



UNIVERSITY OF NEW HAMPSHIRE AT MANCHESTER

2022 Annual Security Report & Annual Fire Safety Report

UNH Division of Safety & Security
The University of New Hampshire
Manchester, NH

www.unh.edu/upd

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RESOURCES AT A GLANCE

Safety and Security

UNH-M Security Services

Emergency.....911
 Security Desk Non-Emergency (603) 641-4124
 UNH Police Dispatch (603)862-1212
 18 Waterworks Rd., Durham, NH 03824,
www.unhm-security@unh.edu, www.unh.edu/upd

Manchester Police Department

Emergency.....911
 Non-Emergency..... (603) 668-8711
<https://www.ci.durham.nh.us/police>

Campus Service Officers- UNH-Manchester

Free walking escorts for students, faculty
 And staff..... (603) 641-4124

Manchester Fire Department..... (603) 669-2256

Emergency.....911

AMR EMS- Ambulance..... (603) 626-0550

Emergency.....911

Campus Offices

Dean of Students Office..... (603) 641-4107
 Pandora Bldg., Room 465D, Manchester, NH

Office of Community Standards... (603)862-3377
 5 Quad Way Hitchcock Hall, Durham, NH 03824
www.community.standards@unh.edu

Office of Clery Compliance..... (603)862-3700
 18 Waterworks Rd. UNH PD. Durham, NH 03824
ajordan@unh.edu, mark.collopy@unh.edu or
kevin.cyr@unh.edu

Office of Human Resources..... (603)862-0501
 103 Main St. Nesmith Hall, Durham, NH 03824
Hr.services@unh.edu

Employee Assistance Program (EAP)

Confidential resource available 24/7 (800)424-1749
www.EAPhelplink.com

Community, Equity & Diversity (603)-862-1058

Thompson Hall Rm G14, Durham NH 03824
 Email: affirmaction.equity@unh.edu

Civil Rights & Equity Office ... (603)-862-2930

Coordinator Laura Buchs
 105 Main St Thompson Hall Rm 305
 Durham, NH 03824
 Voice (603)-862-2930
 TTY Users.....7-1-1
 Email: laura.buchs@unh.edu

Health & Wellness..... (603)-862-9355

Catholic Medical Center..... (603)-668-3545
 100 McGregor St. Manchester, NH 03101
 (5 min from campus) Open 24 hours.

Elliot Hospital..... (603)-669-5300

1 Elliot Way, Manchester, NH 03101
 (10 min from campus) Open 24 hours per day

Urgent Care at River's Edge..... (603)-663-3000

185 Queen City Ave., Manchester, NH 03101
 (5 min from campus) Open 24 hours per day

Sexual Assault, Domestic Violence, Dating Violence and Stalking Resources:

YWCA New Hampshire Crisis Services 24/7
 72 Concord Street, Manchester, NH603-668-2299

SHARPP..... (603)-862-3494

2 Pettee Brook Lane Durham, NH 03824
 Hours 8am-4:30pm M-F
 24/7 hours crisis line.....603-862-7233
 Confidential on-campus advocacy and support for
 victims, of sexual assault, domestic violence, dating
 violence and/or stalking.

NH Coalition against Domestic Violence

Haven..... (603)-994-7233
 20 International Drive #300 Portsmouth NH 03801
 24-HR Domestic Violence Hotline.1-866-644-3574
 24-HR Sexual Assault Hotline.....1-866-277-5570

Military and Veteran Services.....1-603-862-0643

Email @ unh.veterans@unh.edu

**Veteran's Crisis Line...1-800-273-TALK (8255) and
 press 1**

Mental Health Resources

Mobile Crisis Response Team 24/7...800-688-3544

Mental Health Center of Greater Manchester...
(603)-668-4111 ext. 4140

401 Cypress Street, Manchester, NH 03824
Afterhours call: 1-800-688-3544

Elliot Hospital Behavioral Health Services..... (603) 669-5300
1 Elliot Way, Manchester, NH 03103
Open 24 hours a day for mental health emergencies

National Suicide Prevention Hotline...800-273-8255
Substance Abuse and Mental Health Services Administration. www.samhsa.gov

Veterans Crisis Line.....800-273-8255
Or text 838255 for immediate help US Department of Veteran Affairs: www.veteranscrisisline.net

Substance Abuse Resources

Mobile Crisis Response Team 24/7..800-688-3544

Mental Health Center of Greater Manchester...
(603)-668-4111 ext. 4140

401 Cypress Street, Manchester, NH 03824
Afterhours call: 1-800-688-3544

NH Addiction Crisis Line844-711-4357

Substance Abuse and Mental Health Services Administration (SAMHSA).....800-662-4357
www.samhsa.gov

Legal Resources

Legal Advice and Referral Center....800-639-5290
NH Legal Assistance.....800-562-3174
Lawline.....800-868-1212

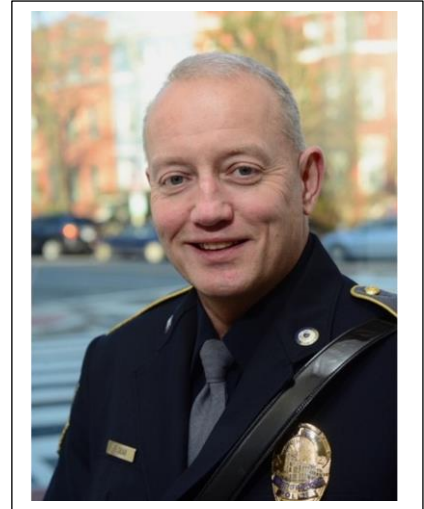
Visa and Immigration Resources

Office of International Students & Scholars
10 Library Way, Conant Hall Rm 315 Durham
..... (603)862-1288
Email: oiss@unh.edu

Financial Aid Resources

Financial Aid Office..... (603) 641-4189
Student Services Suite, 4th Floor,
Pandora Building, Manchester, NH 03101
Hours: M, W, TH, and F 8am-4:30pm T: 8am-3:30pm

Chief's Welcome



Dear UNH Manchester Community,

Thank you for taking the time to read the 2022 Annual Security and Fire Safety Report (AFSR). The AFSR, provided to you in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, is full of useful information about safety and security at the University of New Hampshire –Manchester. Within this guide you will find crime statistics for the previous three calendar years, statistics for on-campus residential housing fires for the previous three calendar years, campus safety and disciplinary policies, alcohol and drug policies, and policies that specifically address prevention of and response to sexual assault, domestic violence, dating violence, and stalking.

While UNH Manchester is generally a safe place to study and work, it is not without the challenges that other institutions of similar size and scope face. There are many resources available to help you make informed decisions about your safety and security at the University of New Hampshire's Manchester campus. The UNH Police Department and UNH Security Services is active on Instagram, Facebook, and Twitter. UNH communicates to staff, students, faculty and guests through press releases regarding incidents happening in or around campus. We also provide multiple community events such as Citizen Police Academy, RAD (women's self-defense training), and coffee with a cop.

By making yourself familiar with UNH Manchester's safety and security policies you are taking a significant step in protecting yourself and your community. This ASR contains a great deal of resources for students and employees who are in crisis, and we encourage you to reach out should you or someone else need our assistance.

Sincerely,

A handwritten signature in black ink that reads "Paul H. Dean".

Paul H. Dean
Chief of Police/ Associate VP for Public Safety and Risk Management
University of New Hampshire Police Department

Compilation of the 2022 Annual Security Report and Annual Fire Safety Report for the University of New Hampshire - Manchester NH campus. (UNH-M)

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the distribution of an Annual Security Report and Annual Fire Safety Report to all current faculty, staff, and students and notice of its availability to prospective students, faculty, and staff. This document, referred to as the “Annual Security and Fire Safety Report” or “AFSR” is one of many mechanisms designed to inform current and potential UNH Manchester community members of crime, arrest and referral statistics, of current crime response, reporting, prevention and awareness policies, including policies regarding sexual assault, domestic violence, dating violence, and/or stalking, of campus disciplinary policies and relevant state laws, and of campus safety and security. This “AFSR” includes crime, arrest and referral statistics for the previous three calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the UNH-M Campus, and on public property within, or immediately adjacent to and accessible from, the campus. The fire report at the end of the document contains current UNH Manchester Housing fire safety protocols and fire statistics for the previous three calendar years.

This report is prepared by the University of New Hampshire Police Department (UNH PD) with the assistance of the UNH Manchester Security Services Division. To gather information for this report, UNH PD collaborated with the University Human Resources Department, Department of Student Life, and Civil Rights & Equity office (CREO), University Housing, Community Standards, Health & Wellness, the Sexual Harassment and Rape Prevention Program (SHARPP), and other departments on the Manchester campus.

Crime statistics are gathered through reports made to the University Of New Hampshire Police Department (UNH PD), UNH Manchester Security Services Division, Community Standards, (Student Discipline), Civil Rights and Equity Office, the Office of Human Resources, Health & Wellness Services, Sexual Harassment and Rape Prevention Program (SHARPP) and reports of criminal activity submitted by Campus Security Authorities.

UNH PD has also requested crime statistics from other law enforcement agencies that may have jurisdiction over UNH Manchester property. UNH PD and the Office of Community Standards collaborated in compiling the crime, arrest and referral statistics to ensure statistics are not missed or double counted. A copy of this report is disseminated to students, faculty, and staff in an e-mail sent in late September of each fall semester. Crimes are classified using the FBI Uniform Crime Reporting Handbook, the National Incident Based Reporting System Handbook, and guidance provide from the Department of Education. New Hampshire law is used to define drug, liquor and weapons law violations, as well as incidents of domestic and dating violence.

Campus Crime Statistics Charts

The following are the statistical charts for calendar years 2019, 2020, and 2021. Campus Crime Statistics Charts for the University of New Hampshire at Manchester, are reported here. Differences in the statistics themselves reflect the number of crimes reported, not necessarily a difference in the rate of crime itself. The data does not reflect prosecution, convictions or the outcome of student disciplinary actions.

Crime statistics published in this document reflect crimes that are reported to have occurred in one of the four federally defined locations. Crimes that are reported to have occurred outside of the following locations are not included in this report. The four federally defined locations are:

On-campus property is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes. On Campus property includes residence halls, and any building or property that is within campus boundaries or is reasonably contiguous to campus that is owned by the institution but controlled by another person, that is frequently used by students, and supports institutional purposes (such as a book store or food vendor).

On-campus student housing is defined as any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonably contiguous geographic area that makes up the campus.

Public Property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within campus, or immediately adjacent to and accessible from campus.

Non-campus property is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property that is owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonable contiguous geographic area of the institution. This category includes property that is outside of Manchester, outside of New Hampshire, and outside of the United States.

Clery Definitions of crimes and categories in the chart:

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded from this category.

Manslaughter by negligence is defined as the killing of another person through gross negligence.

Robbery is defined as 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.

Aggravated Assault is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravating bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary is defined as the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned. An incident must meet three conditions to be a burglary: a) there is evidence of unlawful entry (trespass), b) the unlawful entry must occur within a structure that has 4 walls, a roof and a door, c) the structure was unlawfully entered to commit a felony or theft.

Motor Vehicle Theft is defined as the theft or attempted theft of a motor vehicle. All cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned, including joy riding will be classified as a motor vehicle theft.

Arson is defined as any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another.

Weapons Law Violations are the violations 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. This classification encompasses weapons offenses that are regulatory in nature. It includes the manufacture, sale, or possession of deadly weapons and silencers, carrying deadly weapons, concealed or openly displayed. It also includes furnishing deadly weapons to minors, and possession of deadly weapons by aliens. This type of violation also applies to weapons used in a deadly manner in violation of state and local laws.

Drug Abuse Violations are 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. Drug abuse violations include arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations are the violation of state and local laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing or possession of intoxicating liquor. It also includes underage possession, maintaining unlawful drinking places, bootlegging; operating a still, furnishing liquor to minors or an intemperate person, using a vehicle for illegal transportation of liquor, and drinking on a train or public conveyance. (Drunkenness and Driving under the Influence (DUI) offenses are not included in this definition).

Sexual Assault is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. 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."

Rape is 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. This definition includes any gender of victim or perpetrator.

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

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

Relationships which constitute incest: (ancestor, descendant, brother or sister, of the whole or half blood, or an uncle, aunt, nephew or niece). The relationships referred to herein include blood relationships without regard to legitimacy, stepchildren, and relationships of parent and child by adoption NH RSA 639-A:2. (Moved)

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. In NH the age of consent is 16.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed by a current or former spouse of the victim, an intimate partner, a person with whom the victim shares a child in common, or a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner. It also includes crimes of violence committed by a person who is in a similar situation to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred and crimes of violence committed 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.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim, where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: length of relationship, type of relationship, and frequency of interaction between the persons involved in the relationship. 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.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. For the purposes of this definition:

- A. Course of conduct means two or more acts, including, but not limited to acts 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.

Hate Crimes are defined as criminal offenses committed that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is a preformed negative opinion or attitude toward a group of persons based upon their race, gender, religion, disability, sexual orientation, gender identity, ethnicity, or national origin. Hate crimes include any of the following offenses that are motivated by bias: murder/non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property.

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

A bias-related (hate) crime is not a separate, distinct crime in New Hampshire. It is defined as the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim and the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc. the assault is then classified as a hate crime.

Larceny-theft is defined as the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Destruction/damage/vandalism to property is defined as to willfully destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation is defined as 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.

Simple Assault is defined as 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, loss of consciousness or severe laceration.



2021 University of New Hampshire at Manchester Campus Crime Statistics

Notes on 2021 Statistics:

- Possession of $\frac{3}{4}$ of an ounce or less of marijuana is a civil violation in the state of New Hampshire, not a criminal offense and therefore tickets issued for possession of marijuana are not classified as “arrests,” as per Clery Act Regulations.
- The State of New Hampshire does not recognize dating violence it all falls under the category of Domestic Violence therefore there will not be any dating violence statistics.

Year 2021	On Campus Property	On Campus Residential	Public Property	Non-Campus Property
Arrests				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	1	NA
Weapon Law Violations	0	0	0	NA
Disciplinary Referrals				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA
Criminal Offenses				
Murder and Non-Negligent Manslaughter	0	0	0	NA
Manslaughter by negligence	0	0	0	NA
Robbery	0	0	0	NA
Aggravated Assault	0	0	1	NA
Burglary	0	0	0	NA
Motor Vehicle Theft	0	0	0	NA
Arson	0	0	0	NA
Sexual Assault (Sex offenses)				
Rape	0	0	0	NA
Fondling	0	0	0	NA
Incest	0	0	0	NA
Statutory Rape	0	0	0	NA
VAWA Offenses				
Domestic Violence	0	0	0	NA
Dating Violence	0	0	0	NA
Stalking	0	0	0	NA
Hate Crimes				

In 2021, there were no hate crimes reported that qualified for inclusion in this report.

Unfounded Crimes

No reported crimes were unfounded in 2021.

