
    a. 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:
        i. the intentional touching of the intimate body parts of another, such as breasts, buttocks, groin, genitals, or the clothing covering them, or
        ii. forcing or coercing another person to touch another or themselves with or on someone's breasts, buttocks, groin, genitals, or the clothing covering them.
    b. Non-Consensual Sexual Intercourse is:
        i. any actual or attempted oral, anal, or vaginal penetration, however slight, by an inanimate object, penis, or other bodily part without the consent of all parties involved, or
        ii. forcing or coercing another person to penetrate someone else.

5. **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:
    a. Inducing Incapacitation for the Purpose of Sexual Activity: Providing drugs, alcohol, or other substances to a person with or without their knowledge, with the intent to impair their ability to withhold consent or their ability to knowingly consent to sexual activity.
    b. 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.
    c. The distribution of images, including video or photograph, or audio of another person's sexual activity or private body parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
    d. Creating or disseminating synthetic media, including images, videos, or audio representations of individuals engaging in sexual acts or conduct that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes).
    e. Creating or disseminating images or videos of child sexual abuse
    f. Voyeurism: The act of intentionally observing, spying on or listening to a person(s) involved in sexual activity or in any state of undress, in a place where that other person would have a reasonable expectation of privacy, without that person's consent. Voyeurism also occurs when an individual allows others to observe this behavior without the consent of all parties involved.
    g. The prostituting of another person.
    h. The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion.

6. **Sex-based discrimination:** means inequitable treatment with respect to a person's employment or participation in an education program or activity that:
    a. Is based, in whole or in part, upon the person's actual or perceived sex or gender, including gender identity, gender expression, sexual orientation or pregnancy/pregnancy related conditions;
    b. Adversely affects a term or condition of the person's employment or participation in a university program or activity; and
    c. Does not fall within the scope of any of the Prohibited Offenses defined above.

7. **Failure to Comply/Process Interference** refers to any of the following:
    a. Intentional failure to comply with the reasonable directives of university officials in the performance of their official duties, including with the terms of a No Contact Order issued related to an alleged violation of this Policy
    b. Intentional failure to comply with Emergency Removal conditions
    c. Intentional failure to adhere to the terms of an agreement achieved through an Informal Resolution
    d. Intentional failure to comply with Mandatory University Reporting duties as defined in this Policy
    e. Intentional interference with an Office for University Equity and Compliance (OUEC) Resolution Procedure, including but not limited to:
        i. Destruction or concealing of evidence
        ii. Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence
        iii. Intimidating or bribing a witness or party

Other definitions applicable in this Policy and the Informal and Formal Resolution Procedures are included in Appendix A.

III. POLICY

The university does not discriminate on the basis of sex and prohibits sex discrimination in its education programs and activities, including in admissions and employment, as required by Title IX, its regulations, and other federal, state, and provincial laws. The university is committed to maintaining a safe and respectful learning, living, and working environment for all members of the university community free from sex discrimination.

The university will take prompt and equitable action to resolve Formal Complaints of Prohibited Offenses using the university's Formal and Informal Resolution Procedures, as appropriate.

Both the Complainant and Respondent are afforded equal rights throughout the university's investigation and hearing resolution procedures as described in this policy and resolution procedures.

A. TITLE IX COORDINATOR

The University's Title IX Coordinator, with the assistance and support of designees, is responsible for coordinating the university's compliance with federal, state, provincial, and local civil rights laws and

regulations related to discrimination, harassment, and retaliation. The Title IX Coordinator leads the university's efforts related to compliance with Title IX, reviewing and resolving complaints of Prohibited Offenses, delivery of related training and education, and the assessment of the university's effectiveness in responding to and remedying the effects of Prohibited Offenses. Because the Title IX Coordinator may designate any qualified person to assume or assist in performing the Title IX Coordinator's duties under this Policy, where the Policy identifies a specific role of the Title IX Coordinator, such provision should be read with the understanding that the role may be performed by any of the Title IX Coordinator's designees.

The Title IX Coordinator oversees the OUEC, which is responsible for reviewing and resolving allegations of Prohibited Offenses, as defined in this Policy. No other university individual, office, group, club, organization or community member has investigative authority unless authorized by OUEC.
The Title IX Coordinator may be contacted as follows:

Title IX Coordinator:	Mark Jannoni
Email:	ouec@northeastern.edu
Phone:	617.373.4644
Address:	360 Huntington Avenue125 Richards Hall Boston, MA 02115

B. Employee Responsibilities

University employees, except Confidential Employees (whose positions are identified in Appendix B), are Mandatory University Reporters and are obligated to immediately report information they receive about potential Prohibited Offenses to the OUEC. OUEC will offer support resources, pathways towards a resolution through the university and/or options to report crimes to law enforcement.

C. Reporting Options

1. Reporting to OUEC

Northeastern strongly encourages any individual who has experienced, observed, or has knowledge of a Prohibited Offense to report to the Title IX Coordinator through OUEC. Reporting conduct that may constitute Prohibited Offenses to the Title IX Coordinator does not necessarily obligate the reporter to participate in any subsequent proceedings, nor is such participation required for an individual to request and receive Supportive Measures. A report is not a Formal Complaint, as outlined in Section III.F, and does not require the Complainant to file a Formal Complaint. In some cases, however, such as patterns of behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, the Title IX Coordinator may file a Formal Complaint to initiate a resolution process even where the Complainant has decided not to do so.

The university strongly encourages anyone with information about a possible Prohibited Offense to report such information to the OUEC as soon as possible to facilitate an effective response. Although there is no time limit for making a report to the OUEC, it may be more difficult for the university to gather relevant and reliable evidence or to take corrective action the longer a report is delayed. If a Respondent is no longer a student, employee, or person who is participating or

attempting to participate in a university program or activity at the time of the report, the university's ability to take action against the Respondent under the Policy may be limited. In these cases, however, the university will assist a Complainant to identify and access external reporting options, if applicable, and will provide support and resources.

The university's preferred mechanism to report Prohibited Offenses to the Title IX Coordinator is by completing the online reporting form on the OUEC's website. Reports may be made anonymously through this form. Anonymous reports may limit the university's ability to investigate, respond, and provide remedies, depending on what information is shared. Measures intended to protect the community or redress or mitigate harm may be established at the discretion of the Title IX Coordinator.

Reports can also be made to the Title IX Coordinator using the contact information listed in Section III.A.

As soon as is practicable after receiving a report of conduct that may constitute a Prohibited Offense, an Investigator from the OUEC will contact the Complainant identified in the report to schedule an initial meeting to refer them to this Policy and review rights and support options, as described in more detail in the Informal and Formal Resolution procedures under this Policy.

2. Reporting to Law Enforcement

Community members impacted by or aware of possible Prohibited Offenses are strongly encouraged, but not required, to report any information about possible Prohibited Offenses directly to Northeastern University Police Department ("NUPD") as soon as possible, regardless of where the offense took place and whether the Respondent is known to the Complainant. As Mandatory University Reporters, NUPD officers will report Prohibited Offenses to the Title IX Coordinator.

Investigations by OUEC and criminal investigations by law enforcement, including NUPD, may proceed simultaneously as discussed below in Section III.G. Reporting a Prohibited Offense to NUPD or other local law enforcement does not commit the Complainant to future legal action.

NUPD can be contacted at 617-373-3333 for immediate emergency assistance. For general, non-emergency inquiries and reports, call 617-373-2121.

3. Confidential Resources

Certain Northeastern employees are designated as Confidential Employees pursuant to this Policy. A list of confidential employee positions is provided in Appendix B. Such positions include those to whom a privilege or confidentiality applies under applicable federal or state laws, as well as certain positions that have been designated by the university as confidential for the purpose of providing services related to sex discrimination.

Confidential Employees are not required to disclose to the Title IX Coordinator any information from reports of sex discrimination they receive from an individual while performing their Confidential Employee role.

While Confidential Employees will maintain confidentiality under this Policy and the Resolution Procedures, they may be required to disclose personally identifiable information by law or a court order or when the reporting individual gives written consent for disclosure.

Confidential Employees who receive notice of Prohibited Offenses within the scope of their confidential roles will timely submit anonymous information to the university for the purpose of reporting crime statistics in compliance with applicable federal and state laws.