2020 University of New Hampshire at Manchester Campus Crime Statistics

Notes on 2020 Statistics

- Possession of $\frac{3}{4}$ of an ounce or less of marijuana is a civil violation in the state of New Hampshire, not a criminal offense and therefore tickets issued for possession of marijuana are not classified as “arrests,” as per Clery Act Regulations.
- The State of New Hampshire does not recognize dating violence as a separate offense. The conduct falls under the category of Domestic Violence. Therefore there will not be any dating violence statistics.

Statistics 2020	On Campus Property	On Campus Residential	Public Property	NonCampus Property
Arrests				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	3	NA
Weapon Law Violations	0	0	0	NA
Disciplinary Referrals				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA
Criminal Offenses				
Murder and Non-Negligent Manslaughter	0	0	0	NA
Manslaughter by negligence	0	0	0	NA
Robbery	0	0	0	NA
Aggravated Assault	0	0	0	NA
Burglary	0	0	0	NA
Motor Vehicle Theft	0	0	0	NA
Arson	0	0	0	NA
Sexual Assault (Sex offenses)				
Rape	0	0	0	NA
Fondling	0	0	0	NA
Incest	0	0	0	NA
Statutory Rape	0	0	0	NA
VAWA Offenses				
Domestic Violence	0	0	0	NA
Dating Violence	0	0	0	NA
Stalking	0	0	0	NA

Hate Crimes

There were 0 reported crimes that qualified for inclusion in this report as a hate crime in 2020.

Unfounded Crimes

There were no reported crimes that were unfounded in 2020.



2019 University of New Hampshire at Manchester Campus Crime Statistics

Notes on 2019 Statistics:

- Possession of $\frac{3}{4}$ of an ounce or less of marijuana is a civil violation in the state of New Hampshire, not a criminal offense and therefore tickets issued for possession of marijuana are not classified as “arrests,” as per Clery Act Regulations.
- The State of New Hampshire does not recognize dating violence as a separate offense. The conduct falls under the category of Domestic Violence. Therefore there will not be any dating violence statistics.

Statistics 2019	On Campus Property	On Campus Residential	Public Property	Non-Campus Property
Arrests				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA
Disciplinary Referrals				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA
Criminal Offenses				
Murder and Non-Negligent Manslaughter	0	0	0	NA
Manslaughter by negligence	0	0	0	NA
Robbery	0	0	0	NA
Aggravated Assault	0	0	0	NA
Burglary	0	0	0	NA
Motor Vehicle Theft	0	0	0	NA
Arson	0	0	0	NA
Sexual Assault (Sex offenses)				
Rape	0	0	0	NA
Fondling	0	0	0	NA
Incest	0	0	0	NA
Statutory Rape	0	0	0	NA
VAWA Offenses				
Domestic Violence	0	0	0	NA
Dating Violence	0	0	0	NA
Stalking	0	0	0	NA

Hate Crimes

There were 0 reported crimes that qualified for inclusion in this report as a hate crime in 2019.

Unfounded Crimes

There were no reported crimes that were unfounded in 2019.

** UNH Manchester began offering on campus housing to students in August 2018.

Campus Safety

In the Campus Safety chapter, you will find information on policies for safety and security on campus, general crime reporting, access to campus facilities, missing students, communications about emergencies and information about the various units and teams that help keep the University of New Hampshire at Manchester safe.

SAFETY AND SECURITY ON CAMPUS: LAW ENFORCEMENT AND CRIME REPORTING

University of New Hampshire Police Department Security Services Division

Security Services is a division of the University of New Hampshire Police Department. However, all public safety services are coordinated with other key University, State and local officials. UNH-M Campus Security Officers have jurisdiction for (responsibility) on campus property and parking lots and the campus residential building located at 1000 Elm St. They patrol the Manchester campus on a regular, daily basis. Security officers receive in-service training as well as training from the New Hampshire Campus Safety Academy.

Campus Security Officers are **NOT** sworn law enforcement personnel and do **NOT** have the power of arrest or the authority to enforce State and Local laws; however, they do have the authority to enforce University Rules and Policies. Campus Security Officers as a division of the UNH Police Department work very closely with the Manchester Police Department, the NH State Police, and other criminal justice agencies. Campus Security Officers are not armed.

Campus Security officers are on duty, during the operating hours of the Pandora Building to assist members of the University community. Security provides patrols of the campus buildings, a residential building located at 1000 Elm St. and parking lots, provides key services to authorized personnel, administers the non-academic materials lost and found, issues parking permits and enforces parking on campus, provides Safety Escorts, issues school IDs, and maintains the Campus Crime Log (available upon request at security desk). The University Of New Hampshire Communications Center located on our Durham Campus, is staffed by professional emergency dispatchers and operates on a twenty-four hour basis. The center receives calls for emergency and routine services. Communications specialists instantly dispatch the appropriate response and can communicate with the Manchester Police and Fire, State Police and Federal agencies when required.

University of New Hampshire Police Department (UNHPD)

The University of New Hampshire Police Department (UNHPD) is a full-service, 24-hour agency with approximately 32 sworn officer positions. The Officers are armed and have the power and authority to make arrests and have law enforcement jurisdiction on the University of New Hampshire's main campus in Durham, and on all University properties statewide. Sworn UNH Police officers do not routinely patrol the Manchester Campus. UNH Police officers assigned to patrol use Body Worn Cameras (BWCs) for all contacts with the general public.

UNHPD provides dispatch services through its own 911 Communications Center for the main campus in Durham and for the Manchester and Concord campuses. UNHPD is nationally accredited by two separate accreditation agencies: The Commission on Accreditation for Law Enforcement Agencies (CALEA) and the International Association of Campus Law Enforcement Administrators (IACLEA).

Crime and Emergency Reporting

All Emergency calls should be made to 911 from all campus and off campus telephones. **911** calls from Manchester are directed to the Manchester Police Department.

Regular business calls of a non-emergency nature can be made to the Security Services desk at (603) 641-4124, or Manchester Police Department (603) 668-8711 at any time.

When notifying Security Services or the Manchester Police Department of criminal activity, please provide the following information:

- Your name
- Location of the incident you are reporting.
- A description of the scene, suspects and the nature of the incident.
- A description of any vehicles involved in the incident, especially a license plate number.

The most important thing to remember is that suspicion of a crime does not require proof. If you suspect that a crime is being committed or has been committed please call **911** or Manchester Police Dispatch at 668-8711 immediately.

Crimes that occur off campus can be reported to the **Manchester Police Department** via the non-emergency number (603) 668-8711, by calling **911** from an off-campus location within Manchester. UNH Manchester encourages all campus community members to accurately and promptly report all crimes to law enforcement.

Crimes/violation of the student code of conduct should be reported to the Dean's Office, Room 465D, Pandora Building (603) 641-4107, Michael.decelle@unh.edu, to Security Services, (603) 641-4124, unhm.security@unh.edu, or by filling out a form on line at: <https://www.unh.edu/ocs/complaint>.

The **Office of Community Standards** (603) 862-3377, is located on the UNH Durham Campus, at Hitchcock Hall, 5 Quad Way, Durham, NH 03824, and will adjudicate the complaint. Complaints can be filed on line at: <https://www.unh.edu/ocs/complaint>. If the complaint involves harassment, sexual harassment, domestic violence dating violence or discrimination, reports will be forwarded to the **UNH Civil Rights & Equity Office** (603) 862-2930 at Thompson Hall, 105 Main St. Durham, NH 03824. An online report can be made at: www.unh.edu/incidentreportform. Community Standards and the Civil Rights & Equity Offices will assist the victim in notifying the local law enforcement agency of sexual assault, domestic violence, dating violence, and/or stalking.

Crimes/violations of employment policies should be reported to University of New Hampshire's **Human Resources Department**. An anonymous reports can be filed by calling 1-800-592-8455

or by filing a complaint on line at:

<https://secure.ethicspoint.com/domain/media/en/gui/48734/index.html>.

If requested human resources will provide assistance in notifying law enforcement of sexual assault, domestic violence, dating violence, and/or stalking.

Victims of sexual assault, domestic violence, dating violence and/or stalking who do not wish to report the crime to law enforcement officials, Office of Community Standards, AAEO, or Human Resources are still encouraged to get help and support. Please see the Sexual assault, domestic violence, dating violence, and/or stalking chapter in this report for more information.

Child abuse should be reported to the Manchester PD or NH Child Protective Services. For information regarding employee's obligations to report child abuse, please visit: <https://www.usnh.edu/unh/iii-administrative-policies/f-protection-minors> for more information on reporting requirements.

Response to a Reported Crime

Manchester PD dispatchers are available 24 hours a day. When a crime is reported, Manchester Police officers will respond to investigate the crime, search for suspects, collect available evidence, file a report, and work with local prosecutors. In response to an emergency, Manchester Police will respond, evaluate, and summons the appropriate resources to respond to the incident. All arrest reports involving students may be forwarded to the Dean of Students Office for review and potential action, such as initiating the student disciplinary process by referring the matter to the Office of Community Standards when appropriate and/or offering support to student victims. Where applicable the Director & Title IX Coordinator will also be informed.

Response to crimes reported to the Dean of Students Office or to the Human Resources Department may include initiation of a disciplinary action or notice to law enforcement if the crime involves a minor.

Under NH State Law, University officials must report crimes including hazing, child and elder abuse, and treatment given for gunshot wounds. In addition, there is a legal duty on the part of employees at UNH to report suspected cases of sexual harassment of students by employees of UNH to supervisors and/or other appropriate individuals or offices. UNH Officials will also help the victims to report, if asked to do so.

Voluntary Confidential Reporting

The University of New Hampshire does not provide voluntary, confidential crime reporting for the purpose of including crime statistic disclosures in the AFSR. As a matter of policy UNH-M directs people to report Clery Crimes to Campus Security Services for the purpose of including a statistic in UNH-M's Annual Fire and Security Report, (AFSR); although people may report crimes to any Campus Security Authority. However, the University of New Hampshire may be obligated to investigate when there is a report of sexual assault, domestic violence, dating

violence and/or stalking. The YWCA New Hampshire Crisis Services provides free and confidential reporting services. They can be reached 24/7 at 603-668-2299

UNH's Sexual Harassment and Rape Prevention Program (SHARPP) is a free and confidential resource for UNH community members who have experienced interpersonal violence. Individuals can contact SHARPP 24/7 at (603)-862-7233. SHARPP provides general numbers for the purpose of collecting data for the AFSR, however no identifying information is given

Victims or Witnesses can call (603) 862-3686 to report any suspected hazing confidentially or anonymously.

Police reports are public records under state law, and therefore cannot be held in confidence. For that reason UNH does not allow voluntary confidential reporting to the UNHPD. A victim can still report a crime anonymously.

The purpose of an anonymous report would be to promote public safety. This allows UNH-M to keep an accurate record of the number of incidents involving students, determine if there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed anonymously are counted and disclosed in the annual crimes statistics for the institution.

Persons wishing to contact the UNHPD anonymously may call (603) 862-1427, or they can file a complaint over the Wildcat (RAVE) Guardian APP.

Finally, persons may use "Ethics Point Incident Report Form online!" as a place to report incidents or potential discrimination, discriminatory harassment, hate/bias, civil rights-related retaliation, sexual harassment, sexual assault, domestic violence, dating violence, and stalking can all be reported using the IRF. A report can be made anonymously, or the reporter can provide their name to receive outreach from the Civil Rights & Equity Office. The Incident Report Form is linked on the homepage of Civil Rights & Equity Office. That URL is www.unh.edu/incidentreportform. "Ethics Point!" is not monitored 24-hours a day.

Professional and Pastoral Counselors

Campus "professional counselors", when acting as such are not considered to be Campus Security Authorities and are not required to report crimes for inclusion in the AFSR or for a crime warning evaluation.

Off-Campus Safety and Security

The Manchester Police Department (MPD) has primary jurisdiction in most areas off campus in the city of Manchester. Other county, state and federal agencies also provide law enforcement services in the Manchester area.

If criminal activity takes place at a non-campus location that is rented or owned by the University, community members should contact the local police department with jurisdiction. In the City of Manchester contact the Manchester Police Department by phone at 603-668-8711.

Clery Crime and Fire Log

UNH Manchester Security Services maintains a Clery Crime Log and a Fire Log of crimes and on-campus residential housing fires which occur within UNH Manchester's primary jurisdiction. The UNHPD Clery Compliance staff receive notifications regarding these crimes and fires. The information presented in the log includes the call number, which is an event reporting number by which UNHPD may identify an incident. The absence of a call number means that the crime was not reported to the UNHPD, and UNHPD may not be investigating this crime.

The log also includes the date and time which a crime or fire was reported to UNHPD or the University, and the date and time at which a crime or fire occurred, or an estimate thereof. The location column identifies the street address or building at which the crime or fire occurred. The building or Street address may not be specifically identified when this could compromise the privacy of the victim of a sexual or intimate partner violence. The offense column defines the nature of the crime or fire. The disposition reveals the current state of UNHPD's criminal investigation into the offense, if one is taking place. If the Manchester Police Department is investigating the reported crime, UNHPD will not report the disposition of the report or the investigation.

Log entries are entered and updated in the log within two business days of UNHPD/Campus Security Services receiving the information or within one business day of an update of a disposition. In order to protect an ongoing criminal investigation or the identity of a victim, the chief of police or designee may classify information as confidential and prohibit its release. Log entries are available for public inspection at the UNH Manchester Security Services, 88 Commercial Street, Manchester, NH 03101.

SAFETY AND SECURITY ON CAMPUS

SAFETY ON CAMPUS

Emergency Response and Evacuation

The Emergency Management Division of UNHPD, was established in 2012 in order to manage all areas of emergency preparedness on each of the UNH Campuses. The Unit coordinates with various university and community entities to ensure that UNH-M students, faculty, staff, and visitors are prepared to respond to emergencies, recover from them, and mitigate against their impact. The Emergency Management Division also works closely with several campus partners to develop and implement UNH's crisis communication plan.

Crisis and disaster events requires campuses to not only prepare for such events, but also require an understanding of response capabilities and limitations. It is impossible to predict exactly when a crisis or disaster will occur, or the extent to which it might affect the campus. Through deliberate planning, preparing, and training UNH can greatly minimize losses from these events.

UNH-M maintains an Emergency Response Plan that outlines responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of each unit and/or position.

The Emergency Management Division works with each department to create and update emergency response and continuity of operations plans. The Emergency Management Division provides resources and guidance for the development of these plans.