D. 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 resolution procedure into an allegation 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;
- visa and immigration assistance;
- options for altering student organization schedules/obligations;
- options for altering work schedule or job assignment;
- referral to the Employee Assistance Program (employees only);
- Emergency Removal and/or, for employee Respondents, administrative leave with or without pay);
- options for alternative transportation to the hospital or court (when possible) as well as a campus escort service;
- options for seeking assistance from local law enforcement, including safety planning, safety escorts, 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 Northeastern community member;
- options for receiving a university No Contact Order;
- options for seeking a Judicial Harassment Protection Order or a Restraining Order; and
- any other actions deemed appropriate by the Title IX Coordinator.

Additionally, if the Title IX Coordinator determines that a report of Prohibited Offenses reveals involvement of a recognized student club or organization, the Title IX Coordinator will consult with appropriate university officials regarding any appropriate interim university action pending outcome of a university investigation, including, but not limited to, training or prevention programs or modification of status, or interim suspension.

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 resolution procedure through the OUEC 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.

The parties may timely request modification or reversal of the university's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures under this Policy. The university will also provide the parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances change materially. The university typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party.

The OUEC will maintain the confidentiality of the supportive measures to the extent that maintaining such confidentiality does not impair the OUEC's ability to provide those supportive measures.

E. Emergency Removal and Administrative Leave

Emergency Removal is the process for removing a student Respondent from the university's education program or activity or an employee Respondent from their employment, partially or entirely, on an emergency basis. The university will conduct an individualized safety and risk analysis to determine whether there exists an immediate threat to the health and safety of a Complainant or any student, employee, or other individual arising from the allegations of the Prohibited Offense(s). When Respondents are removed through this process, the university will provide the Respondent with notice of the Emergency Removal through their university email. This notice will include Respondent's opportunity to appeal the decision within five (5) business days of the date the notice was sent, absent extenuating circumstances. The procedures for an Emergency Removal are detailed here.

The university may also place employees on administrative leave with or without pay pending the outcome of any investigative process, as deemed appropriate by the university.

F. Formal Complaints

A Formal Complaint is a document filed and signed by a Complainant or signed by the Title IX Coordinator alleging a Prohibited Offense against a Respondent and requesting that the university initiate either a Formal or Informal Resolution procedure. A Formal Complaint filed by a Complainant must have the Complainant's physical or digital signature, or otherwise indicate that the Complainant is the person filing the Formal Complaint.

A Formal Complaint is separate from a report. After a Formal Complaint has been filed by the Complainant or Title IX Coordinator, OUEC will commence the appropriate resolution procedure.

For the purposes of allegations of Title IX Prohibited Offenses, 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. For the purposes of allegations of SGBH Prohibited Offenses, Third Party Complainants may file a Formal Complaint with the OUEC. In cases where a student Complainant was participating in or attempting to participate in an education program or activity of the university at the time of the incident and during the University resolution process, but leaves the University prior to the hearing process, the Complainant may choose to participate fully as a student Complainant would.

If a Complainant pursues a Formal Complaint for an alleged Prohibited Offense, Respondent will receive a Notice of Allegations which includes the identity of the Complainant, if known. Accordingly, if the OUEC knows a Complainant's identity at the time a Formal Complaint is filed, the Title IX Coordinator will not be able to honor a Complainant's request to remain anonymous while pursuing a Resolution Option under this Policy.

Although the university is not able to honor requests for anonymity with respect to Formal Complaints, the Title IX Coordinator will notify the Complainant if the university intends to proceed with a Formal or Informal Resolution Process in the Complainant's absence, 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. The university will also take immediate steps to provide Complainant with supportive, remedial and protective measures, as described in this Policy, as appropriate.

The university reserves the right to consolidate Formal Complaints of Prohibited Offenses against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of Prohibited Offenses arise out of the same facts or circumstances.

1. Formal Complaints Filed by the Title IX Coordinator

If a Complainant chooses not to file a Formal Complaint against a Respondent or withdraws any or all of the allegations in a Formal Complaint, and in the absence or termination of an Informal Resolution Procedure, the Title IX Coordinator will offer supportive measures and determine whether to initiate a Formal Complaint. To make this determination, the Title IX Coordinator will refer the matter to the Title IX Coordinating Committee for assessment. The Title IX Coordinating Committee will review the facts available to determine if there is a potential hostile environment in a university education program or activity, a threat to the health or safety of the Complainant or other person, or if the University cannot provide equal access based on sex to its education program or activity without initiating a Formal Complaint. In making this determination, the Title IX Coordinating Committee will review the allegations of Prohibited Offenses and consider the non-exhaustive factors listed in Appendix C to determine whether the Title IX Coordinator will file a Formal Complaint.

The Title IX Coordinator will notify the Complainant if a determination is made to proceed with a Formal Resolution Procedure 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 Formal Resolution Procedure.

2. Dismissal of Formal Complaints

The Title IX Coordinator may dismiss a Formal Complaint when:

- The conduct alleged in the Formal Complaint, if proved, would not constitute a Prohibited Offense as defined in this Policy;
- The university is unable to identify the Respondent after taking reasonable steps to do so; or
- The Respondent is not participating in the university's education program or activity or is not employed by the University; or
- The Complainant voluntarily withdraws any or all allegations in the Formal Complaint and the Title IX Coordinator declines to initiate a Formal Complaint.

Before dismissing the Formal Complaint, the university will make reasonable efforts to clarify the allegations with the Complainant.

Upon any dismissal, the OUEC will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal of a Formal Complaint occurs after the Respondent has received notice of the allegations, the OUEC will also notify the Respondent of the dismissal.

When a Formal Complaint is dismissed, OUEC will:

- Offer supportive measures to the Complainant and Respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that a Prohibited Offense does not continue or recur within the university's education program or activity.

3. Appeal of Dismissal of Formal Complaints

The Complainant may appeal a dismissal of their Formal Complaint. The Respondent may also appeal the dismissal of the Formal Complaint if dismissal occurs after the Respondent has received notice of the allegations. All appeals of dismissals of Formal Complaints must be filed with the Title IX Coordinator within two (2) business days of the notification of the dismissal. The appeal must specify the grounds for appeal, and include supporting evidence regarding the basis for the appeal. The grounds for an appeal of a dismissal of a Formal Complaint are limited to:

1) Procedural irregularity that would change the outcome;
2) New evidence that would change the outcome and that was not reasonably available when the dismissal was decided; and/or
3) The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against Complainant or Respondent that would change the outcome.

The Title IX Coordinator will assign a Dismissal Appeal Officer who did not take part in any resolution procedure in this Policy for the allegations or dismissal of the Complaint. The Dismissal Appeal Officer will notify the Parties of any appeal of the dismissal of the Formal Complaint. If the Complainant appeals, but the Respondent was not yet notified of the Formal Complaint, the Dismissal Appeal Officer may then provide the Respondent with a notice of the allegation and may notify the Respondent of the Complainant's appeal with an opportunity to respond. The Dismissal Appeal Officer will provide two (2) business days for the other Party to respond to the appeal.

Throughout the appeal process for dismissals of Formal Complaints, the Dismissal Appeal Officer will provide the Parties a reasonable and equal opportunity to make a statement in support of or

challenging the dismissal and notify the Parties of the result of the appeal and the rationale for the result.

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has five (5) business days to review and decide on the appeal, though extensions can be granted at the discretion of the Dismissal Appeal Officer, and the Parties will be notified of any extension.

The dismissal of a Formal Complaint will only be reversed on appeal if there is a compelling justification for such reversal on the grounds described in this Policy. Otherwise, the Dismissal Appeal Officer will deny the appeal and notify the Parties and the Title IX Coordinator in writing of the rationale for the denial. If this appeal is granted, the Dismissal Appeal Officer will notify the Parties and the Title IX Coordinator in writing of the decision and rationale. The effect of a reversal on appeal will be to reinstate the Formal Complaint.

G. University and Law Enforcement Investigations

The OUEC will investigate allegations of Prohibited Offenses when the Respondent is a Northeastern student, faculty or staff member and a Formal Complaint is filed by a Complainant or the Title IX Coordinator.

The Title IX Coordinator will assign one or more impartial and trained investigators to the case. The investigator(s) may be from the OUEC, the NUPD, and/or external investigator(s) selected in the university's sole discretion. If needed, the investigator(s) may be assisted in conducting investigation functions by additional qualified individuals.