When an emergency occurs, the Emergency Operations Plan (EOP) is activated. The EOP delineates the response procedures for emergencies and disasters that could impact the campus. When the EOP is utilized, two response organizations are established: The Emergency Operations Center (EOC) and the Senior Management Group (SMG). The EOC is staffed by pre-identified campus personnel identified as members of the University Emergency Group (UEG). They are trained to coordinate the campus' response and recovery efforts. Members of the UEG are vetted UNH personnel in the middle to upper management positions from the major functional areas of the University, including, but not limited to Facilities Operations and Maintenance, Transportation, Telecommunications, Energy and Campus Development, Durham Fire Department, Media Relations, Health and Wellness, Hospitality Services, UNHPD, Environmental Health and Safety, the President's office, Durham Town Administrator, and representatives from the UNH Manchester and UNH Law School. The EOC facilitates sheltering of evacuees, debris removal, restoration of services, and supports on-scene personnel. The primary EOC location is in the UNHPD conference room. Senior Leadership (SMG) consists of the President, Provost, Vice President of finance and administration, Chief of staff, Chief of Police, Dean of Students, Associate Provost for Academic Affairs and administrative staff from the president's office. Their primary responsibilities include setting policy and providing supports to the EOC and on-scene personnel.

The Emergency Management Division in cooperation with the Department of Environmental Health and Safety provide training and information on five mission areas of emergency management: prevention, protection, mitigation, response and recovery. There is at least one Emergency Response tabletop drill conducted each year.

Annual emergency response and evacuation tests are planned in conjunction with other emergency agencies. The University conducts emergency response drills, and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are often announced and publicized via campus mail, and various newsletters in conjunction with the tests themselves.

The Emergency Management Division has primary responsibility for the development and facilitation of emergency exercises at UNH. An After Action Report- Improvement plan is written following each exercise that lists the scenario, participants, date, time, location, whether the test was announced or unannounced, areas of strengths, areas of improvement, and corrective

actions. The campus is committed to evaluating response capabilities through the exercise and After Action Report process, with the goal of correcting areas of improvement identified during the exercise.

The residential hall has at least one fire drill per year. Building evacuation drills are scheduled, documented, contain exercises involving a coordination of efforts, contain follow-through activities, and are designed for assessment and evaluation of emergency plans. A record of whether they are announced or unannounced is kept. Evacuation maps are posted in every building and on the door of every dorm room.

Emergency Evacuation

The emergency evacuation procedures are tested at least once a year. Students and employees learn the locations of the emergency exits in the building and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The UNH-M Security Services does not inform building occupants in advance about the designated relocation areas for long-term evacuations because those decisions are affected by the time of day, the location of the building being evacuated, the availability of various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, UNH-M Security Services staff on scene will communicate information to students and staff regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At UNH-M Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and sound of the fire alarm.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work/living area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and dial **911**, or notify UNH Security Services (603) 641-4124, UNH Dispatch (603) 862-1212, or Manchester Fire Department **911**.

1. Remain Calm
2. Do NOT use Elevators. Use the stairs.
3. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform UNH Security officers or the responding Fire Department of the individual’s location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Shelter-in-Place Procedures- What it means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-place” guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How will you know to “Shelter-in-place?”

A shelter-in-place notification may come from several sources, UNH-M Security Services, Housing Staff Members, other University Employees, the Manchester Police, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of Shelter-in-Place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside, It should be:
 - a. An interior room
 - b. Above ground level; and
 - c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible).
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to UNH Dispatch at (603) 862-1212 so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Check the UNHPD website for updates and further instructions.

9. Make yourself comfortable.

Blue Light Emergency Phones

There are no Blue Light Emergency Phones on the UNH Manchester campus.

Security Escorts

Walk-Safe program is a free walking escort service for the University of NH Manchester community. Contact campus security by email www.unhm.security@unh.edu, or call (603) 641-4124 for more information.

Behavioral Intervention Team

The Behavioral Intervention Team (BIT) is comprised of staff members from the UNH-M Security Services, Residential Life, Academic Advising, Graduate Programs Office, Greater Manchester Mental Health and the Dean's office

The BIT team provides assistance when student behavior suggests harm to self or others. Based on timely review, BIT makes referrals to appropriate resources and recommends appropriate actions to the Senior Vice-Provost for Student Life/ Dean of Students. This team discusses situations that involve students who may be struggling with mental health issues including, but not limited to, possible suicidal ideation resulting in disruptive or concerning behavior. The team's purpose is to intervene and support students with referral to campus and community resources and conduct appropriate follow-up.

International Safety and Security

Please visit UNH's International Health and Safety website for information about resources, policies and support for international travel by UNH students, faculty, and staff coordinated by All Things International at UNH. You can access this information on this site: <https://www.unh.edu/global/about>. Travelers with specific questions should contact the Office of International Student and Scholars at Conant Hall Room 315, 10 Library Way, Durham NH. Or they can call them at (603) 862-1288.

SECURITY ON CAMPUS: ACCESS TO AND SECURITY OF UNIVERSITY BUILDINGS

Academic & Administrative Building Security

All buildings are secured each night and are open to members of the community and visitors only during normal business hours. Entry after normal hours is only available to faculty, staff, and authorized students, as determined by the appropriate academic or administrative offices. Access to these buildings is controlled by either key or card access after normal business hours, and all of these buildings have varied levels of access.

Buildings are patrolled and checked by Security Service Officers. Buildings are equipped with fire detection systems directly connected to the Manchester Fire Department.

Residence Hall

Authorized access to residential area is restricted to residents, their approved guests, and other approved members of the UNH-M community. Residents gain entry by presenting the UNH Student ID to the card access readers 24 hours a day. Individual rooms have regular key access or card access. Through signage and other forms of communication, all residents are cautioned against permitting strangers to enter the buildings and are urged to contact housing or the UNH-M Security if they encounter strangers attempting to enter the building or the residence portions of the hall. Campus service officers routinely patrol the residence hall.

Hall staff perform regular assigned building checks each evening in addition to UNH-M campus service officers. Unscheduled patrols of the residence halls are conducted by security officers to help deter crime and detect damage to doors, windows and safety features. Any suspicious activity, suspicious person, or crimes in progress should be reported immediately to the Manchester Police Department at (603) 668-8711.

Housing/ Residential Life staff also enforce security measures in the residence hall and work with residents to achieve a community respectful of individual and group rights and responsibilities. Housing/Residential Life staff and UNH-M Security staff conduct periodic educational sessions on prevention of various crimes, including sexual assault.

Security and Maintenance of Campus Facilities

Security is provided in the maintenance of the UNH-M facilities through a number of mechanisms, including limitations on hours of operation, policies on keys, and restricting access to those bearing proper identification as university staff or students. Specific security mechanisms may vary with the type of university facility. Each building has a manager that will report problems.

UNH-M maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and buildings are illuminated with lighting. UNH Security Services work closely with facilities management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the University community are helpful when they report equipment problems to UNH Security Services at (603) 641-4124 or to facilities maintenance management at (603) 641-4193.

MISSING STUDENT NOTIFICATION- STUDENTS LIVING IN RESIDENCE HALLS

University of New Hampshire Manchester has one on-campus housing facility located at the Brady Building 1000 Elm St in Manchester. As a part of the housing assignment process, each

prospective residence hall student, regardless of age, is given the opportunity to provide a missing person contact name and phone number. They have the first seven days of move-in each semester to provide a contact for missing person purposes, which the Residential Life staff member will provide to the UNH-M Security Services. Students' contact person information is registered confidentially, and the information is accessible only to authorize campus officials, and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person's investigation.

If a student is reported to have been missing for more than 24 hours, a Residence Hall Staff member should be contacted. Once a student is reported to be missing, Residential Staff will immediately notify UNH-M Security Services who will report to Manchester PD, who will begin an investigation. Manchester PD will be informed if the missing person is under 18 and not emancipated. If the missing student is under 18 and not emancipated, UNH-M will notify Manchester Police Department, custodial parent(s) or guardian, and any additional contact person, if any, designated by the student within 24 hours of determination that the student is missing.

Procedures for designation of missing person contact information

1. Students living on campus shall be given notice of this policy and an annual opportunity during the first seven days after move-in each semester to designate an individual or individuals to be contacted by the university in the event they are determined to be missing for 24 hours. Missing person contact information shall be registered confidentially, shall be accessible only to authorized campus officials, and may only be disclosed to law enforcement personnel in furtherance of a missing person investigation. The missing person contact shall remain in effect until changed or revoked by the student.
2. In the event a student is reported missing, the UNH-M security or their designee shall attempt to contact his/her missing person contact no more than 24 hours after the time the student was determined to be missing for 24 hours.
3. For students under the age of 18, who are not emancipated and living on campus the following will occur: If a student under 18 is determined to be missing the university shall (is required to) notify a custodial parent(s) or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below. The missing person contact shall be notified as well.
4. For all missing students, UNH-M will notify the local law enforcement agency within 24 hours of determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student was missing.

Official Notification procedure for missing person

1. Any faculty, staff or student who has information that a residential student may be a missing person must notify the UNH-M Security Services as soon as possible and no later than 24 hours after they determine a student may be missing.
2. The UNH-M Security Services shall gather information about the student from the reporting person and from the student's acquaintances (i.e. Clothing, physical description,

where student may be, vehicle description if applicable, mental health status, physical well-being, update to date photo, and class schedules, etc.). Appropriate campus faculty and/or staff shall be notified to aid in the search for the student.

3. No later than 24 hours after determining that a residential student has been missing for 24 hours, the UNH-M Security Services or their designee shall notify the missing person contact. For students that are under 18 and not emancipated a parent(s) or guardian will also be notified that the student is believed to be missing.
4. In all cases when the student is declared missing by UNH-M Security Services after an initial investigation and in consultation with other law enforcement agencies as appropriate, UNHPD will coordinate with the UNH office of media relations to provide information to the media that is designed to obtain public assistance in the search for any missing student. The coordination will insure that investigations are not impeded by the release of information.
5. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UNH-M Security Services will inform the local law enforcement agency with jurisdiction that a student has been missing within 24 hours.

GENERAL CRIME PREVENTION TIPS

- Call the police at (603) 668-8711 IMMEDIATELY if you see or hear something suspicious. Don't hesitate to dial **911** in an emergency. Be sure to tell them exactly where you are.
- Keep your possessions in sight at all times. Don't leave computers, cell phones, or electronics unattended.
- If you leave your office or room, even for a few minutes, lock the door.
- Be alert to potential danger. Trust your instincts.
- Walk with friends whenever possible.
- If jogging, walking or biking alone, stay in well-lit and well-traveled areas.
- Shred documents you discard that contain personal information
- See the section of this document titled "Sexual Assault, Domestic Violence, Dating Violence and Stalking" for protective behaviors regarding those offenses.
- Do not prop open the outside doors to academic and residential buildings.
- Always know who is at your door before opening it.

COMMUNICATION ABOUT CAMPUS CRIMES AND SAFETY

Through a variety of methods, University of New Hampshire provides information to students and employees about campus security procedures and practices and encourages them to be responsible for their own security and the security of others. One method is keeping students and employees informed about crime prevention strategies and by communicating with the campus community about reported crimes or emergencies that pose serious or continuing threats to students and employees. This section highlights some of the ways in which University of New Hampshire offices communicate information about crime and safety on campus.

EMERGENCY NOTIFICATION PROCEDURES

Rave Alerts

This section describes the procedures University of New Hampshire uses to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.



ALERTS

Upon confirmation of an emergency or dangerous situation, UNH-M Security Services will contact UNHPD who will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of first responders (including, but not limited to: UNH-M Security Services, UNHPD, Manchester PD, and/or Manchester Fire and EMS), compromise efforts to assist a victim, or to contain, respond to or otherwise mitigate the emergency. The notification system for the University of New Hampshire's campuses is known as Rave Alerts.

The UNH Chief of Police, or his/her designee, in conjunction with other University administrators, local first responders and/or the National Weather Service typically confirms significant emergencies or dangerous situations involving immediate threat to the health or safety of students or employees on campus.

UNHPD and Media Relations will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the UNH Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

All UNHPD Sergeants, Captains, the Chief of Police, and Dispatchers are authorized to initiate and use the Rave Emergency Alert notification system. During situations in which there is a time-critical threat to campus, a Rave Alert message and messages sent via the other systems listed below are sent immediately on authority of the Chief of Police or designee. The UNH Chief or designee is responsible for drafting the content. This content is developed based on the type of emergency and the appropriate segment of the community to receive the message. The message may be sent to the community using any or all systems listed below. If time permits UNH Media relations may review media distributions prior to UNHPD sending them.

Situations for sending a Rave Alert include, but are not limited to: active harmer, significant and serious hazardous materials spill, large fire on campus, significant disruption to campus infrastructure, multiple building closings, or a mass casualty disaster. All students and staff are

automatically entered into UNH’s Rave Emergency Alert System once they are assigned a UNH email address. Rave alerts are typically sent via email in an effort to notify the largest percentage of students and staff in the fastest way possible. Anyone with an email ending in unh.edu will automatically receive an email from Rave Alert in the event of an emergency. Rave alerts can also be sent via text message to those registered with the text system. In addition to, or in the event of an email or text system failure, UNH may use some or all of the following systems to communicate an immediate threat to the community: by directed communication, UNH web page www.manchester.unh.edu, UNH PD webpage www.unh.edu/upd, Facebook, Instagram, Twitter, To opt-in for emergency text and voice messaging, students, faculty, staff, and guests can register through www.alert.unh.edu, local area radio and television stations, fliers or face to face communications.

In the event of an outbreak of a serious illness or other public health emergency, the Executive Director of the University Health and Wellness Department or designee will collaborate with UNHPD Emergency Management division to confirm the emergency, the UNHPD will draft the language of the warning and distribute the warning to the affected campus community.

Situations requiring a Rave Alert will almost always require ongoing communications support. UNHPD will determine what level of emergency is present and use the Emergency Operations Plan (EOP). Once the EOP is activated, the process of posting information on UNH’s homepage and preparing a crisis communications response will begin. Depending on the type of emergency, UNHPD and Media Relations may work together to craft a consistent set of follow-up messages that can be efficiently distributed to update the UNH and larger community, including through additional Rave Alert or through the UNH homepage (www.unh.edu), directed communication, or UNHPD web page (www.unh.edu/upd).

Parents and the larger community can receive information pertaining to an emergency situation at the university through some or all of the following systems: signing up for Rave Alerts at www.alert.unh.edu, by following UNHPD Facebook or Instagram account, by visiting UNH’s homepage at www.unh.edu, www.manchester.unh.edu, or visiting the UNHPD home page at www.unh.edu/upd.

System to Use	Primary Message Creator	Backup message creator	Authority to approve & send msg.	Primary message sender or distributor.	Back up message sender or distributor
PRIMARY UNH Alert-Rave	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief

UNH Directed Communication	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief
UNH PD Website/ UNH Website	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief or Media Relations
SECONDARY Fliers	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNH PD Chief or designee	Residential Life and Building Managers
Local Radio and TV	UNH PD Chief or designee	Media Relations	UNH PD Chief or Designee	Media Relations	UNH PD Chief of Police or Designee

TIMELY WARNINGS- CRIME ALERTS

The University of New Hampshire issues Timely Crime Warnings to warn the campus community about certain crimes that present a continuing threat to the campus community and to aid in the prevention of similar crimes. Known in the Clery Act as a “timely warning,” the intent of the Timely Crime Alert is to warn of a criminal incident so that people will be enabled to protect themselves. Timely Crime Alerts are issued in a manner that is timely, withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. The Clery Act requires UNH to distribute Timely Crime Alerts regarding certain crimes that occur within UNH’s Clery geography and represent a serious or continuing threat to the safety of students or employees. These crimes are murder/non-negligent manslaughter, manslaughter by negligence, rape, fondling, statutory rape, incest, robbery, aggravated assault, burglary, motor vehicle theft, and arson, domestic violence, dating violence, and stalking. Larceny-theft, simple assault, intimidation, and destruction/damage/vandalism will be assessed for a crime warning if there is evidence they were motivated by hate or bias against a protected party.