During the investigation, the investigator will collect information from the parties and any witnesses, as appropriate. The investigative process is described in more detail in the Formal Resolution Procedures for Title IX Prohibited Offenses Involving Student Respondents, the Formal Resolution Procedures for Title IX Prohibited Offenses Involving Employee Respondents, and the Formal Resolution Procedures for SGBH Prohibited Offenses. After completion of an investigation, the university will provide each party and the party's Advisor, if any, a written Investigative Report. The Investigative Report may reference or rely upon facts gathered by prior investigators, including but not limited to the Northeastern University Police Department, local law enforcement or external investigators.

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 or civil 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 investigation into an alleged Prohibited Offense for a reasonable period during the initial stages of a criminal investigation. In such cases, OUEC investigations will commence after law enforcement notifies the Title IX Coordinator that it has completed the initial criminal investigatory stages. Neither a decision by law enforcement regarding prosecution nor the outcome of any criminal or civil proceeding will be considered determinative of whether a violation of this Policy occurred.

H. Resolution Options

To provide options for pathways towards a resolution that consider the needs of students and employees involved in allegations of Prohibited Offenses, the university offers two forms of resolution for Formal Complaints of Prohibited Offenses: Informal and Formal Resolutions.

In both the Informal and Formal Resolution Procedures, interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, etc.), or, in limited circumstances, by telephone.

1. Informal Resolution

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.

Possible options of an Informal Resolution may include, but are not limited to:

- Facilitated Dialogue: a structured conversation between the parties, facilitated by a third person who can assist in an agreed solution;
- Educational Conversations;
- Restorative Conferences;
- Impact statement: a letter written by the Complainant and read by the Respondent.

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

The university may determine that certain forms of Informal Resolution are not appropriate given the specific facts or allegations. Additionally, if the allegation includes sexual violence that occurred in California, mediation is not allowed.

The procedures for the Informal Resolution Procedure of reports of Prohibited Offenses are detailed here.

2. Formal Resolution

The Formal Resolution Procedure provides a structured process for investigating and resolving complaints that includes official findings of fact.

The Formal Resolution Procedure includes a neutral, thorough and reliable investigation by the OUEC into the allegations articulated in the Formal Complaint 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 university follows the Formal Resolution procedures detailed in the Title IX Formal Resolution Procedures regarding student Respondents, regarding employee Respondents, and SGBH Resolution Procedures, as appropriate. However, there may be circumstances that support a departure from these procedures. Should such circumstances arise, OUEC will advise the parties. If a Respondent is

both a student and an employee, the Title IX Coordinator will determine which of the procedures applies based on the facts and circumstances, including which of the respondent's roles predominates in the context of the Prohibited Offense.

3. 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 any 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 Resolution Procedures 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; to accommodate the need for language assistance; or for other legitimate reasons. The university will update the parties verbally or in writing of any extension of this timeframe and the reason for such extension.

I. SANCTIONS

1. Student Respondents

When a violation of this Policy is found at the conclusion of a Formal Resolution Procedure, OSCCR 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 conduct.

Northeastern reserves the right to delay the awarding of a degree, certificate, badge, or other credential pending the resolution of any university process resulting from a report of alleged violation of the Code of Student Conduct or the Policy on Sexual and Gender-Based Harassment and Title IX that has the potential to result in expulsion. In the instance that a student is found responsible for violating university policy, and the sanction is expulsion, the student will not be eligible to be awarded their pending credential.

In determining the appropriate sanction(s), OSCCR will consider relevant factors 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, non-discriminatory and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling factors.

A Respondent who is both an employee and student may be subject to any of the sanctions applicable to students and employees.

2. Employee Respondents

An employee found responsible for a Prohibited Offense will be subject to appropriate sanctions and/or disciplinary action in accordance with applicable university policies, which may include, but is not limited to, verbal and written warnings, suspension, and/or separation from the university.

3. Third Party Respondents

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 this Policy.

If the Respondent is a Third Party, the OUEC will offer to assist the Complainant in identifying appropriate university and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus). When the Respondent is a Third Party, NUPD or local law 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.

When the Respondent is enrolled in or employed by another institution, the OUEC can assist Complainant in contacting the appropriate individual at Respondent's institution, as it may be possible to pursue action under that institution's policies.

J. TRUTHFULNESS AND 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 and to follow the directions of university staff and administrators. Destroying or concealing evidence, actual or attempted solicitation of knowingly false testimony or providing knowingly false testimony or evidence is prohibited by this Policy. 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, hearing and adjudication, if applicable, of alleged Prohibited Offenses. Those who choose not to participate in an investigation forgo their opportunity to present information and

witnesses to be included in the Investigative Report, upon which potential further proceedings will be based.

Student Witnesses and Witnesses from outside the university community are not required to participate but are encouraged to cooperate with university's investigations and adjudication processes and to share what they know about a Formal Complaint. Witnesses may receive an excused absence from a university obligation (class, work, etc.) to participate in an Administrative Hearing.

Parties and the Decision-Maker may request to invite Witnesses to participate in the Administrative Hearing to the extent credibility is in dispute and relevant to one or more of the allegations or to answer questions that have not previously been posed to the Witness. Parties are required to notify the Decision-Maker of their request to invite a Witness that includes their reason for the invitation at least four (4) business days prior to the Administrative Hearing. If the Decision-Maker determines that a Witness may be present at a hearing, the Decision-Maker will contact the Witness to make them aware that their participation was requested. If the Witness agrees to participate, the Decision-Maker will inform the parties of the names of Witnesses that have agreed to participate two (2) business days before the Administrative Hearing.

While the university reserves the right to proceed with investigation, hearing, adjudication and any resulting disciplinary action in the absence of either party or any Witness, the Decision-Maker cannot draw any inference about the determination regarding responsibility based solely on a Party's or Witness's absence from any investigation, hearing and/or adjudication in a Formal Resolution Procedure.

K. Privacy and Confidentiality

The university will take reasonable steps to protect the privacy of parties and witnesses and will treat their information in accordance with the university's privacy policy and Policy on Protecting Confidential Information. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses, consult with their family members, confidential resources, or Advisors; or otherwise prepare for or participate in the resolution procedures.

All parties and Advisors are prohibited from unauthorized disclosure of evidence or a summary of evidence obtained by the university through a resolution procedure or adjudication process. All parties and Advisors are required to destroy such documents and information at the direction of the university (except for outcome letters). Disclosing documents outside of the investigation and adjudication processes or publicly disclosing another person's personally identifiable information without authorization or consent may be considered Retaliation. Violation of this section of the Policy is subject to significant sanctions. However, this Policy does not restrict the ability of either party to discuss the allegations under investigation or their participation in procedures under this Policy.

L. Impartiality

No individual materially involved in the administration of a Resolution Process under this Policy, including the Title IX Coordinator, Investigator(s), and Decision-Maker(s), may have a conflict of interest

or bias for a party generally, or for a specific Complainant or Respondent. At any time during a Resolution Procedure, the Parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another official will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Senior Vice Chancellor for Student Affairs.

M. ADVISORS

Complainants and Respondents may choose an Advisor to provide support and guidance through the Formal and Informal Procedures under this Policy, including during interviews, meetings and hearings. The Advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the resolution procedure. Advisors are not required to disclose information about Prohibited Offenses to the Title IX Coordinator without prior consent of the party. For university employees serving as Advisors, this exemption from reporting is only with respect to information received while the employee is functioning as an Advisor.

The Complainant, Respondent and Witnesses may be accompanied by their respective Advisors at any meeting or interview related to a resolution procedure or 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, 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, a Complainant, Respondent or Witness may not be accompanied by more than one Advisor or by other individuals during meetings or interviews.

Throughout the Formal Resolution procedure of a Formal Complaint 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 shares a Draft Summary of 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. 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.

N. STANDARD OF REVIEW

The university utilizes a "preponderance of the evidence" standard in the adjudication of Prohibited Offenses. A preponderance of the evidence means the evidence establishes that it is more likely than not that conduct occurred in violation of the Policy.

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

O. AMNESTY FOR ALCOHOL, MARIJUANA AND OTHER DRUGS

The university seeks to remove any barriers to reporting allegations of Prohibited Offenses. Accordingly, students involved in a Resolution Procedure under the Policy will not be subject to disciplinary sanctions for alleged violations of the Code of Student Conduct related to alcohol or drug use connected to the incident unless the university determines that the report was not made in good faith or that the violation was egregious. An egregious violation shall include, but not be limited to, taking an action that places the health and safety of another person at risk.

For students in California: If the allegation is sexual assault, domestic violence, dating violence, or stalking, a student will not be subject to disciplinary sanctions for a violation of the Code of Student Conduct at or near the time of the incident, unless the university determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk. In addition to the amnesty outlined under this policy, please see the Code of Student Conduct for additional information about Medical Amnesty Policy.

P. RECORD RETENTION

Records created and maintained pursuant to this Policy will be retained for a period of seven years by the OUEC.

Records include:

- Reports and Formal Complaints of an alleged Prohibited Offense
- An articulation of the reason for an Emergency Removal, if any, and the result of any challenge
- Investigative Reports for an alleged Prohibited Offense that issues a determination regarding responsibility
- Any audio or audiovisual recording or transcript
- Documentation of any supportive measures taken
- Documentation of any remedies provided to the parties or actions designed to restore or preserve equal access to the university's education program or activity
- Documentation of any Resolution process, including Informal and Formal, the findings and any sanction imposed on Respondent
- Any appeal and the result
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an Informal Resolution Procedure

Q. PREGNANCY OR RELATED CONDITIONS

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator or designee will contact the student and inform the student of available resources and supports, including this Policy and resolution procedures, the availability of reasonable modifications or accommodations, as necessary, lactation space, and leaves of absence.

Any student seeking Reasonable Modifications must contact the Title IX Coordinator or Disability Access Services to discuss appropriate and available Reasonable Modifications based on their individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible. Depending on the circumstances, Reasonable Modifications may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online or homebound education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment
- Other changes to policies, practices, or procedures determined by the Title IX Coordinator

The university may require supporting documentation when necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer and to determine other specific actions to take to ensure equal access.

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

Students are encouraged to work with their faculty members and the university's support systems to devise a plan for how to best address their needs as the pregnancy progresses, anticipate the need for leave, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.

Information about resources for employees experiencing pregnancy and pregnancy-related conditions is available in the university's Policy on Pregnancy and Pregnancy-Related Conditions.

R. TRAINING AND EDUCATION

The university offers ongoing education to students and employees to promote awareness of this Policy and promoting an environment free from sex-based discrimination and 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 and other relevant laws and this Policy.

Additionally, Decision-Makers receive training on this Policy and their responsibilities related to the resolution procedures, as well as applicable laws. Such trainings 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.

S. Review of Trends and Effectiveness

To assess the effectiveness of the overall university training, education, and Prohibited Offense response protocols under this Policy, the university will bi-annually survey the campus climate, community attitudes, and awareness of its student population regarding sex discrimination prohibited by this Policy.

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 training and education programs, prevention efforts, investigations, and adjudication proceedings.

T. Statement on Academic Freedom

The university promotes an educational and employment environment that is free of discrimination, harassment, and retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom.

The university is committed to academic freedom 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 unreasonable interference, disruption or obstruction. When addressing complaints of violations of this Policy, the university will take steps to respond appropriately while respecting the rights of academic freedom in accordance with applicable university policy.

When speech or conduct is protected by academic freedom, university policy and/or the university's Statement on Free Expression, it will not be considered a violation of this Policy, though supportive measures will be offered to those impacted.

IV. Additional Information

Reporting concerns of discrimination, harassment and retaliation falling outside the scope of this Policy: Reports of discrimination based on a Protected Characteristic (race, color, religion, religious creed, genetic information, age, national origin, ancestry, veteran or disability status, and other characteristics protected by law) are addressed by the university's Policy on Nondiscrimination and

Equal Opportunity. All reports of alleged discrimination can be reported to the 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 same subject matter, the Title IX Coordinator will determine which policy provisions apply.

V. Contact Information

University Contact Information

Office for University Equity and Compliance – northeastern.edu/ouec
Richards Hall #125, Boston, MA 02115
617.373.4644 || ouec@northeastern.edu

Northeastern University Police Department (NUPD) – northeastern.edu/police
716 Columbus Ave, Boston, MA 02115
Emergency: 617.373.3333 || Non-Emergency: 617.373.2121

For campus-specific resources, visit ouec.northeastern.edu/resources/

External Contact Information

Concerns about the university's application of this Policy and compliance with certain U.S. federal civil rights laws may also be addressed to:

Office for Civil Rights (OCR)
U.S. Department of Education 400
Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

For Complaints involving employee-on-employee conduct:

U.S. Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
25 Sudbury Street
Boston, MA 02203
Phone: (800) 669-4000
Web: https://www.eeoc.gov/contact-eeoc

Responsible Office/Department(s)

Office for University Equity and Compliance

Related Policies

Policy on Nondiscrimination and Equal Opportunity
Policy on Non-Fraternization
Code of Student Conduct

Related Procedures

Informal Resolution Procedures
Formal Resolution Procedures for Title IX Prohibited Offenses involving Student Respondents
Formal Resolution Procedures for Title IX Prohibited Offenses involving Employee Respondents
Formal Resolution Procedures for SGBH Prohibited Offenses
Protocols for Emergency Removals

Appendix A: Additional Definitions

Administrative Hearing is the adjudication process for cases where students or employees are the Respondent in a Formal Resolution procedure under this Policy and provides the opportunity for live cross-examination of the parties for cases involving Title IX Prohibited Offenses. The Administrative Hearing is conducted by a single Hearing Officer, who will serve as the Decision-Maker, selected from a pool of University employees and, at the discretion of the Title IX Coordinator, external professionals, who are trained to adjudicate allegations of Prohibited Offenses. If a potential violation is referred by the Title IX Coordinator to an Administrative Hearing, the Decision-Maker will review the Investigative Report and facilitate the hearing to determine whether a preponderance of the evidence establishes that a Policy violation occurred and, if applicable, determine any appropriate sanction(s). Each party has the opportunity to present a written or oral statement to the Decision-Maker and to respond to the Decision-Maker's questions, and during a Title IX Administrative Hearing, have the party's advisor cross- examine the other party and any witness.

Advisors are described in Section III.M of this Policy.

Allegation is a concern reported to the university about conduct that may constitute a Prohibited Offense.

Case Manager refers to the university employee responsible for facilitating access to supportive, remedial and protective resources and measures, as listed in Section III.D of this Policy, for student Complainants and student Respondents.

Charged Student means any student charged by the university with a violation of this Policy. This designation is made at the conclusion of an investigation under this policy if the Title IX Coordinator

determines that the Investigative Report contains information that if true, constitutes an allegation of a Prohibited Offense. The Director of the Office of Student Conduct and Conflict Resolution or designee will notify the Charged Student of charges during a pre-hearing meeting.

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.

A person subject to Coercion is unable to give Consent to sexual activity. Coercive conduct, if sufficiently severe, can render a person's consent ineffective, because it is not voluntary. When someone makes clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. 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.

Complainant means a student or employee of Northeastern who is alleged to have been subjected to conduct that could constitute a Prohibited Offense under Title IX or this Policy; or a person other than a student or employee of Northeastern who is alleged to have been subjected to conduct that could constitute a Prohibited Offense under this Policy and who was participating in or attempting to participate in the university's education program or activity at the time of the conduct.

Confidential Employees are employees whose communications are privileged or confidential under the applicable law and who are not required to disclose information about Prohibited Offenses to the Title IX Coordinator without prior consent of the Reporting Party. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies. Additional information about Confidential Employees can be found in Section III.C.3 of this Policy.

Confidential Employees include:

1) **Privileged Employees** are those with confidentiality bestowed by law, such as medical professionals, and counselors (including employees within the University Health and Counseling Services (UHCS) and Counseling and Psychological Services Office (CAPS);
2) **Confidential Resources** are those who the university has specifically designated as confidential for purposes of providing support and resources to the parties of an OUEC Resolution procedure; These employees include:
    - The Office of Prevention and Education at Northeastern (OPEN)
    - Sexual Violence Resource Center (SVRC)
    - Confidential Resource Advising (CRA)
    - Spiritual Advisors through the Center for Spirituality, Dialogue, and Service
    - Athletic trainers
    - Ombuds for Faculty and Staff
    - Ombuds for Graduate Students

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.