UNHPD’s Chief of Police or designee has the authority to develop the content of a Timely Warning Crime Alert and authorize distribution using the guidelines listed below. The Chief of Police or designee will consider the type of offense, location, nature of any threat and whether there is a continuing threat to the community or a continuing crime pattern in determining the appropriateness of a Timely Warning Crime Alert. Some information may be withheld if there is a risk of compromising law enforcement efforts to investigate and/or solve the crime. If the victim of the crime is a person, that person will not be identified by name in a Timely Warning

Crime Alert. Timely Warning Crime Alerts are issued as soon as the pertinent information is available to the UNHPD.

Crimes will be assessed on a case-by-case basis and Timely Warning Crime Alerts will be distributed as deemed necessary. Cases of aggravated assault involving known parties, such as two roommates fighting which result in an aggravated injury, will be evaluated on a case-by-case basis to determine if an individual is believed to be an ongoing threat to the larger UNH community. Cases of sexual assault will be considered on a case-by-case basis to determine whether there is an ongoing threat to the larger UNH community, depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by UNHPD. Timely Warning Crime Alerts will not typically be issued for property crimes unless there is some evidence of a pattern or a serious, continuing threat to the community.

The following factors will be considered when determining whether to issue a Timely Warning Crime Alert:

- Where the crime occurred
- The nature of the crime (serious/non-serious, violent/non-violent)
- The nature of the threat (general threat versus limited threat to a specific person)
- Whether or not there is a continuing danger to the community or continuing crime pattern.

When UNHPD becomes aware of a situation that meets the criteria for a Timely Warning Crime Alert, the Chief of Police or designee will develop the content of the Crime Alert, has the authority to authorize the distribution and distributes the Crime Alert to the community. In the event a Timely Warning Crime Alert is needed, consideration will be given to the most appropriate means to be used to disseminate the information to the UNH community. The primary form of distribution is through a mass email message sent to the entire university community through the UNH Rave Alert system. This email is sent by the Chief of Police or designee, including, but not limited to UNHPD communications specialists, or UNH Clery Compliance team members. Other forms of communication may be utilized, such as directed communications, UNHPD Facebook, UNHPD Twitter or UNHPD Instagram. In addition, Timely Warning Crime Alert notices may also be shared by posting on UNH's homepage, the UNHPD homepage, press releases, postings/notices at appropriate locations, or the use of UNHPD electronic signboards.

Updates to the community about any particular case resulting in Timely Warning-Crime alert may be distributed to the campus through any one or more of the following mechanisms:

- **UNH Alert (Rave):** a free service that automatically sends a brief text message alerting the community regarding an emergency on campus to email accounts or cell phones. UNH students, faculty, and staff, with UNH email are automatically enrolled others may sign up for alerts at <https://alert.unh.edu>.
- **Directed Communications/Blast email:** UNH email system alerting students, faculty, and staff.
- **Fliers:** posted on bulletin boards in academic buildings, residence halls, outdoor boards and kiosks and administrative buildings.

- **UNH Police Department website:** www.unh.edu/upd.
- **UNH website:** <https://manchester.unh.edu/>.
- **The New Hampshire:** student newspaper.
- Local area radio and television stations and print media.
- UNHPD electronic signboards.

Other Campus Security Authorities learning of an incident in which a Timely Warning Crime Alert might be appropriate will share the information with the Clery Staff at UNHPD to determine whether the incident meets the criteria for a Timely Warning Crime Alert.

A Timely Warning Crime Alert notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts

- The date and time or time-frame of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
- Suspect description(s)/photo(s) when deemed appropriate and if there is sufficient details
- Police agency contact information
- Other information as deemed appropriate.

UNH-M does not issue Timely Warning Crime Alert notices for the above listed crimes if:

- The Chief of Police or designee determined there is no serious or continuing threat to the safety of the UNH students, employees and community members.
- The subject(s) apprehended and the threat of imminent danger to the UNH community has been mitigated by the apprehension.
- A report was not files with UNHPD or UNHPD was not notified of the crime in a manner that would allow the department to post a “timely” warning for the community (e.g. a report that was filed more than 5 days after the date of the alleged incident may not allow UNHPD to post a “timely” warning to the community). This type of situation will be evaluated on a case-by-case basis.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

A copy of the Timely Warning Crime Alert will be filed in the corresponding case file.

SAFETY ALERTS:

The UNHPD/ Security Services may also issue “**Safety Alerts,**” when necessary, to apprise the UNH community of safety issues and concerns. These “safety alerts” will include safety tips and recommendations to follow so that the UNH community can make informed decisions about personal safety.

The UNH Security Services also maintains a daily crime log that contains all crimes reported to the department. It can be viewed by coming to the UNH-M located at Pandora Building Main Desk, 88 Commercial Street, Manchester, NH during normal business hours.

STUDENT AND EMPLOYEE REGISTRATION FOR RAVE EMERGENCY ALERTS AND TIMELY WARNINGS

Students and employees with valid UNH.edu email addresses are automatically enrolled to receive email alerts from Rave Alerts unless they opt out. They are also able to opt-in and sign up to receive text alert messages at www.alert.unh.edu. Visitors and guests may also sign up to receive alerts while on campus at events. The email database is updated regularly with the most current list of email addresses.

Rave Alerts and Timely Warning System Testing

UNHPD tests the emergency notifications system on a monthly basis. The systems are tested campus-wide on an annual basis.

uSafeUS APP

The uSafeUS app can help protect you.

- It can help you leave an uncomfortable or risky situation by sending you a fake text or phone call.
- It lets you discreetly alert a bartender or wait staff if you need help.
- It lets you alert friends (by text and GPS) to follow up with you, if you don't arrive when expected – for example when walking home alone at night.
- Allows you to use your phone as an alarm, to alert attention to bystanders that you need help.

uSafeUS provides critical resources in the event of sexual assault, dating violence, or stalking.

- It provides immediate access to help and support.
- It explains your options if you (or a friend) experience sexual assault, dating violence, or stalking.
- Contains resources for male survivors, students who identify as transgender, students who identify as LGBTQ, and multi-cultural students.

uSafeUS is easy to get, and easy to use.

- Available from the App Store and Google Play; free and confidential.
- Hundreds of students provided input on the uSafeUS design.

INFORMATION ABOUT SEX OFFENDERS

The Federal Campus Sex Crimes Prevention Act required institutions of higher education to issue a statement to the campus community about where to find information on registered sex offenders in the state.

In NH, convicted sex offenders must register with the local police jurisdiction in which they reside. This information is transferred to the NH State Police who maintain this website. This information can be found at: <https://business.nh.gov/nsor/>.



CRIME PREVENTION AND SECURITY AWARENESS EDUCATION

Creating a safe campus is everyone's responsibility. The following programs are offered to inform the campus community about campus security procedures and practices, to encourage the campus community to be responsible for their safety and the safety of others, and to inform students and employees about crime prevention.

ACTIVE THREATS TRAINING

UNHPD conducts Active Shooter Response training presentation for students, faculty and staff, designed to provide an overview of an active shooter event. The instructors are experienced law enforcement trainers whose main goal is to share tactics and techniques that can and will help participants survive a crisis specifically, to survive an active killer incident.

STUDENT ORIENTATION

Every year during student orientation, security sits on a panel to answer questions people may have about the university and safety measures in place.

RAPE AGGRESSION DEFENSE (RAD)

The UNHPD hosts two RAD classes per year, one each semester on the UNH Durham campus. The Rape Aggression Defense basic personal defense system is a national program of realistic self-defense tactics and techniques taught for women only. All classes are taught by nationally certified R.A.D. instructors. To learn more or sign up for a class contact the UNHPD at 603-862-1427.

ADDITIONAL CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Upon request, personnel from UNHPD are available to present to academic classes, departments, student organization, campus offices and residence halls regarding campus safety issues around crime prevention and security awareness. Presentations highlight steps to enhance personal safety as well as community responsibility for creating a safer campus. These programs encourage students and employees to be responsible for their own security and the security of others. UNHPD conducts many security awareness and crime prevention programs each year. Also see the chapter of this document entitled “Sexual Assault, Domestic Violence, Dating Violence and Stalking,” for more crime prevention and security awareness programs.

Sexual Assault, Domestic Violence, Dating Violence & Stalking

UNH prohibits sexual assault, domestic violence, dating violence, and stalking as they are defined for the purposes of the Clery Act and NH State Law. These crimes will not be tolerated on campus and are a violation of New Hampshire law as well as student and employee conduct policies. UNH pro-actively addresses sexual assault, domestic violence, dating violence, and stalking.

For the legal definitions of sexual assault, domestic violence, dating violence, stalking and consent in UNH’s jurisdiction, the State of New Hampshire please see the chapter in this document entitled, “State of New Hampshire Crime Statutes and Definitions.”

For the purpose of the Clery Act, sexual assault, domestic violence, dating violence and stalking are defined as the following:

Sexual Assault

- Sex offense: any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- 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. This offense includes both males and females.
- 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.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; 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 occurred. To categorize an incident as domestic violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship. (U.S. Department of Education, Office of Postsecondary Education, The Handbook for Campus Safety and Security Reporting, 2016 Edition, Washington D.C, 2016 pg.3-38.)

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. 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. Dating violence includes, but is not limited to, sexual or physical abuse or threats of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. 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. Reasonable person means a reasonable person under similar circumstances and with similar identifies to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Procedures UNH will follow when Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation, and working situations, if reasonable available. The University will make such supportive measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Deputy Title IX Coordinator, UNH Manchester Campus Security, or local law enforcement. The Deputy Title IX Coordinator will reach out to the CREO Director & Title IX Coordinator Laura Buchs. They may also notify the UNH Police at 603-862-1427 if they are seeking assistance with support measures. If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the following procedures will be used by the university:

INCIDENTS/PROCEDURES FOR SEXUAL ASSAULT, DOMESTIC AND DATING VIOLENCE AND STALKING:

1. UNH will assess immediate safety needs of complainant.
2. UNH will provide the complainant information about obtaining medical care, including a free forensic exam from a Forensic Nurse Examiner.
3. UNH will provide written information to complainant on how to preserve evidence.
4. UNH will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for the local police department.
5. UNH will provide complainant with referrals to on and off campus mental health providers.
6. UNH will assess need to implement interim or long-term protective measures, if appropriate.
7. UNH will provide the complainant with a written explanation of the complainant's rights and options.

8. UNH will provide a “no trespass”, “Campus ban”, or no contact order if deemed appropriate.
9. UNH will provide written instructions on how to apply for a protective order.
10. UNH will provide instructions on how to submit a formal Title IX complaint to initiate a University response and investigation.
11. UNH will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant and accused regarding timeframes for inquiry, investigation and resolution.
12. UNH will inform the complainant and accused of the outcome of the investigation and whether or not the accused will be administratively charged under the Student Code of Conduct.
13. The complainant and the accused will have the right to participate in University disciplinary proceedings and be accompanied to any related meeting or proceeding by an advisor of their choice.
14. Both parties shall be informed simultaneously and in writing of the outcome of any disciplinary proceeding that arises from an allegation of sexual assault, domestic violence, dating violence or stalking, and the procedures for appealing the outcome.
15. UNH will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or harassment or for assisting in the investigation or disciplinary process

UNH CAMPUS COMMITTEES

UNH has two campus departments charged with addressing gender based violence through multidisciplinary lenses, the Title IX Advisory Committee and Sexual Harassment and Rape Prevention Program (SHARPP).

TITLE IX ADVISORY COMMITTEE

The Title IX advisory committee on Sexual assault and misconduct meets monthly to discuss and provide leadership on campus efforts to prevent and respond to sexual assault and sexual misconduct (including but not limited to: sexual harassment, intimate partner violence, and stalking). The group reports to the senior campus leaders and ensures the coordination of campus prevention, response and accountability measures.

Specific responsibilities of the advisory group include the following:

- Facilitate the development of a comprehensive strategic plan that addresses the important health, academic, social and safety issues related to sexual assault and misconduct.
- Oversee evaluating campus programs and services.

- Support the implementation of evidence-based policies, prevention and intervention programs, services and accountability procedures.
- Charge and support other campus committees of students, faculty, and staff to address Sexual assault and sexual misconduct issues on campus.

SEXUAL HARRASSMENT AND RAPE PREVENTION PROGRAM (SHARPP)

The mission of Sexual Harassment and Rape Prevention Program is to eliminate sexual and intimate partner violence. SHARPP’s mission is accomplished in two parts: by providing free and confidential advocacy and direct services to all survivors and their allies; and by offering culturally competent awareness and prevention programs to the University of New Hampshire Community.

PREVENTION, AWARENESS & BYSTANDER INTERVENTION

PRIMARY PREVENTION AND ONGOING AWARENESS PROGRAMS

UNH is dedicated to prevention education. Primary programs are informed by research and assessed for value, effectiveness, and outcomes. SHARPP’s prevention education trainings are informed by research & evidence –based best practices as well as the CDC’s recommendations on sexual violence prevention. The goals of such programs is to stop sexual assault, domestic violence, dating violence, and stalking before they occur. SHARPP’s goals for their prevention education programs are to build skills, increase knowledge, and change attitudes and beliefs that contribute to violence. Primary prevention programs promote behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change social norms in healthy and safe directions. Primary prevention and ongoing educational/awareness efforts at UNH contain information about options available to victims, procedures for institutional disciplinary action, risk reduction, and bystander intervention. SHARPP strives to target individual, interpersonal, organizational, institutional, and systemic strategies for change also known as the socio-ecological perspective.

In the fall of 2022, all new, incoming students and employees will receive training and be informed about primary prevention and awareness programs and learn that UNH prohibits domestic violence, dating violence, sexual assault and stalking or any other form of sexual violence. All freshmen and transfer students will complete the training “Sexual & Interpersonal Violence Prevention and Response Course (SPARC)” which addresses harassment and Title IX issues. This course was developed by The State University of New York (SUNY). This training will also be delivered to new students and transfer students in January 2023. The definitions of these violations are covered earlier in this chapter. The Civil Rights & Equity Office provided

SUNY SPARC Sexual & Interpersonal Violence Prevention and Response training to students. They had contact with over 4613 people.

In 2021 SHARPP provided 227 prevention programs to students, faculty and staff including bystander intervention, healthy relationships, street harassment, and Wildcats get consent among many others. They had contact with over 7,098 people.

The table below is a non-exhaustive list of some of the prevention education programs and courses offered by various departments at UNH.