Silence, a lack of resistance, previous sexual relationships or experiences and/or a current relationship, may not in and of themselves, demonstrate 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 consent is withdrawn, sexual activity must cease immediately. Consent may never be given by minors (the relevant age of consent will be determined by the location in which the sexual activity takes place), 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*.

A **Decision-Maker** is a member of a standing pool of trained members of the university community or, at the discretion of the Title IX Coordinator, an external professional, who facilitates the Administrative Hearing Process, oversees the process of cross-examination during Title IX live hearings and makes rulings on relevance and establishes a finding at the conclusion of the Administrative Hearing process.
The Decision-Maker will not be the Title IX Coordinator or the Investigator(s) assigned to investigate the Formal Complaint.

Discrimination means, for the purposes of this Policy, inequitable treatment with respect to an individual's employment or participation in an education program or activity, based in whole or in part, upon the individual's actual or perceived sex, pregnancy or related conditions, sexual orientation, gender expression or gender identity.

Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I will hurt you.").

Formal Complaint is an allegation of Prohibited Offenses, filed in good faith and in accordance with this Policy (see Section III.F).

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.

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 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?"

Incapacitation is determined through consideration of all relevant indicators of a person's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

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.

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 Northeastern University Police Department, local law enforcement or external investigators.

Mandatory University Reporter refers to any university employee (excluding Confidential Employees) who is required to immediately report allegations of Prohibited Offenses to the Title IX Coordinator. Certain student workers who assume roles which other students may reasonably believe obligate that student worker to report allegations of a Prohibited Offense will be considered

Mandated University Reporters. This includes but is not limited to Resident Assistants in Residential Life, Graduate Research Assistants or Teaching Assistants.

No Contact Order (NCO) is a university directive available when the university determines the severity of an incident rises to the level where continued contact between the involved community members could lead to further incidents and/or the creation of an unhealthy, unsafe, and/or hostile environment. OSCCR has authority to issue these orders to students while the OUEC has authority to issue them to employees. The terms of an NCO will be communicated via email to the community member's Northeastern email account.

For purposes of alleged Prohibited Offenses, the university will consider the specific circumstances on a case-by-case basis to determine whether a unilateral or mutual NCO is appropriate. Any NCO issued after a finding of responsibility has been made shall be unilateral and apply only against the party found responsible.

Pattern Offenses: A pattern may exist and be investigated when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions.

Pregnancy and Related Conditions include pregnancy, childbirth, termination of pregnancy, stillbirth, miscarriage, lactation, and medical conditions related to any of these statuses and/or recovery from any of these statuses (see Section III.Q).

Privacy means the extent to which information related to a report of a Prohibited Offense will be shared. For the purposes of this Policy, information related to a report of a Prohibited Offense will be shared with limited university employees who "need to know" to assist in the assessment, investigation, and resolution of the report.

Relevant means related to the allegations of Prohibited Offenses under investigation as part of the resolution procedures referred to in this Policy. Questions are relevant when they seek evidence that may aid in showing whether the alleged Prohibited Offense occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged Prohibited Offense occurred.

Respondent means a person alleged to have committed a Prohibited Offense.

Supportive Measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) Restore or preserve that party's access to the university's education program or activity, including measures that are designed to protect the safety of the parties or the university's educational environment; or (2) Provide support during the university's resolution procedures or during an informal resolution process. Supportive Measures are addressed further in Section III.D.

Third Party refers to any individual who is not a Northeastern 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 Coordinating Committee promotes a coordinated response to alleged 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 Life, and the Northeastern University Police Department, and is advised by the Office of the General Counsel.

Violence, for purposes of this Policy, is defined as intentionally or recklessly causing the Complainant physical, emotional, or psychological harm. Legitimate use of violence for self-defense is not chargeable under this Policy because the purpose is safety, not harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

Appendix B: Resources

The following represent some of the resources and services available to Northeastern students, faculty and staff. For additional Northeastern and off-campus resources, please visit: https://ouec.northeastern.edu/resources/

On-Campus Resources

Confidential Resources

- University Health and Counseling Services
  - Email: uhcs@northeastern.edu
  - Phone: 617-373-2772
- **Sexual Violence Resource Center (SVRC)**
  - Email: open@northeastern.edu
  - Phone: 617-373-4459
  - Access Services
- **The Office of Prevention and Education at Northeastern**
  - Email: open@northeastern.edu
  - Phone: 617-373-4459
  - Access Services
- **Confidential Resource Advising Services (CRA)**
  - Email: open@northeastern.edu
  - Phone: 617-373-4459
  - Access Services
- **Center for Spirituality, Dialogue and Service (CSDS) – Spiritual Advising**
  - Email: kern@northeastern.edu
  - Phone: 617-373-4931
- **Athletic Trainers**
  - Email: sportsperformance@northeastern.edu
- **Ombuds for Faculty and Staff**
  - Email: levin@northeastern.edu.
  - Phone: 617-373-3362
- **Ombuds for Graduate Students**

- Email: wong@northeastern.edu
- Phone: 617-373-6904

Non-Confidential Resources

Note: These employees are required to provide all information about conduct that reasonably may constitute a Prohibited Offense under the Policy to the Title IX Coordinator.

Title IX Coordinator and Deputy Coordinator(s)

Title IX Coordinator	Mark Jannoni ouec@northeastern.edu 617.373.4644 360 Huntington Avenue 125 Richards Hall Boston, MA 02115
Deputy Title IX Coordinators	Diana Fitzgerald Liz Weber ouec@northeastern.edu 617.373.4644 360 Huntington Avenue 125 Richards Hall Boston, MA 02115

- ***Northeastern University Police Department***
  - Emergency Phone: 617-373-3333
  - Non-Emergency Phone: 617-373-2121
  - Location: 716 Columbus Avenue, Boston, MA 02115
  - Campus Police Officers are available 24 hours each day, seven days each week.

FOR A LIST OF OFF-CAMPUS RESOURCES AVAILABLE ON EACH CAMPUS, VISIT ***OUEC's Website.***

Appendix C: Factors Considered in Determining Whether the Title IX Coordinator Will File a Formal Complaint

In determining whether the Title IX Coordinator will file a Formal Complaint in cases where the Complainant chooses not to do so, the Title IX Coordinating Committee will consider the non-exhaustive factors:

- The Complainant's request not to proceed with initiation of a Formal Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Formal Complaint;
- The risk that additional acts of Prohibited Offenses would occur if a Formal Complaint is not initiated;
- Whether a hostile environment may exist in a university education program as a result of the alleged Prohibited Offense;
- The severity of the alleged sex discrimination, including whether:
    - the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
    - the Respondent displayed any signs of predatory behavior;
    - violence or any weapons were used by the Respondent; or
    - other individuals were involved in the commission of the Prohibited Offense;
- The age and relationship of the parties, including whether the respondent is an employee of the university;
- The scope of the alleged Prohibited Offense, including information suggesting:
    - a pattern of Prohibited Offenses committed by an individual Respondent or by a specific Respondent group or organization, including whether Respondent has a prior record of Prohibited Offenses;
    - ongoing Prohibited Offenses;
    - Prohibited Offenses alleged to have impacted multiple individuals; or
    - The availability of evidence to assist a Decision-Maker in determining whether a Prohibited Offense occurred;
- Whether the University could end the alleged Prohibited Offense and prevent its recurrence without initiating a Formal or Informal Process; and
- Whether the Respondent presents a continuing threat to the university community.

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, information concerning rights under Title IX, and guidance on how to support someone who has experienced harm.

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 in Boston and can be reached at 617.373.4644 or ouec@northeastern.edu.

The Office of Prevention and Education at Northeastern (OPEN) oversees sexual violence prevention and education and provides support to students around sexual violence. OPEN can be reached at 617.373.4459 or open@northeastern.edu.

Throughout 2025, OPEN and OUEC provided approximately 326 synchronous programs across the University network of campuses regarding on-going prevention, bystander intervention, and awareness of dating violence, domestic violence, sexual assault and stalking. Additionally, a number of online courses are offered to faculty, staff, and students around sexual violence.

Student Education

Northeastern University is committed to creating and maintaining a community in which students, faculty, and staff can work and study in an atmosphere free from all forms of discrimination, harassment, and sexual violence. Northeastern offers specific education for new and incoming students as part of a larger commitment to sexual violence prevention.

Up2Us: Foundations Online Program

Up2Us: Foundations is an interactive, online sexual violence prevention program, which was created by Northeastern University students and staff. This program covers information about consent, healthy sexual communication, and sexual violence prevention resources. This program is required for incoming graduate and undergraduate students.

OPEN and/or OUEC offer interactive, customized presentations about topics related to sexual violence and healthy relationships. Additionally, OPEN offers a number of online courses around sexual violence prevention and response that can be located here: https://open.sites.northeastern.edu/prevention-and-education/presentations-and-programming/

Faculty and Staff Education

In 2025, new faculty and staff members received Title IX information at their orientation and were required to complete Preventing Harassment and Discrimination training. Employee training is ongoing and requires employees to annually complete Preventing Harassment and Discrimination training with specific information about resources and reporting procedures related to sexual misconduct, discrimination, and Title IX.

OUEC and OPEN 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 Mandatory University Reporters to report allegations to the OUEC, as well as how to respond in a way that is trauma informed.

Survey on Sexual and Gender-Based Harassment

Northeastern is committed to data-informed sexual violence prevention, response, and intervention measures. As a part of Northeastern's ongoing prevention work, the University has conducted campus sexual misconduct surveys since 2014. These efforts help to assess the incidence and prevalence of sexual violence on campus, to understand the experiences of survivors and barriers to accessing resources, and to determine needs around sexual violence prevention, response, and education for the community going forward. The

survey was last administered in the Fall 2023 semester. The results of the survey can be found here: https://open.northeastern.edu/prevention-and-education/survey-on-sexual-and-gender-based-harassment/.

Resources and Support for Students Who Have Experienced Sexual Violence

The Office of Prevention and Education, in partnership with The Office for University Equity and Compliance, have created the Know Your Options Resource Guides, which offer a brief overview of the rights and resources available to Northeastern students who have experienced sexual violence, including essential information about reporting, confidential support options, medical treatment and 24/7 services. The San Jose campus guide can be accessed here: https://www.flipsnack.com/CF5C7988B7A/know-your-options-sexual-violence/full-view.html.

OPEN's Sexual Violence Resource Center (SVRC) provides confidential support service to Northeastern students who have experienced any form of sexual violence, dating violence, or stalking. SVRC staff support students in making whatever choices or next steps feel best for them. This can include:

- Officering students space to discuss their experience(s)
- Providing education about the impacts of trauma and relevant coping skills
- Explaining resources and reporting options
- Safety planning
- Facilitating connections to counseling, medical care, legal services, and/or Northeastern resources
- Accompanying students through the University investigation and adjudication process

SVRC staff can meet with students virtually. Students can connect to this service using OPEN's confidential Sexual Violence Service Request Form: https://bit.ly/openservicerequest https://bit.ly/svservicerequest

The SVRC offers additional resources that promote healthy coping and healing for survivors. Additionally, the SVRC offers the "Healing Handbook," an online guide offering information, tools, and grounding skills for survivors of sexual violence. The guide can be accessed at https://bit.ly/healinghandbook.

Find@Northeastern offers 24/7 urgent mental health support, unlimited virtual counseling, a Headspace membership, peer-to-peer support, and screening tools. Through Uwill, full-time students can access unlimited, free, virtual counseling sessions. Students can visit https://app.uwill.com/ to get started.

The University's We Care team is also available to provide support to students experiencing any challenges that impede their academic progress. We Care staff frequently works with students impacted by sexual violence and serve as Case Managers to students who make a report to the Office of University Equity and Compliance.

Additionally, OPEN's Community Consultation services (https://open.sites.northeastern.edu/supporting-someone-else/community-consultation/) provide confidential guidance to Northeastern community members looking to support students and respond to incidents around sexual violence, dating violence, or stalking. Students, faculty, and staff can connect to this service using OPEN's confidential Sexual Violence Service Request Form: http://bit.ly/openservicerequest.

Resource for Respondents

OPEN, in partnership with OUEC, has created the Know Your Option Guide for Respondents, which offers a brief overview of the rights and resources available to Northeastern students who have been accused of sexual violence. The guide can be accessed here: https://www.flipsnack.com/CF5C7988B7A/know-your-options-respondents/full-view.html

OPEN's Confidential Resource Advising (CRA) Services https://open.sites.northeastern.edu/accused-students/confidential-resource-advising/ provide confidential, non-judgmental assistance and resource navigation for Northeastern students accused of any form of sexual violence, dating violence, or stalking.

CRA staff can explain University policies and procedures around sexual violence, connect students to on and off campus resource providers, accompany students through the University process, and listen to concerns coming up around the accusation.

CRA staff meet with students virtually, through Microsoft Teams, to serve students across the Global University network. Students can connect to this service using OPEN's confidential Sexual Violence Service Request: http://bit.ly/openservicerequest.

Sexual Harm Accountability Psychoeducation (SHAPE) Program: A confidential, research-informed education program designed for college students who have engaged in and/or been accused of unhealthy or harmful sexual behavior.

Students who enroll in the program learn and build skills for healthy and consensual interactions as an opportunity to improve relationships going forward. The program consists of a series of individual meetings with an OPEN staff member and is tailored to address specific educational needs.

Students can fill out OPEN's request form at http://bit.ly/openservicerequest to set up a meeting.

http://open.sites.northeastern.edu/accused-students/
Resources can also be found in the Know Your Options Guide for Respondents:
https://www.flipsnack.com/CF5C7988B7A/know-your-options-respondents/full-view.html

Local Resources

Please visit: https://ouec.northeastern.edu/silicon-valley-campus/ for a list of additional agencies available to university community members.

San Jose Police Department Headquarters
201 W Mission St, San Jose, CA 95110
408.277.8900
http://www.sjpd.org/

San Jose Police Department Family Violence Unit:
408.277.3700

https://www.sjpd.org/about-us/organization/bureau-of-investigations/investigations-division-ii/family-violence

San Jose Police Sexual Assault Investigation Unit:
408.277.4102
https://www.sjpd.org/about-us/organization/bureau-of-investigations/investigations-division-i/sexual-assaults

San Jose Police Department Victim Assistance Resources:
408.277.5550
https://www.sjpd.org/community/community-services/victim-assistance

San Jose City Hall
200 E. Santa Clara St., San Jose, CA 95113
408.535.3500

YWCA
24-hour hot line:
800.572.2782
Linda Haskell Empowerment Center: 408.295.4011
Sunnyvale Family Justice Center 408.749.0793
https://yourywca.org

Next Door - Solutions to Domestic Violence
Main Office: 408.501.7550
Information: info@nextdoor.org
24-hour hot line:
408.279.2962
To chat with someone:
https://safechatsv.org/
http://www.nextdoor.org/

Community Solutions
24-hour helpline: 1.877.363.7238
https://www.communitysolutions.org/

Inter-tribal Council of California Santa Rosa Satellite Office (ITCC, Inc.)
707.521.4555

Highland Hospital
Sexual Assault Response and Recovery Team (SARRT)
Hotline: 510.534.9290
https://www.alamedahealthsystem.org/sarrt/

Local Medical Resources

Good Samaritan Hospital
408.559.2011
https://goodsamsanjose.com

Regional Medical Center
409.259.5000
https://regionalmedicalsanjose.com

Santa Clara Valley Healthcare
Sexual Assault Forensic Exam Program (SAFE+)
408.793.7233
https://health.santaclaracounty.gov/safe-program

Highland Hospital
1411 E 31st St
Oakland, CA 94602
510.437.4800
http://www.alamedahealthsystem.org/locations/highland-hospital/

University Resources

OPEN and SVRC 617.373.4459
https://open.studentlife.northeastern.edu

OSCCR, 617.373.4390
https://osccr.sites.northeastern.edu

Belonging at Northeastern, 617.373.4146
https://belonging.northeastern.edu/

OUEC, 617.373.4644
https://ouec.northeastern.edu/

NUPD, 617.373.2121
https://nupd.northeastern.edu/

We Care: 617.373.7591
https://we-care.studentlife.northeastern.edu/

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. 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 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 NUPD and asking to review the registered sex offender log.

For further information concerning the crimes for which convicted offenders must register, or regarding additional access to records of registered sex offenders, contact the California Department of Justice Sex Offender Tracking Program at 916.227.4974 or via the internet at http://www.meganslaw.ca.gov/.