Program or Course Title	Facilitated By	Topic	Audience Examples
You Can Help	SHARPP	Bystander Intervention	Residence halls, academic classes, student athletes, Fraternity & Sorority Life, student staff
Healthy Relationships; None of Your Business	SHARPP	Healthy & unhealthy relationships; relationship abuse	Residence halls, academic classes, student athletes, Fraternity & Sorority Life
Living in a Rape Culture	SHARPP	Rape culture	Residence halls, academic classes, student athletes, Fraternity & Sorority Life, student staff
Sexual Harassment: What Crosses the Line?	SHARPP	Sexual harassment	Residence halls, academic classes, student athletes, Fraternity & Sorority Life
Preventing Harm in Your Role	SHARPP	Harm reduction, social norms, bystander intervention	Student staff, Fraternity & Sorority Life chapters, student org leaders
SPARC; Title IX Harassment Training	CREO	Interpersonal violence prevention, substance use, sexual harassment, reporting options	Students, faculty, and staff
RAD – Rape Aggression Defense	UNH Police	Women’s self defense	Female students & employees

UNDERGRADUATE ORIENTATION

At orientation, known as My First Year, both new and undergraduate students and parents are provided with information about diversity, campus safety, sexual assault, healthy relations, and wellness. They also receive information on finances, finding work, and student activities. Parents and guests of new students are provided with a half-hour presentation about student health and wellness led by the Health and Wellness department.

RESOURCE FAIR

During orientation new students and employees are given the opportunity to go to the resource fair where representatives from Health and Wellness, Police, Psychological and Counseling Services, SHARPP, Housing, Dining and many other departments are there available to answer any questions or concerns regarding attending UNH.

HEALTHY RELATIONSHIPS

A look at what constitutes healthy and unhealthy relationships. *Duration 60-90 minutes. Can be offered virtually via zoom.*

This interactive program includes small & large group discussion around the characteristics of healthy relationships, the cultural messages we receive about what relationships are supposed to look like, and the signs of unhealthy relationship dynamics. This workshop utilizes discussion, lecture, and multimedia elements to highlight key information and skills related to cultivating healthy relationships.

YOU CAN HELP!

Being an active bystander. *Duration 60-90 minutes. Can be offered virtually via zoom.*

This program asks the question: when something potentially harmful or violent is happening, how come some people choose to act and others choose not to? We present compelling research about the power bystanders hold to interrupt and prevent interpersonal violence, and we cover concrete skills that all active bystanders need in their toolbox. YOU CAN HELP™ empowers students to apply their new knowledge in order to make UNH a safer community for all.

SEXUAL HARASSMENT

What crosses the line? *Duration 60-90 minutes. Can be offered virtually via Zoom*

This program clarifies the concept of sexual harassment as a type of behavior and a legal standard. Utilizing discussion, lecture, and multimedia elements, we explore relevant power

dynamics, flirting vs. hurting, and varying types of harassment. Participants also discuss appropriate professional, educational, and social boundaries.

STRANGER DANGER

The realities of stalking. *Duration 60-90 minutes. Can be offered virtually via zoom.*

Stalking is one of the most misunderstood forms of interpersonal violence. Misinformation and myths about stalking enable abuse, keep survivors from coming forward and hamper our ability to recognize, intervene in, and prevent stalking behaviors. This program separates fact from fiction, highlighting the realities of stalking and situating this form of violence within the higher education/collegiate context. Participants will learn to identify stalking red flags & behaviors, examine the importance of context in understanding the dangers of stalking, and reflect on how stalking minimized, normalized, and mythologized in U.S. culture is.

For more information on these programs visit: <https://www.unh.edu/sharpp/prevention/request-program>.

INCOMING GRADUATE AND UNDERGRADUATE STUDENTS

All incoming and returning graduate and undergraduate students receive a link twice a year, once in January and again in August for an online training called “Sexual & Interpersonal Violence Prevention and Response Course (SPARC)”.

IMCOMING RETURNING STUDENTS

All incoming and returning grad and undergrad students receive a link twice a year, once in January and again in August for an online training called “Sexual & Interpersonal Violence Prevention and Response Course (SPARC)”.

EMPLOYEES

There are currently three courses available to employees regarding preventing unlawful harassment. Preventing unlawful harassment is an online course assigned to all new employees as part of their new employee onboarding process. Employees will receive this training every three years. For more information visit: <https://www.unh.edu/hr/prevent-harassment-training-resources>.

The other two programs offered are Conflict of Interest and Creating a Respectful Workplace and both of these courses are voluntary. Contact Human Resources for more information. At faculty orientation the CREO Director & Title IX Coordinator talks to all faculty about sexual harassment and preventing violence in the workplace.

GENERAL TRAINING SERVICES

The Sexual Harassment and Rape Prevention Program (SHARPP) conducts a variety of programs addressing sexual violence, dating violence, domestic violence, and stalking. SHARPP's prevention and education efforts follow a public health approach under the Center of Disease Control. SHARPP delivers hundreds of educational programs each year that reach thousands of UNH community members, from undergraduate and graduate students to faculty and staff. Faculty, students and staff who wish to learn more about sexual assault, dating violence, domestic violence and/or stalking can get more information or request classes through SHARPP at: <https://www.unh.edu/sharpp/prevention/request-program>.

The CREO Director/Title IX Coordinator can provide training upon request about institutional reporting requirements and resources/rights for victims of sexual assault, dating violence, domestic violence, stalking, and/or sexual harassment. Additionally, the CREO Director & Title IX Coordinator will provide focused trainings in areas where patterns or systematic problems arise. For more information contact the CREO Director & Title IX coordinator at: laura.buchs@unh.edu.

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

BYSTANDER INTERVENTION PROGRAMS AND RISK REDUCTION

YOU CAN HELP: Wildcats are Active Bystanders

<http://www.unh.edu/sharpp/prevention/bystander-intervention>.

You can help being an active bystander.

This is a voluntary /opt-in prevention program available for our community and is not mandatory.

BYSTANDER INTERVENTION TIPS

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Many people assume that sexual assault, domestic violence, dating violence, and stalking only affect the crime victim, when in fact entire families, friend groups and communities are hurt. If you see something, say something:

The 5 D's of Bystander Intervention

Direct- Approach the person causing harm, name the inappropriate behavior

Distract – Create a diversion to interrupt harm and/or give the target an opportunity to remove themselves.

Delegate- Ask someone else for help, such as a supervisor, bouncer, RA, friend, etc.

Document – Create a record of the incident or situation

Delay- Circle back later if you didn't intervene in the moment.

Protective Behaviors and Risk Reduction: What everyone can do!

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. It is possible to follow all of these tips and still be the target of someone else's harmful behavior. No matter what choices you make, you deserve to be safe and respected, and experiencing violence is never your fault.

- Have a plan
- Go out together
- Watch out for others
- Diffuse situations
- Check-in
- Lead by example
- Know your resources

REPORTING AND RESOURCES

Students and employees who experience sexual assault, domestic violence, dating violence, and/or stalking have many options and services available to them on and off campus, including

mental health counseling, victim advocacy, off-campus legal assistance, employee assistance and access to the criminal and campus disciplinary systems. Many services are available to victims regardless of their choice to report the incident to law enforcement, and several are available at no charge.

The campus and community have a wide range of services available to help victims. When a student or employee reports to UNH that they have been a victim of sexual assault, domestic violence, dating violence and/or stalking, whether the offense occurred on or off campus, UNH will provide the student or employee with written notification of the student or employee's rights and options. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred.
- Information about how the institution will protect the confidentiality of victims and other necessary parties.
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and supportive measures; and
- An explanation of the procedures for institutional disciplinary action.



PROCEDURES FOR REPORTING

UNH-M encourages victims of sexual assault, domestic violence, dating violence, and/or stalking to report the incident immediately to Manchester Police at (603) 668-8711 or by calling 911, to UNH-M Security Services at (603) 641-4124, or to UNHPD at 603-862-1212. In addition to reporting to law enforcement, individuals may also report sexual assault, domestic violence, dating violence and stalking to UNH through the Dean of Students, Human Resources, and UNH's Civil Rights & Equity Office. Following a report of sexual assault, domestic violence, dating violence and/or stalking to UNH, whether the offense occurred on or off campus, UNH will provide the student or employee a written explanation of the student's or employee's rights and options. All victims have the right to be accompanied by a person of their choosing, including a victim advocate, when they file a report and to any meetings related to institutional disciplinary proceedings.

TO REPORT TO LAW ENFORCEMENT

Sexual assault, sexual harassment, domestic violence
Dating violence, and/or stalking can be reported
To local law enforcement, including UNHPD:

UNH-M Security Services

88 Commercial Street, Manchester, NH 03101
(603) 641-4124

UNH Police Department

18 Waterworks Rd. Durham, NH 03824
603-862-1212 or 911 (on campus)

Manchester Police Department

86 Dover Rd. Manchester, NH 03104
603-668-8711 or 911 (off/on campus)

TO REPORT TO UNH

For institutional response including investigation of sexual assault, sexual harassment, domestic violence, dating Violence and/or stalking, and for accommodations and resources for victims, incidents can be reported at the following

For Students:

Dean of Students Office
Room 465 D, Pandora Building
88 Commercial St. Manchester, NH 03104
603-641-4107

For Employees:

Office of Human Resources
Nesmith Hall
131 Main St. Durham NH 03824
603-862-0501

For everyone:

Civil Rights & Equity Office
Title IX Coordinator

Laura Buchs

Thompson Hall Rm 305
105 Main St. Durham, NH 03824
603-862-2930

<http://reportit.unh.edu/>.

A victim has the right and is encouraged to notify proper law enforcement authorities, including UNHPD and Manchester Police, to report sexual assault, domestic violence, dating violence and/or stalking. Victims have the right to be assisted by campus authorities in notifying law enforcement if the victim chooses. UNH will comply with a request for assistance in notifying law enforcement. Victims also have the right to decline to notify law enforcement. If the crime occurred on UNH property, UNHPD has jurisdiction. If the crime occurred off campus, the victim can notify the appropriate local law enforcement agency with jurisdiction at the location of the crime. UNHPD will assist the victim in identifying the correct law enforcement agency and will assist the victim in reporting it to that agency. Victims have the right to NOT notify law enforcement or report the crime if they so choose.

If a victim chooses to report to UNHPD, the Dean of Students Office, Human Resources or the Civil Rights & Equity Office, UNH will investigate for a hostile environment and, where applicable, pursue disciplinary action against the person alleged to have committed the offense. The Dean of Students, Human Resources, and the Director & Title IX Coordinator are required to respond appropriately to all reports of sexual violence, and will do so when they receive notice of a possible hostile environment.

UNH provides training and information to many staff members to respond to and support victims, however, many victims do not feel comfortable talking to law enforcement, campus administrators, professors or advisors. Healing can look different for everyone. Additional services available to victims of crime occurring both on and off campus are listed in this chapter, including confidential options that will not result in criminal or university investigation.

When reporting sexual assault, domestic violence, dating violence and/or stalking, please note the following:

- The preservation of evidence may strengthen investigation, which may result in a better chance of holding the accused responsible or obtaining a restraining order. (Evidence may include the clothing worn at the time, a record of threatening text messages and e-mails, and bodily fluids). The local hospitals (Elliot Hospital and Catholic Medical Center) have SANE nurse examiners on staff that can provide no-cost forensic medical exams, even if a victim chooses not to report to law enforcement.
- Although it is best not to shower, even if a victim has showered and changed clothes, a police report can be filed and/or medical exam can be obtained.
- Campus officials are required to provide information about options and assist in making contact with law enforcement personnel if requested.

- Filing a report will generally involve an interview with law enforcement officer or an investigating officer from the CREO Office (or both, if you choose to report to both agencies).
- A student disclosing sexual assault, dating violence, domestic violence, and/or stalking victimization to a UNH-M staff member with confidential status will be provided with appropriate support resources and referrals, including but not limited to: information about counseling, medical care, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community; information about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. They are given an explanation of the student or employee's rights and options for reporting. Privileged and confidential staff members will explain their confidential role and that the disclosure has not triggered reporting except for statistical purposes.

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint a student or employee who reports to UNH-M that s/he has been a victim of domestic violence, dating violence, sexual assault, stalking or any form of sexual violence whether the offense occurred on or off campus, the institution will provide the student or employee's with a written explanation of the student's or employee's rights and options, outlined in this publication. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.

In addition, the UNH CREO Director & Title IX Coordinator will be informed of all reports and will coordinate, as appropriate, with the police, Community Standards office and other campus staff only on a need-to-know basis.

SHARPP, Mental Health Center of Greater Manchester employees, Health & Medical staff and ordained pastoral counselors operate under policies and procedures that comply with Federal and

New Hampshire state laws regarding confidentiality. Please check with each of these offices to learn more about limits on confidentiality. In addition, victims are encouraged to speak with the CREO Director & Title IX Coordinator, UNH Police Chief and Director or Community Standards to discuss their guidelines on confidentiality.

Prevention of retaliation: No officer, employee or agency of UNH shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Campus SaVE Act. Title IX already prohibits such retaliation.



RESTRAINING ORDERS AND NO CONTACT DIRECTIVES

The University of New Hampshire complies with NH law in recognizing domestic violence temporary orders of protection, domestic violence final order of protection, or stalking temporary

and final orders or protection and restraining orders. Any person who obtains a domestic violence order of protection, restraining order, or stalking order from NH or any state in the US (including Puerto Rico) should provide a copy to the UNH Security Services and Civil Rights & Equity Office. A complainant may then meet with Manchester Police or Security Services to develop a safety action plan, which is a plan for UNH Security Services, Manchester Police, and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include but is not limited to: escorts, special parking arrangements, changing classroom location, issuing a ban order to the suspect or allowing a student to complete assignments from home, etc. UNH is unable to apply for a legal order of protection, no contact order, or restraining order of protection for the victim if they are at a location off campus. If living in Manchester, outside of campus, and seeking an order please contact the Manchester Police Department at 45 Valley Street, Manchester, NH 03103 or at 603-668-8711.

What is a restraining order?

A Restraining Order is a court order limiting defined potential conduct of someone who has abused or harassed you, ordering them not to abuse or contact you. If you need assistance with legal advice or help filing out an order you may notify the domestic violence crisis center in your area. For the nearest office call 1-866-644-3574 for domestic violence or stalking and 1-800-277-5570 for sexual assault.

For more information on Domestic Violence RSA click here:

<https://www.gencourt.state.nh.us/rsa/html/xii/173-b/173-b-mrg.htm>

1. Domestic Abuse Restraining Protection order: There is no filing fee for domestic abuse restraining orders. The petitioner must show the respondent engaged in physical abuse, sexual assault, impairment of physical condition, criminal damage to property, or threat to do one of these. It is against the law for your spouse, partner, family or household member to :
 - a. Assault or attempt to injure you or your children or your property.
 - b. Threaten you so that you fear for your physical safety or the safety of your children.
 - c. Force sexual contact or relations on you against your will.
 - d. Enter your residence or home against your will if you are living separately.
 - e. Kidnap or interfere with your freedom against your will.
 - f. Destroy or threaten to destroy your property, including pets.
 - g. Follow you around or act in a way that would make a reasonable person afraid.
 - h. Harm or threaten to harm an animal or household pet.