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 Sexual and Gender-Based Harassment and 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 HR/NUPD including violent, threatening, harassing, intimating 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, SJPD at 9-1-1 or 408.277.8900, or SFPD at 9-1-1 or 415.315.2400.

Verbal abuse, perceived intimidation, harassment, or other non-emergency situations should be reported immediately to the immediate supervisor, manager, OUEC and/or HR. For all other situations contact HR at 617.373.2230, or 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 HR at 617.373.2230.

Procedures For Missing Students

If a member of the University community has reason to believe that a student is missing, local police should be contacted immediately. An incident report will be generated and an investigation will be initiated in order to attempt to locate the missing student. The SJPD 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. The incident should also be reported to the NUPD at 617.373.2121, who will work in conjunction with the SJPD.

When registering the name of a person as an emergency contact in the online registration process through the Student Hub 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 student is missing and has been missing for more than 24 hours, NUPD will notify 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, NUPD 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 NUPD has determined that the student has been missing for more than 24 hours.

Policy Prohibiting Hazing

I. Purpose and Scope

Northeastern University is committed to promoting a safe and healthy environment for all members of its community, including working to prevent Hazing before it occurs and/or providing appropriate remedial action in instances when Hazing does occur.
This policy applies to all faculty, staff, students, volunteers, and affiliates who are contracted to provide services on behalf of the university. It applies to on- and off-campus behavior and activities.

II. Definitions

Hazing means, for the purpose of this policy, any intentional, knowing, or reckless act or conduct by a person, whether performed individually or in concert with others, that is directed against another person or persons regardless of the willingness of such other person or persons, for the purpose of preinitiation, initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization, which could reasonably be perceived to: endanger the mental or physical health or safety of a student or any other person; create risk of injury; cause mental or physical fatigue or distress, injury, embarrassment, harassment, ridicule, or intimidation; cause damage to or destruction of property; or which is a violation of law, university policy, or the Code of Student Conduct.

Such activities include, but are not limited to: striking another person by hand or with any instrument; forced consumption of any food, liquor, beverage, drug, or other substance; extreme calisthenics or physical exertion; late sessions/meetings that interfere with academic activities; tattooing, branding, or piercing; physical or psychological shocks; wearing of apparel in public that is embarrassing, humiliating, or degrading; or games/activities causing or resulting in fatigue, sleep deprivation, mental distress, panic, or humiliation.

Additional examples of behavior that may constitute Hazing appear in the Student Handbook.

III. Policy

A. Prohibition on Hazing

Northeastern University strictly prohibits Hazing in connection with initiation, affiliation, participation, or membership in any group, club, organization, or student activity. Hazing is also prohibited by U.S. federal and state laws.

B. Prevention and Awareness

Members of the university community, including students, employees, and volunteers, are designated to complete Hazing prevention and awareness programs or trainings as determined by the university and its legal obligations. Such programs and trainings may include: various prevention strategies intended to stop Hazing before it occurs, skill-building for bystander intervention, information about ethical leadership, and strategies for building group cohesion without Hazing. These programs and trainings must be completed by required deadlines to participate or to continue participating in applicable university activities.

C. Reporting Instances of Hazing

Victims or anyone who witnesses instances of Hazing are strongly encouraged to report them.
Faculty and staff with information relating to an instance of Hazing are required to immediately report such information to Northeastern University Police Department (NUPD); the Office for Student Conduct and Conflict Resolution (OSCCR); the Office for University Equity and Compliance (OUEC); the Center for Student Involvement (CSI); the Athletics Department (Athletics); or, in the United Kingdom, the Student Regulatory Resolution Office (SRRO). Contact information for these offices appears in Section V below.
Any person may report allegations of, or information relating to, instances of Hazing to any of the following offices: NUPD; OUEC; OSCCR; CSI; SRRO; Athletics; and/or the Office for Residential Life (ResLife). To make an anonymous report of a known or suspected violation, you may also use the university's Reporting Hotline: northeastern.ethicspoint.com. Contact information for these offices appears in Section V below.
Northeastern will not pursue disciplinary action for Hazing or personal consumption of drugs or alcohol against uninvolved bystanders who make good faith reports of Hazing in advance of or during incidents that cause injury or are likely to cause injury.

D. Temporary Measures
In instances where the health and safety of one or more members of the Northeastern community are deemed to be in jeopardy due to allegations of Hazing by an individual/organization/team/group, the Senior Vice Chancellor for Student Life or designee may immediately issue an administrative directive to terminate such behavior, or temporarily suspend the individual/organization/team/group from participating or meeting until the matter has been resolved.

E. Investigation/Resolution
On receiving or learning of an allegation of Hazing, the university shall refer the information to the appropriate office for investigation. The NUPD, OUEC, or SRRO will conduct the investigation, depending on the individuals involved and whether the matter may involve criminal conduct. The investigating office will follow established procedures and protocols for investigating Hazing allegations. Any information gathered that supports a claim of Hazing will be forwarded to OSCCR (if a student) or the appropriate department (if an employee) for resolution consistent with its procedures for dealing with such complaints.
The university does not tolerate retaliation against any person who in good faith makes a report of Hazing. Any person who retaliates directly or indirectly against a victim, a witness, a person reporting Hazing, a respondent and/or charged party, or any person involved in any aspect of a complaint or resolution of an allegation of Hazing will be subject to discipline up to and including termination (if an employee) or expulsion (if a student). See the initial paragraphs of the University Policies home page for more important information on disciplinary and other actions that can result from violating this policy.

IV. Additional Information

U.S. federal and state laws relevant to this policy include:
U.S. Federal
Jeanne Clery Campus Safety Act

California
Cal. Penal Code § 245.6

Florida
Fla. Stat. § 1006.63

Maine
Me. Stat. tit. 20-A, § 10004

Massachusetts
Mass. Gen. Laws ch. 269, §§ 17-19

New York
N.Y. Penal Law §§ 120.16-.17

North Carolina
N.C. Gen. Stat. § 14-35, -38

Virginia
Va. Code Ann. §§ 18.2-56, 23.1-819 to –822

Washington
Wash. Rev. Code §§ 28B.10.900-.902, .904, .906-.907

V. Contact Information

Northeastern University Police Department (NUPD) at:
– Emergency Line: +1 (617) 373-3333
– Non-emergency line: +1 (617) 373-2121
https://www.northeastern.edu/nupd/

Global Safety
+1 (857) 214-5332 (Canada/USA)
+44 (20) 3467-1773 (United Kingdom)

Office for University Equity and Compliance (OUEC) and Title IX Coordinator at
+1 (617)-373-4644
125 Richards Hall
http://www.northeastern.edu/titleix/

Office of Student Conduct and Conflict Resolution (OSCCR) at
+1 (617) 373-4390
http://www.northeastern.edu/osccr/

Center for Student Involvement (CSI) at
+1 (617) 373-2642
https://csi.sites.northeastern.edu/

Office for Residential Life (ResLife) at
+1 (617) 373-2814
https://housing.northeastern.edu/

Office of the Senior Vice Chancellor for Student Life at
+1 (617) 373-4384
https://studentlife.northeastern.edu/

NU London Student Regulatory Resolution Office (SRRO) at
srro@nulondon.ac.uk or student.discipline@nulondon.ac.uk
020 7637 4550 (option 2)
https://reportandsupport.nulondon.ac.uk/

Athletics Department at
+1 (617) 373-2672
https://nuhuskies.com/

Drug, Alcohol, and No Smoking Policies

Brief Statement on Alcohol and Other Drugs

Northeastern University strives to maintain a working, living, and learning environment that is free from the negative effects that alcohol and other drug use can create. The University works to provide drug-free campuses and workplaces for all University employees and students and is committed to enforcing policies and laws relating to alcohol and other drug use.

Northeastern complies with all local, state, and federal regulations pertaining to alcohol and illicit drugs. In addition, the University complies with the regulations of both the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989. The unauthorized purchase, manufacture, distribution, possession, sale, storage, or use of alcohol, illegal drugs, or controlled substances while on duty, while in or on premises or property owned or controlled by the University, or while in vehicles used for University business is prohibited for all students, faculty, and staff.

The University has a standard of conduct that prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on university property or as a part of university activities. The University's Code of Student Conduct applies both on and off campus, to all Northeastern University students, at all levels of study, in all colleges and programs locally or abroad, on-ground or online, as well as to all student groups and organizations.

The Policy on Drug-Free Workplace applies to all campuses and university-owned or leased property, and to university-sponsored events off campus. It does not apply to the utilization of alcohol and drugs in approved research studies.

As outlined in the Policy on Tobacco and Smoke-Free Campus, the use or possession of any tobacco or smoking-related products is prohibited at Northeastern University, which includes all locations, campuses, buildings, and outdoor areas owned and/or operated by the University, consistent with applicable law and University policy.

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 resources related to alcohol and other drug prevention, education, counseling, and referrals for students, faculty, and staff who may experience problems related to substance use.

The Office of Prevention and Education at Northeastern (OPEN) provides confidential alcohol, cannabis and other drug check-in services to students. With support of the Division of Student Life, OPEN facilitates educational programs and events designed to encourage informed decision-making regarding substance use. OPEN provides confidential resources for treatment and referral for students around alcohol and other drug use. Employees may learn more about substance abuse and obtain information about treatment and counseling options available to the Northeastern community through Northeastern's Employee Assistance Program.

Prevention, Education & Treatment

The University has developed a comprehensive approach to alcohol abuse prevention and education modeled after the NIAAA's College Alcohol Intervention Matrix (AIM) 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
- Programming and campaigns that provide evidence-based education on the risks associated with alcohol and other drug use, encouraging informed decisions.
- Alcohol education and skill building sessions during orientation, first year seminars, residence hall programming, fraternity/sorority life presentations, and athletics presentations
- Required online alcohol education program for all incoming students (eCHECKUP to GO)
- Customized presentations that combine discussion with normative feedback
- 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, beer ball, 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, BORGs, 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 is prohibited in the following situations:
    a. Manufacturing alcohol on Northeastern University-owned or -leased property
    b. Selling alcohol without a liquor license, including but 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

The University prohibits:

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 the 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 California laws which make such acts criminal offenses.

OSCCR imposes 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, as well as a parent/guardian notification consistent with University policy. 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.

Laws against the sale of alcohol to minors, procurement of alcohol to minors, and minors in possession of alcohol are enforced either through OSCCR and/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.

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 alcohol-free venues, 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*. Additional information and resources can be found on the following websites:

OSCCR at http://osccr.sites.northeastern.edu

UHCS at https://uhcs.northeastern.edu

OPEN at https://open.studentlife.northeastern.edu

HR at https://hr.northeastern.edu/

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

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

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. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.) For the purposes of Clery reporting, Northeastern does not include motorized scooters in this definition.

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: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of Consent.

Arrest[8] and Referrals for Discipline for Violations of Liquor, Drug, and Weapons Laws

Liquor Law Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

[8] 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 need not 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.

Hate Crimes

Under the Clery Act, a hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.[9] 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. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

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 Crimes

The Violence Against Women Reauthorization Act of 2013 ("VAWA") 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: (i) A felony or misdemeanor crime of violence committed:

a. By a current or former spouse or intimate partner of the victim;
b. By a person with whom the victim shares a child in common;
c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
d. 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
e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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[9] 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."

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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.

i. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
ii. For the purposes of this definition:
    a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    b. Dating violence does not include acts covered under the definition of domestic violence.
iii. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

A. Fear for the person's safety or the safety of others; or
B. Suffer substantial emotional distress.

(ii) For the purposes of this definition:

A. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

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

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

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault: An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape as used in the FBI's UCR program and included in Appendix A of this subpart. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “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

VAWA 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. Dating Violence is not defined under California law in the criminal code.

Domestic Violence

Domestic Violence (Definition under California Penal Code §273.5): Section 273.5(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000), or by both that fine and imprisonment. (b) Subdivision (a) shall apply if the victim is or was one or more of the following:

1) The offender's spouse or former spouse. 2) The offender's cohabitant or former cohabitant. 3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243. 4) The mother or father of the offender's child.

Domestic Violence (Definition under California Penal Code §243(e)(1)): When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship,...(4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.(5) "Injury" means any physical injury which requires professional medical treatment...(10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

Domestic Violence (Definition under Penal Code §13700(b)): "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as spouses, (5) the continuity of the relationship, and (6) the length of the relationship.

Dating Violence

No separate statute for Dating Violence exists under California law. See above.

Sexual Assault

> Rape (Definition Under California Penal Code §261): (a) Rape is an act of sexual intercourse accomplished under any of the following circumstances: (1)(A) If a person is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. A person with a mental

disorder or developmental or physical disability shall not be presumed to be unable to give legal consent to sexual intercourse due to that disability. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code) or the absence of voluntary supports as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (a) and (b) of Section 21000, the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. (1)(B) This paragraph does not preclude the prosecution of the person committing the act under any other paragraph of this subdivision or any other law. (B) In determining whether the person is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, both of the following shall be considered, as applicable: (i) Any mitigating measure in place, as defined in subdivision (n) of Section 11065 of Title 2 of the California Code of Regulations, as that regulation existed on January 1, 2025. (ii) Any voluntary supports in place, as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (a) and (b) of Section 21000; (2) If it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another; (3) If a person is prevented from resisting by any intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused; (4) If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose. (5) If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief; (6) If the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death; (7) If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official. (b) For the purposes of this section, the following definitions apply: (1) "Duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim’srelationship to the defendant, are factors to consider in appraising the existence of duress. (2) “Incapable, because of a mental disorder or developmental or physical disability, of giving legal consent” means that a person is at the time of the intercourse either of the following: (A) Unable to understand the nature of the act or transaction involved due to a mental disorder or developmental or physical disability. (B) Unable to act freely and voluntarily due to a

mental disorder or developmental or physical disability. (3) "Menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

Sexual Battery (Definition Under California Penal Code §243.4): (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. Sodomy (Definition Under California Penal Code §286): (a) Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

Oral Copulation (Definition Under California Penal Code §288(a)): Except as provided in subdivision (i), any person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

Statutory Rape (Definition Under California Penal Code §261.5): (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age. (b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. (c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170. (d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years. (e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts: (A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars ($2,000). (B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars ($5,000). (C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars ($10,000). (D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000). (2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature. (3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars ($70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

Stalking

Stalking (Definition Under California Penal Code §646.9): (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Consent

Consent (California Penal Code §261.6): In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent. Consent is informed. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

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 apartment, then the institution must record one statistic in the Burglary category.)

- There are special rules for the counting of Burglaries: 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 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.

ANNUAL SECURITY REPORT 2026

CLASSIFICATION	2023[2]					2024					2025[2]				
	On Campus	Student Housing[1]	Noncampus	Public Property	Total	On Campus	Student Housing[1]	Noncampus	Public Property	Total	On Campus	Student Housing[1]	Noncampus[1]	Public Property	Total
Murder/Non-Negligent Manslaughter	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Manslaughter by Negligence	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Rape	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	0
Fondling	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Incest	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Statutory Rape	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Robbery[3]	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Aggravated Assault[3]	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Burglary	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Motor Vehicle Theft[3]	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Arson	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Hazing[4]	-	-	-	-	**-**	-	-	-	-	**-**	0	-	-	0	**0**
Unfounded Crimes	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Violence Against Women Offenses															
Stalking	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Domestic Violence	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Dating Violence	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Arrests															
Liquor Law Violations	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Drug Violations[3]	0	-	0	1	**1**	0	-	0	1	**1**	0	-	-	0	**0**
Weapons Violations[3]	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Disciplinary Referrals															
Liquor Law Violations	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Drug Violations	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**
Weapons Violations	0	-	0	0	**0**	0	-	0	0	**0**	0	-	-	0	**0**

Hate Crimes:
2023, 2024, 2025 – No incidents were reported.

Footnote 1:
There are no on-campus student housing facilities. There are no non-campus properties as of 2025.

Footnote2:
Some reports received from external law enforcement agencies did not contain sufficient information to determine whether the reported incidents occurred within the university's Clery Act public property geography.

Footnote 3:
During a self-initiated review, the university determined that some of its reported public property statistics in 2023 did not occur within the definition of public property geography. As a result, the public property statistics were corrected.

Footnote 4:
Hazing is a new reporting category for 2025 therefore no data is available for 2023 or 2024.