2. Stalking or Protective Orders – It is against the law for someone:

- a. To follow you around or show up at your home, work, school, or other place where you are, making you afraid for your own or your family's safety. (This has to happen more than once, unless a protective order or bail conditions are in place and the behavior would make a "reasonable person" afraid.)
- b. To follow you around even once, or show up at your home, work or other place described in any protective order or bail order you have against him/her.
- c. To threaten you or your family with death or bodily injury, or to injure y our family pet(s); or
- d. To damage your residence or property or your family's residence or property; or
- e. To place objects on your property or your family's property.

How to file a Restraining order:

To file for a restraining order you can go to a family court or district court if there is no family court in your county. You can file in a court where either you or your abuser lives. If you have questions about where to file for a protective order, contact your local police department.

Procedures to get an order:

1. Ask the court clerk for a domestic violence petition.
2. Write down clearly and in as much detail as possible what happened to you
3. What happened to you
4. The date, time and location where it happened
5. The important facts about the abuse
6. Additional facts of any other past or present abuse by this person.

Serving a Restraining Order

Once restraining order is granted, a copy of your temporary protective order will be sent to the Department of Safety by computer. The State Police must make the protective order available to your local police department and sheriff.

The local police must promptly serve your abuser with a copy of the temporary or emergency protective order. There is no charge for this service. These orders are in effect anywhere in NH and should be enforceable in other states too.

Injunction Hearing

A full, final hearing will be held on your domestic violence petition within 30 days of when you file it or within 10 days of the date the petition is served on your abuser, whichever is later. You will receive a hearing date with the paperwork included with your temporary order. However, the abuser may also ask for an earlier hearing within 3 to 5 business days of when he or she makes the request, which you must attend. The court will send you notice of the date, time and place of

the new hearing date. In any case, you must attend the final hearing in order to have the temporary protective orders made final.

You have the right to bring a lawyer to represent you at the hearing. It is a good idea to talk to a lawyer if you think custody or child support will be disputed, or if you have been severely injured or expect an injury you received, to last a long time.

At the final hearing, you will have to testify before the judge about what happened and why you want the final protective order. Tell the judge about what you wrote down in your petition, if you have a history of being abused by your attacker, or if he or she has abused any other member of your family.

Violation of Restraining Orders

Once a protective order is in effect against the abuser, it is a crime for the abuser to violate the order. If the abuser knowingly violates a protective order in any way, it is a class A-misdemeanor crime. You should report any violations to the police. The police will decide whether to arrest and prosecute him/her. Regardless of what the police do, if you feel there is a violation for the order, you can also take the abuser back to court by filing a motion for contempt of the order.

If your restraining order is being violated, regardless of whether or not you have informed UNH Police, please call 911 immediately.

NO CONTACT ORDERS

The Manchester Police Department or UNH Security Services will assist students who are being stalked by issuing a no contact order. The police department will investigate all complaints received about behaviors toward the victim. When this behavior could be interpreted as stalking – engaging in a pattern of behavior with the purpose of causing emotional distress to another, terrorizing, repeatedly following a person, or repeatedly appearing outside their home, place of work, or school, the police department will serve the suspect with a No Contact Order.

A no contact directive is a university-issued directive that prohibits the recipient from having contact with the individual or individuals' named in the directive. The no contact directive is different than a restraining order issued by a court of law and may be issued independent of campus investigatory/disciplinary processes.

PROTECTION ORDER CHART

Type of Order:	Who Can File For One:	Court:	Based On:
<p>Domestic Violence Civil /Criminal Protection Order – up to 5 years, can be renewed**</p>	<p>Family or household members including :</p> <ul style="list-style-type: none"> • Spouses, former spouses • Parent, child, foster parent • People who have kids together • Intimate partners who lived together in the last 5 years • Same sex couples are eligible 	<p>Local District, Superior or Family Court</p> <p>– where victim lives, where abuser lives or has a business, or where incident(s) occurred</p>	<p>Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)</p>
<p>Stalking Protection Order - up to 5 years, can be renewed**</p>	<p>Any person who is a victim of stalking. No relationship with stalker is required.</p>	<p>Local District, or Superior Court</p> <p>where victim lives (if family or household member, can be filed as DV Protection Order, see above)</p>	<p>Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm</p>
<p>Juvenile Protection Order – until abuser reaches age 19</p>	<p>Victim of abuse by a person who is under age 18, or the victim’s parent or other household member, or other parties the Court approves.</p>	<p>Juvenile Court – where victim lives</p>	<p>Assault, stalking, sexual offenses, threats of harm or aggravated trespass</p>

NOTICE OF SUPPORTIVE MEASURES AND CONFIDENTIAL RESOURCES

Students and employees who report sexual assault, domestic violence, dating violence and/or stalking to UNH will receive written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. This information is also provided to all students and employees in this AFSR.

UNH will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or supportive measures. This will be provided whether the offense occurred on or off campus. UNH will provide such supportive measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police, local law enforcement, or make a formal complaint to the CREO Director & Title IX Coordinator. This information is also provided to all students and employees in this AFSR.

UNH will maintain as confidential any supportive measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of UNH to provide accommodations or supportive measures.

When determining what measure to grant, factors considered might include, but are not limited to: the specific need requested by the complainant, the age of the people involved, the severity or pervasiveness of the allegations, any continuing effects on the complainant, whether the complainant and alleged perpetrator share the same residence hall, dining hall, job location, classes, extra-curricular activities, or whether judicial measures have already been taken to protect the complainant.

The following offices can provide information and assistance to those seeking and changes to academic, living, transportation, working situations and other supportive measures.

Dean's Office Pandora Bldg., Room 465D 88 Commercial Street Manchester, NH 03101 603-668-8711	UNH Police Department 18 Waterworks Rd Durham, NH 03824 603-862-1427	Civil Rights & Equity Thompson Hall Rm 305 105 Main St, Durham, NH 03824 603-862-2930
SHARPP Office Wolff House 2 Pettee Brook Lane Durham, NH 03824 603-862-3494	Manchester Police Dept. 45 Valley Street Manchester, NH 03103 603-668-8711	Human Resources Dept. Nesmith Hall 131 Main St. Durham, NH 03824 603-862-0501

CONFIDENTIAL RESOURCES

For victims who choose to not report to law enforcement and/or to campus office, there are several options available. These options allow a victim who is 18 or older to get help without having their name or information shared with campus officials, third parties or law enforcement to the extent permissible by law. Please be aware that exceptions to confidentiality include reports of child abuse (victims 17 or younger), elder abuse, and threats of imminent harm to self or others.

On-Campus Confidential Resources

SHARPP- provides on-going support and assistance, including accompanying you to hospital, police department, CREO office, student conduct office, court and other systems. SHARPP provides on-going support and assistance, including academic interventions, referrals, and support options for short term and long term care.

Available 24/7 603-862-7233 (SAFE)

<https://www.unh.edu/sharpp/>

Psychological & Counseling Services (PACS) provides mental health counseling services including individual, group, and psychiatric services

For Appointments call 603-862-2090

<https://www.unh.edu/pacs/>

Health and Wellness: provides medical treatment and testing to individuals.

For Appointments call 603-862-9355 (WELL)

<https://www.unh.edu/health/>

UNH Chaplains Association- provides confidential counseling

<http://www.unh.edu/vpsas/unh-chaplains-association>

FOR EMPLOYEES

Employee Assistance Program (EAP) confidential resource, available for all UNH Faculty & Staff.

1-800-424-1749 available 24/7

Off-Campus Confidential Resources

Elliot Hospital - Sane Nurse- Forensic Nurse examiner provides emotional support, physical examination, and wellness checks, collection of medical-forensic evidence, assistance with reporting to police when requested (mandatory reporting for children), assistance with concerns about sexually transmitted infection and pregnancy, assistance with safety planning and development of a medical follow-up plan.

**1 Elliot Way, Manchester, NH 03101
603-668-3545**

Catholic Medical Center – Sane Nurse- Forensic Nurse examiner provides emotional support, physical examination, and wellness checks, collection of medical-forensic evidence, assistance with reporting to police when requested (mandatory reporting for children), assistance with concerns about sexually transmitted infection and pregnancy, assistance with safety planning and development of a medical follow-up plan.

**100 McGregor Street, Manchester, NH 03101
603-669-5300**

Haven: supports southeastern New Hampshire through violence prevention education, support services, and confidential crisis support line staffed by trained advocates. They also will accompany people to hospital emergency rooms, police stations, courts etc.

**20 International Drive, Suite 300 Portsmouth, NH 03801
603-436-4107**



UNH and Protecting Victim Confidentiality

When a student or employee victim reports to a university office or official who is not explicitly designates as confidential, UNH will take every precaution to protect the victim's privacy and confidentiality by sharing information only with university officials who have a legitimate educational interest and/or those who need to know for the purposes of providing an institutional response.

In an effort to protect victim safety and privacy, UNH maintains information about sexual violence in a secure manner. If the University has notice of an incident, UNH will keep the victim's identifying information confidential to the extent possible by law.

However, once a report is made to the University, or the University has notice of an incident of sexual assault, sexual harassment, domestic violence, dating violence or stalking, confidentiality cannot be guaranteed unless that information is reported directly to one of the confidential resources listed. UNH will strive to maintain as confidential any supportive measures provided to the victims but keeping victim information confidential may limit UNH's ability to provide accommodations or supportive measures.

For victims aged 18 and older who report to non-confidential sources, reports of sexual assault, domestic violence, dating violence and/or stalking are directed to the CREO Director & Title IX Coordinator, who will share relevant information only with those who need to know, such as complaint investigators, and other individuals who are responsible for handling the school's response to incidents, or as necessary to comply with the New Hampshire's 91-A Right to know law, a lawful discovery request or a governmental inquiry or investigation. UNH follows applicable Title IX guidance and the requirements of the federal Family Educational Rights and Privacy Act, 20 U.S.C.s. 1232g, when evaluating whether to disclose student information. In the case of minors, UNH employees must report child abuse to Child Protective Services (DCYF) or local law enforcement.

For Clery Act reporting and disclosures, a victim's name or identifying information will never appear in a Crime Warning, on the Daily Crime log or in the AFSR. UNH will redact a victim's identifying information when responding to requests for information pursuant to New Hampshire's 91-A Right to Know Law.

There are confidential resources available such as UNH SHARPP, Psychological and Counseling Services (PACS), and the Employee Assistance Program located on campus. Other licensed healthcare providers, counselors, and social workers employed by the university follow the confidentiality requirements of their profession when they are providing care to a patient or client.

ON-CAMPUS AND OFF-CAMPUS RESOURCES

Commonly Asked Questions

This section discusses commonly asked questions regarding on and off campus resources in regards to domestic violence, dating violence, sexual assault, and stalking. It also includes various supportive measures UNH may take to assist individuals who report domestic violence, dating violence, sexual assault and stalking, such as providing changes to academic, working and living situations.

What happens if I decide to report sexual assault, domestic violence, dating violence, and/or stalking at UNH Manchester?

You always have the option to report to law enforcement and UNH encourages you to report sexual assault, domestic violence, dating violence, and/or stalking to the Deputy Title IX Coordinator or UNH-M Campus Security. You can call **911** from on campus, call UNH-M Security Services direct line at (603)641-2147, or report in person to the Manchester PD at 45 Valley Street, Manchester NH or you can request to have an officer come to you. An officer from Manchester PD can meet you in your residence hall, apartment, or anywhere else you feel safe. In all cases, the first things a responding officer will do will be to establish your safety. Officers will then evaluate your need for medical attention, and discuss the option of going to the hospital. If you decide to go to the hospital EMS will transport you. You are also welcome to bring a friend for support, or contact SHARPP for an advocate to be with you through the process.

In the event of a sexual assault, you will be asked if you would like to have an advocate from SHARPP called to support you. The responding officer will conduct a basic interview about what happened, and a detective may be assigned to your case. Manchester PD has detectives, who are specially trained to investigate sexual assault, domestic violence, dating violence and/or stalking.

Manchester PD will not pressure you to engage in a lengthy discussion about the incident. The main goals are to establish your safety, assist you with obtaining medical attention, preserve evidence, and create a safety plan. Manchester PD detectives will contact you at a later date to set up a forensic interview conducted by highly trained personnel at the Hillsborough County Attorney's Office. The interviewer has extensive training in trauma, and knows that it is best to conduct a more extensive interview after at least 24 hours. At your initial meeting the detective will set up a different time to conduct this interview based on your availability. It is up to you whether you participate in a forensic interview.

After meeting with the Country Attorney's forensic interviewer, detectives will begin an investigation- keep in mind there is no pressure to proceed with any charges. Manchester PD will conduct a thorough investigation, and at the conclusions, will discuss your options. The

detective will create a safety plan with you and will explain how the investigation, judicial process and, if the offender is a student, how the student disciplinary processes work. At the conclusion of the investigation, if you decide to request Manchester PD to proceed with the charges it will be submitted to the Hillsborough County Attorney's Office for prosecution.

In regards to a stalking or domestic violence case, your safety and security is key. Manchester PD will help you obtain a restraining order, if warranted, or a ban letter (no contact order). Manchester PD will assist you in accessing local resources, including advocacy.

Will Manchester PD be able to keep my personal information private?

Although police reports are subject to 91-A Right to Know, redactions may be made prior to release. Personal information such as street address, phone number and social security number are usually removed from most responses to right to know requests. Additional information may be redacted, if the person is a juvenile, or the name may be changed to initials.

If you request that Manchester PD proceed with charges, Manchester PD will typically forward an un-redacted police report and other investigation information to the Hillsborough County Attorney's Office for review by the prosecutor. Note that an accused person's Attorney's Office may request a report, and Hillsborough County Attorney's office will handle any redactions on this report.

I want to formally report sexual assault, domestic violence, dating violence or stalking to UNH. Where do I go?

Aside from reporting to Manchester Police Department, you can also report to

Civil Rights & Equity Office

Laura Buchs

105 Main Street

Thompson Hall Room 305

603-862-2930

<https://www.unh.edu/ocs/complaint>.

What if I just want to talk to someone confidentially to get more information or emotional support?

There are many offices, both on and off campus that can maintain as confidential any information you share with them about your experience. To the extent permissible by law, these offices do not share information provided by adult clients with campus security authorities or law enforcement. Some of these offices include SHARPP, UNH Chaplain's Association and UNH Employee Assistance Program. Off campus one can reach out to YWCA Crisis Center, the New Hampshire Coalition against Domestic and Sexual Violence, or Safe Haven.

Where can I go for a physical exam, sexually transmitted infection (STI) testing, pregnancy, testing, or a follow-up exam?

Health and Wellness: the medical staff consists of physicians, nurse practitioners, nurses, and medical assistants. They provide care in sexually transmitted infections (testing and treatment), they can provide pregnancy testing, and options about emergency contraception. They also provide routine physical exams

Health and Wellness
4 Pettee Brook Lane, Durham, NH 03824
603-862-9355 (well)

Elliot Hospital: Is a hospital that can provide a wide range of medical care services for UNH students, including Forensic Nurse Examiner follow-up exams, pregnancy testing, emergency contraception, sexually transmitted infection (STI) testing, and STI treatment.

Elliot Hospital
1 Elliot Way, Manchester NH,
603-669-5300

What if I'm struggling with my classes because of the stress of sexual assault, domestic violence, dating violence, or stalking, or because the perpetrator is in one of my classes?

Victims of sexual assault, domestic violence, dating violence, and/or stalking can request supportive from the university, such as a request for an academic situation change following if it is reasonably available, regardless of whether a victim chooses to report the crime to campus law enforcement or local law enforcement. Students should know that requesting academic support, such as asking for a deadline extension or to be moved out of a class, may obligate UNH to investigate as mandated by Title IX, but students are not required to disclose details of the incident in order to receive support. Students may reach out directly to the Title IX Coordinator for support, with or without filing a formal complaint. There are also offices on campus who can help students with a request.

SHARPP – provides confidential information to students about their rights to request support and assists students with those requests, such as switching classes, extensions on work, changes in living situations.

SHARPP (Sexual Harassment and Rape Prevention Program)
2 Pettee Brook Lane Durham, NH 03824
603-862-7223

Civil Rights & Equity Office (CREO): Title IX staff are here to assist you in reporting discrimination, harassment, sexual harassment or sexual violence and bias concerning all protected categories. This office is able to assist with support such as safety planning, academic changes, living arrangements and other needed accommodations to feel safe on campus.

Civil Rights & Equity Office

CREO Director & Title IX Coordinator- Laura Buchs
Thompson Hall Room 305
105 Main Street, Durham, NH 03824
603-862-2936

What can the campus disciplinary processes do? How can I get more information?

You have the right to ask questions about and learn about the campus disciplinary procedures before engaging the reporting process. Victims are entitled to certain rights under stated and federal law.

Community Standards- Community Standards Office supports and enforces standards of behavior designed to foster an environment of civility and respect where both rights and responsibilities are deeply valued. The Resolution Process includes three separate levels. Level I sanctions include warning or limited reformatory sanctions. Level II sanctions include disciplinary probation, loss of privileges (banned from entry, prohibition against personal contact, fines, restitution, and reformatory sanctions). Level III sanctions are the most severe and can include eviction, from university, housing, expulsion, suspension, and dismissal. See the Campus Disciplinary Procedures section of this document for further information. For more information about the student disciplinary procedures: <https://www.unh.edu/ocs>

For information regarding campus disciplinary procedures for employees, please see the employee disciplinary procedures section of this document.

What if I need visa or immigration assistance?

Office of International Students and Scholars (OISS): provides immigration advising and support to international students. They offer a wide variety of services and programs to international students at UNH. The OISS staff provides information and programs to international students about the campus and community and provides support and assistance concerning visa and related immigration issues. OISS is not a confidential service and staff are required to report all disclosures of sexual assault, domestic violence, dating violence and/or stalking to the Director & Title IX Coordinator.

OISS Office of International Students and Scholars
 Conant Hall 10 Library Way, Durham NH
 603-862-1288
oiss@unh.edu

What if I need student financial aid assistance?

The Office of Student Financial Aid: This office can provide information regarding the availability of short-term emergency loans and general student financial aid. Staff in the Office of Financial Aid are required to report all disclosures of sexual assault, domestic violence, dating violence, and/or stalking to the Director & Title IX Coordinator for potential investigation.

88 Commercial St. Manchester, NH
603-641-4189

UNH Disciplinary Procedures for Sexual Assault, Domestic Violence, Dating Violence, and Stalking

UNH-M prohibits sexual assault, domestic violence, dating violence, and/or stalking. The University of New Hampshire has policies and procedures to respond to behavior of students and employees that interfere with the University's educational and work environment.

UNH-M determines the type of disciplinary proceedings to use based on the status of the accused. Complaints against students for disciplinary code violations should be reported to the CREO Director & Title IX Coordinator, UNH-M Security Services, or Community Standards. Where the accused person is a student, the student disciplinary process will be utilized.

Complaints can be submitted via the following form:

<https://www.unh.edu/affirmativeaction/incident-report-form-about>. You can also file a complaint in person with the CREO Director & Title IX Coordinator or at the Community Standards Office located at Hitchcock Hall on the Durham Campus or at the Dean's Office on the Manchester campus. Complaints against employees should be reported to the Human Resources Office or Civil Rights & Equity Office. Where the accused person is an employee, the appropriate employee disciplinary process will be used based on the employee's category.

Civil Rights & Equity Office

Laura Buchs
Thompson Hall Rm 305. 105 Main St. Durham, NH
603-862-2930

Human Resources Office

Nesmith Hall, 131 Main Street, Durham, NH
603-862-0501

Community Standards Office

Hitchcock Hall, 5 Quad Way, Durham, NH
603-862-3377

Community.standards@unh.edu

UNH-M works to ensure that disciplinary investigations and procedures are prompt, fair, and impartial. Student disciplinary process timeframes are listed in the Student Code of Conduct under Article IV Conduct Resolution Procedures and Article V: Special Provisions. UNH-M works to limit delays, circumstances that cause a delay may include, but are not limited to a parallel criminal investigation, school breaks, availability of witnesses, and reasonable requests

by either party for an extension, the complexity of the investigation, and the severity of the alleged conduct. Such delays will be evaluated by UNH on a case-by-case basis, and both parties will receive updates throughout the process.

Rights of Victims of Sexual Assault, Domestic Violence, Dating Violence and/or stalking in UNH Disciplinary Proceedings

Victims of sexual assault, domestic violence, dating violence and/or stalking are entitled to the following rights:

- a. A hearing under the circumstances described in this Code, if the Report of Violation is contested or is not resolved by the processes provided in the Code.
- b. At least three (3) calendar days' notice of the time and place of a formal hearing in order to prepare for that hearing.
- c. The advice of an advisor chosen from the pool of trained student advisors in preparing for a hearing when the complainant is a student.
- d. The opportunity to appeal under the circumstances described in this Code.
- e. Notice of results of formal hearings and reviews.
- f. Fair treatment: Complainants are members of the University community and have the right to be treated with courtesy and respect by responding students, responding organizations, members of Hearing Panels, Appellate Officers and members of Community Standards.

The standard of evidence used in the UNH conduct system is preponderance of the evidence.

Supportive Measures

There are a range of supportive measures UNH offers to impacted parties who report sexual assault, domestic violence, dating violence, and/or stalking. Supportive Measures may include changes to academic, working, transportation, and living situations if requested by the impacted parties and reasonable available. UNH may also issue a mutual no contact order, directing the alleged offender(s) and impacted party not have with each other. Supportive measures can be ongoing, are not necessarily tied to the outcome of a disciplinary action and will be developed on a case-by-case basis in response to the request and concerns of the impacted party. UNH can help impacted parties develop a safety plan, as well. For more information about institutional mutual no-contact orders and how to request accommodations, please see the "Reporting and Resources" section of this document.

CAMPUS STUDENT DISCIPLINARY PROCEDURES FOR MISCONDUCT INCLUDING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Title IX Procedures Procedures for investigating and adjudicating complaints of sexual harassment by any employee (faculty, staff, or administrator)

Title IX violation: The University will respond promptly under Title IX when it has actual knowledge of sexual harassment in its education programs or activities against a person in the United States.

Educational programs or activities under Title IX includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any buildings owned or controlled by a student organization that is officially recognized by a postsecondary institution.

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

- An employee or graduate student in an employment role conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual contact;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or
- "Sexual assault" as defined in the Clery Act, 20 U.S.C. 1092(f) (6) (A) (v), "dating violence" as defined in VAWA, 34 U.S.C. 12291 (a) (8), or "Stalking" as defined in VAWA, 34 U.S.C. 12291(a) (30).

UNH has implemented supplemental disciplinary procedures for investigations and hearings involving sexual harassment, sexual assault, domestic violence, dating violence and/or stalking. Sexual assault, domestic violence, dating violence and/or stalking cases receive a prompt, fair, and impartial investigation and resolution.

Employee Title IX Procedures

The Civil Rights and Equity Office, in collaboration with appropriate administrators, will apply the procedures in this Section 6 to address allegations that an employee of the university engaged in sexual harassment in violation of Title IX (34 C.F.R. 106), or that a graduate student engaged in such conduct in the course of performing an instructional role at UNH. Sexual harassment

claims that are outside of the jurisdiction of Title IX (including claims that may fall under Title VII (29 C.F.R. 1606) will be addressed using the protocols otherwise set forth in the policy.

6.1 Protocols: The Title IX Coordinator may establish public protocols to guide the Civil Rights & Equity Office as it implements these procedures. The protocols will include rules of decorum and rules of evidence for hearings. The Title IX Coordinator may assign a designee to perform any of the duties that are ascribed to the Coordinator by this policy.

6.2 University Response and Definitions:

The University will respond promptly under Title IX when it has actual knowledge of sexual harassment in its education programs or activities against a person in the United States.

Educational Programs or Activities under Title IX includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

(a) An employee or graduate student conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual conduct;

(b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or

(c) "Sexual assault" as defined in 20 U.S.C. 1092(f) (6) (A) (v), "dating violence" as defined in 34 U.S.C. 12291(a) (10), "domestic violence" as defined in 34 U.S.C. 12291(a) (8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

6.3 Report and Disclosure: Any member of the University community and any person may report or disclose incidents of sexual discrimination or sexual harassment at any time in person, by mail, by telephone, or by electronic mail. The report or disclosure may be made to the Title IX Coordinator. Mandatory Reporters are required to report to the Title IX Coordinator all disclosures made to them alleging sexual harassment. Individuals are encouraged to report sexual harassment as soon as possible after the incident occurs to maximize the University's ability to respond promptly and effectively. Prompt reporting allows the University to obtain the most reliable information, be able to contact relevant witnesses (if any), and provide reasonable assistance and supportive measures for affected parties. The University does not limit the time for reporting sexual harassment incidents or filing a report of violation, however, and in all cases,

a decision will be made on existing facts to determine if an investigation and hearings are necessary to comply with the law and to serve the University community.

6.4 Outreach, Supportive Services, and Intake: When the Title IX Coordinator receives a report of sexual harassment they will offer information to the impacted individual about the right to make a Title IX Formal Complaint for a violation of the policy, to receive supportive services and to participate in an intake. If the reporting person is not the impacted individual, only the impacted individual may make a Title IX Formal Complaint; provided that in limited circumstances the Title IX Coordinator can sign a Title IX Formal Complaint as well. The Title IX Coordinator will notify other administrators and UNH police as required and to the extent permitted by law.

6.5 Title IX Formal Complaint: The Title IX Formal Complaint is a document filed and signed by the complainant (physical or digital signature, or signed by Title IX Coordinator) alleging sexual harassment against a respondent and requesting that UNH investigate the allegations of sexual harassment.

6.5.1 The Title IX Coordinator will review the Title IX Formal Complaint to determine whether the conduct alleged would constitute sexual harassment as defined in 34 C.F.R. §106.30. If the alleged conduct meets those requirements, it shall be processed as provided in this Section 6. If the conduct does not constitute sexual harassment under Title IX but otherwise alleges misconduct that would violate the policy (including alleged sexual harassment under Title VII), the complaint will be processed as otherwise provided in the policy under the Informal Process detailed in Section 5.8 or the Formal Processes detailed in Section 5.9.

6.5.2 The Title IX Coordinator will notify the complainant and the respondent of the results of the review conducted under section 6.5.1. The complainant or respondent may appeal the finding that the conduct alleged does not meet the requirements of 34 C.F.R §106.

6.6 Notice of Allegations: The Title IX Coordinator will provide all parties who are known with a notice of allegations that will include a copy of the Title IX Formal Complaint. The notice will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process, and will include a summary of available resources, the contact information for the Title IX Coordinator, a link to this policy and a caution against retaliation or knowingly making false statements or submitting false information. The notice of allegations will provide the respondent with sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The notice of allegations will inform the parties that they may have an advisor of their choice (who may be, but is not required to be, an attorney), and that they will

be able to inspect and review evidence as provided in this Title IX process. The university will not limit the presence or choice of an advisor for either the complainant or respondent in any meeting or hearing, except: 1) only one advisor and one support person may accompany a party; and 2) the advisor and support person may not participate in any way except as specifically permitted in this policy or as required by law.

6.7 Investigation and Investigation Report: After completion of any appeal of the determination under section 6.5, the Title IX Coordinator will appoint an investigator, who shall work under the direction of the Title IX Coordinator to complete a thorough, prompt, and impartial investigation. The investigator will be trained in their responsibilities under Title IX and this policy, and be free from conflicts of interest or bias.

6.7.1 Draft Investigative Report: The investigator shall prepare a written report of the investigation that fairly summarizes relevant evidence. The investigator shall provide an initial draft of the report to the Title IX Coordinator, who shall review the report for thoroughness and fairness. This draft shall be treated as a confidential document, subject to the governmental decision maker and other available legal privileges.

6.7.2 Review of Evidence and Comment Draft: The Title IX Coordinator shall provide a comment draft of the report to both the complainant and the respondent, and at the same time provide both parties with access to (or copies of) any evidence obtained as part of the investigation that is directly related to the allegations raised in a Title IX Formal Complaint. The parties will be provided with ten days to submit a written response containing suggestions to make the report more accurate. The investigator shall consider the written response(s) but is not required to accept any proposed change from either party.

6.7.3 Final Report: The investigator shall prepare a final investigative report and submit it to the Title IX Coordinator.

6.8 Report of Policy Violation: The Title IX Coordinator shall prepare a report of violation to be used to guide the parties to prepare for the hearing and to assist the decision-maker to understand the evidence presented at the hearing. The report of violation shall provide fair notice of the alleged facts and shall specify the provisions of this policy or other UNH or USNH policy that are alleged to have been violated. The report of violation, together with a copy of the final investigative report, shall be conveyed to the parties at least 10 days before the hearing. The report of violation will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process.

6.9 Permissive Dismissal: UNH may dismiss the Title IX Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

6.9.1 A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the Title IX Formal Complaint or any allegations therein;

6.9.2 The respondent is no longer enrolled or employed by UNH; or

6.9.3 Specific circumstances prevent UNH from gathering evidence sufficient to reach a determination as to the Title IX Formal Complaint or allegations therein.

6.10 Hearing Procedures: UNH will provide for a live hearing with the decision-maker to adjudicate policy violation involving sexual harassment as provided by Title IX. The decision-maker will be free of conflicts of interest or bias. Such violations shall be decided as other offenses under this policy, subject to the following adjustments.

6.10.1 The Title IX Coordinator will assign an advisor, free of charge, to both parties, although either party may at their own cost select a different advisor of their choice. Each advisor shall be aligned with one party and responsible for advising that party on preparing for the hearing, reviewing evidence, and conducting cross examination. The complainant and the respondent have a right to choose to bring their own legal counsel as an advisor; advisors may be present at any meeting or hearing. Legal counsel shall provide the Title IX Coordinator with 24 hours' notice that counsel will be present at any hearing or meeting. University counsel may be present at any meeting or hearing as well. Advisors shall abide by the rules of decorum at every meeting or hearing and shall not disrupt any meeting or hearing.

6.10.2 The decision-maker will have been trained in their responsibilities under Title IX and this policy. The decision-maker will not be the same person as the Title IX Coordinator or the investigator.

6.10.3 The decision-maker will have an advisor to assist them to rule on the admissibility of evidence.

6.10.4 The complainant and the respondent have a right to have an advisor present at any meeting or hearing and to have access to appropriate advice about the hearing process. The parties must speak on their own behalf at hearings, except that only advisors (and not the parties themselves) may conduct cross examination of witnesses and the other party.

6.10.5 The Title IX Coordinator and the decision-maker shall assure that the complainant and respondent have the opportunity to present witnesses and argument, either in writing or in person as required, to reach a fair and accurate determination of the matter.

6.10.6 The Title IX Coordinator may conduct preliminary meetings separately with the complainant and respondent. The Title IX Coordinator may permit or require the parties to be in separate rooms or behind a screen during the hearing itself, and hearings may be held virtually,

provided, however, that the respondent's right of confrontation shall be given appropriate weight and protection in fashioning protections for the complainant.

6.10.7 The decision-maker will issue a written determination regarding responsibility. The Title IX Coordinator will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that UNH provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

6.11 Appeal

6.11.1 Either party may appeal 1) a decision by the Title IX Coordinator to dismiss a Title IX Formal Complaint under section 6.5 or section 6.9; or 2) a responsibility determination by the decision-maker. Parties have ten (10) working days in which to file such an appeal. Both parties will have ten (10) working days following receipt of notice of appeal in which to submit a written statement in support of, or challenging, the outcome. Subject to extension for good cause, appeals will be decided within twenty (20) working days thereafter.

6.11.2 The Title IX Coordinator will notify both parties in writing when an appeal is filed and implement appeal procedures equally for both parties.

6.11.3 The decision-maker(s) for the appeal may not be the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. The appellate decision-maker will issue a written decision describing the result of the appeal and the rationale for the result. The Title IX Coordinator will provide the written decision simultaneously to both parties.

6.11.4 Basis for Appeal: An appeal can only be based on one or more of the following purposes:

6.11.4.1 Procedural Error: To determine whether the original hearing was conducted in conformity with the procedures contained in this policy.

6.11.4.2 Newly Available Evidence: To consider whether there is new evidence, sufficient to alter a decision, provided, however, that the evidence was not reasonably known to the person appealing at the time of the original hearing.

6.11.4.3 Legal error: To determine whether there was bias, conflict of interest or other legal error in the investigative or adjudicative process that a court would likely recognize as requiring a new hearing.

6.12 Informal Resolutions of Sexual Harassment Allegations

Informal resolution cannot be utilized when a student alleges sexual harassment by an employee. UNH may not offer an informal resolution process unless a Title IX Formal Complaint is filed. Subject to these limitations, at any time prior to reaching a determination regarding responsibility the Title IX Coordinator may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that UNH:

(i) Provides to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Title IX Formal Complaint arising from the same allegations (provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Title IX Formal Complaint); and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and

(ii) Obtains the parties' voluntary, written consent to the informal resolution process.

6.13 Time Frames for Resolution: Any Title IX Formal Complaint will be investigated and adjudicated in a reasonably prompt time, generally 180 working days. Informal resolutions must be concluded in the same time frame as would apply to investigation and adjudication of a Title IX Formal Complaint. Temporary delay of the grievance process or the limited extension of time frames is permitted for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Just cause may include considerations such as the absence or unavailability of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities.

Report and Disclosure:

Any member of the university community and any person may report or disclose incidents of this nature at any time in person, by mail, by telephone, or by electronic mail. The report or disclosure may be made to Community Standards or to the Civil Rights & Equity Office. Community Standards shall convey a copy of any report or disclosure that it receives directly to the Civil Rights & Equity Office.

Outreach, Supportive Services, and Intake:

When the Civil Rights & Equity Office receives a report or disclosure that a student experienced discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse, a staff member from that office will offer information to the student about the

student's rights to make a formal complaint, to initiate other proceedings, to receive supportive services, and to participate in an intake.

If the student wishes to meet with a staff member from the Civil Rights & Equity Office, the staff member will conduct an interview of the student reporting a Title IX violation to determine if the student wishes to make a formal complaint and to offer university support services.

Formal Complaint:

The formal complaint is a document filed and signed by the Complainant (physical or digital signature or signed by CREO Director & Title IX Coordinator) alleging discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse against a respondent and requesting the institution investigate the allegations of sexual harassment.

Notice of Allegations:

The CREO Director & Title IX Coordinator will send a notice of allegations and the formal complaint to the Complainant and to the Respondent. Notice to the parties will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process, notice of their right to an advisor of choice, a summary of available resources, the contact information for the CREO Director & Title IX Coordinator, a link to this Code, and a caution against retaliation.

Investigation and Investigative Report:

The investigator shall prepare a written report of the investigation that fairly summarizes relevant evidence.

- a. The CREO Director & Title IX Coordinator shall provide a comment draft of the report to both the reporting and responding persons and their advisors, and at the same time provide access to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, providing them both with ten days to submit a written response containing suggestions to make the report more accurate. The investigator shall consider the written response(s) but is not required to accept any proposed change from either party.
- b. The investigator shall prepare a final investigative report and submit it to the Title IX Coordinator. The CREO Director & Title IX Coordinator shall convey the final report to the parties, their advisors, and the Director of Community Standards.

Report of Policy Violation:

The CREO Director & Title IX Coordinator will send a notice of allegations and the formal complaint to the Complainant and to the Respondent. Notice to the parties will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding

responsibility is made at the conclusion of the hearing process, notice of their right to an advisor of choice, a summary of available resources, the contact information for the Title IX Coordinator, a link to this Code, and a caution against retaliation.

Dismissal of Formal Complaint.

At any point in the process, the Title IX Coordinator may determine that the alleged behavior, even if substantiated, would not constitute discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse. Should this determination occur, the parties will be notified and the matter will be closed.

Student Conduct Resolution Process

1. **Notice of Hearing.** The Director shall prepare the notice to be used to guide the parties to prepare for the hearing and to assist the hearing panel to understand the evidence presented at the hearing.
 - a. The notice shall provide fair notice of the alleged facts and shall specify the provisions of this Code that are alleged to have been violated.
 - b. The notice, together with a copy of the final investigative report, shall be conveyed to the parties at least 10 days before the hearing and to the hearing panel members at least 2 days before the hearing.
 - c. The notice will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process.
2. **Limitations Period.** Individuals are encouraged to report discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse as soon as possible after the incident occurs to maximize the University's ability to respond promptly and effectively. Prompt reporting allows the University to obtain the most reliable information, be able to contact relevant witnesses (if any), and provide reasonable assistance and supportive or interim measures for affected parties. The University does not limit the time for reporting these incidents or filing a complaint however, and in all cases, a decision will be made on existing facts to determine if an investigation and conduct proceedings are necessary to comply with the law and to serve the university community.
3. **Hearing.** The hearing panel will be assembled with members free of conflicts of interest and bias and who have been trained in their responsibilities under the law and under this Code.
 - a. The Director shall assign an advisor to both parties if they have not selected an advisor of their own choosing. The advisor can assist in preparing for the hearing, reviewing the investigation report, and directly related evidence and conducting cross-examination.
4. **Adjustments in the Hearing Process.** Proceedings involving allegations of sexual violence shall be processed as provided for other reports of violation under this Code, subject to the following adjustments:

- a. The Complainant and the Respondent have a right to have a support person and an advisor of choice present at any meeting or hearing. Neither party is required to request permission for the presence of an advisor or support person. Advisors may conduct cross-examination, but support persons may not represent or speak on behalf of either party in any meeting or proceeding. Advisors and support persons will be subject to the rules of decorum adopted by the Director.
- b. The Complainant and Respondent have a right to be assisted by an attorney, who may be present at any meeting or hearing. Legal counsel shall provide the Director with two (2) business days' notice that counsel will be present at any hearing or meeting. Legal counsel shall abide by the rules of decorum at every meeting or hearing and shall not disrupt any meeting or hearing. Legal counsel may not speak on behalf of either party at any meeting or hearing. Legal counsel would be considered an advisor in a Conduct Conference or Hearing and would be expected to follow all guidelines for advisors including any modifications to the guidelines of an advisor for sexual violence and sexual harassment proceedings.
- c. The Director may conduct preliminary meetings separately with the Complainant and Respondent. The Director may permit or require the parties to be in separate rooms during the hearing itself, provided, however, that the Respondent's right of confrontation shall be given appropriate weight and protection in fashioning protections for the Complainant.
- d. The Title IX Coordinator may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing, the Complainant withdraws the complaint; the Respondent is no longer enrolled at the University, or the University cannot gather evidence regarding the formal complaint. §106.45(b) (3) (ii). Either party may appeal the Title IX Coordinator's decision to discretionarily dismiss a formal complaint.

Informal Resolution.

The parties may request that the University facilitate informal resolution processes, such as mediation or restorative justice, after giving informed, written consent. Informal resolution may present a way to resolve sexual misconduct allegations in an informal atmosphere. Informal resolution may only be requested after a formal complaint has been filed, so that the parties understand what the grievance process entails and can decide whether to voluntarily attempt informal resolution as an alternative.

Time Frames for Resolution:

The process to resolve the formal complaint will begin upon receipt of a formal complaint and conclude upon the issuance of a written determination of the alleged misconduct. This process will be completed as soon as practicable but no more than 180 days after the receipt of a formal complaint. Deviations from this time frame will be made on a case-by-case basis and supported by good cause. Parties will be notified in writing regarding the length of time and justification for any such delays.

- a. A copy of the formal complaint will be forwarded to the Title IX Coordinator for review pursuant to §106.45(b) (3) (i)).
- b. Review of formal complaint of sexual misconduct, stalking, and relationship abuse: the Title IX coordinator will review the formal complaint to determine whether the conduct alleged would constitute sexual harassment as defined in 34 C.F.R. §106.30. If the alleged prohibited conduct meets those requirements, the complaint will be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses of this Code of Conduct. If the conduct does not constitute sexual harassment under that regulation, but otherwise alleges sexual misconduct, stalking, or stalking under this Code, the complaint will still be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses section of this Code of Conduct.
- c. The Title IX Coordinator will notify the Complainant and the Respondent of the results of the review. Either party may appeal the finding that the conduct alleged does not meet the requirements of 34 C.F.R §106.30.

Resolution Process:

1. The process to resolve the formal complaint will begin upon receipt of a formal complaint and conclude upon the issuance of a written determination of the alleged misconduct. This process will be completed as soon as practicable but no more than 180 days after the receipt of a formal complaint. Deviations from this time frame will be made on a case-by-case basis and supported by good cause. Parties will be notified in writing regarding the length of time and justification for any such delays.
 - a. A copy of the formal complaint will be forwarded to the Director of the Civil Rights & Equity Office for review pursuant to §106.45(b)(3)(i)).
 - b. Review of formal complaint of sexual misconduct, stalking, and relationship abuse: the Director of the Civil Rights & Equity Office will review the formal complaint to determine whether the conduct alleged would constitute sexual harassment as defined in 34 C.F.R. §106.30. If the alleged prohibited conduct meets those requirements, the complaint will be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses of this Code of Conduct. If the conduct does not constitute sexual harassment under that regulation, but otherwise alleges sexual misconduct, stalking, or stalking under this Code, the complaint will still be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses section of this Code of Conduct.
 - c. The Director of the Civil Rights & Equity Office will notify the Complainant and the Respondent of the results of the review. Either party may appeal the finding that the conduct alleged does not meet the requirements of 34 C.F.R §106.30
2. **Dismissal of Formal Complaint.** At any point in the process, the Director of the Civil Rights & Equity Office may determine that the alleged behavior, even if substantiated, would not constitute discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse. Should this determination occur, the parties will be notified and the matter will be closed.

3. **Appointment of Independent Investigator.** After completing the intake, the Director of the Civil Rights & Equity Office may appoint an independent investigator and notify the Director of Community Standards.
4. **Notice of Allegations and Complaint.** The Director of the Civil Rights & Equity Office will send a notice of allegations and the formal complaint to the Complainant and to the Respondent. Notice to the parties will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process, notice of their right to an advisor of choice, a summary of available resources, the contact information for the Director of the Civil Rights & Equity Office, a link to this Code, and a caution against retaliation.
5. **Investigation.** The independent investigator shall work under the direction of the Director of the Civil Rights & Equity Office to complete a thorough, prompt, and equitable investigation.
 - a. The Director of the Civil Rights & Equity Office and investigator shall provide status reports to the Director of Community Standards periodically and upon request.
 - b. In cases where there is/are parallel criminal and administrative investigations the Director of the Civil Rights & Equity Office and investigator may cooperate with law enforcement to preserve the integrity of both investigations while striving to complete a prompt, thorough and equitable investigation of the matter.
6. **Amnesty.** Students who participate in an investigation related to a report of a violation under these procedures generally are not subject to a conduct complaint for drug, alcohol, or COVID-19 violations immediately before and during the incident giving rise to the report, unless the lesser violation is directly related to the facilitation of the offense. Students may be held responsible for subsequent conduct violations of any nature. If students are involved in repeated violations or more serious violations, they may still be subject to a conduct process.
7. **Investigative Report.** The investigator shall prepare a written report of the investigation that fairly summarizes relevant evidence.
 - a. The Director of the Civil Rights & Equity Office shall provide a comment draft of the report to both the reporting and responding persons and their advisors, and at the same time provide access to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, providing them both with ten days to submit a written response containing suggestions to make the report more accurate. The investigator shall consider the written response(s) but is not required to accept any proposed change from either party.
 - b. The investigator shall prepare a final investigative report and submit it to the Director of the Civil Rights & Equity Office. The Director of the Civil Rights & Equity Office shall convey the final report to the parties, their advisors, and the Director of Community Standards.
8. **Notice of Hearing.** The Director shall prepare the notice to be used to guide the parties to prepare for the hearing and to assist the hearing panel to understand the evidence presented at the hearing.
 - a. The notice shall provide fair notice of the alleged facts and shall specify the provisions of this Code that are alleged to have been violated.

- b. The notice, together with a copy of the final investigative report, shall be conveyed to the parties at least 10 days before the hearing and to the hearing panel members at least 2 days before the hearing.
 - c. The notice will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process.
9. **Limitations Period.** Individuals are encouraged to report discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse as soon as possible after the incident occurs to maximize the University's ability to respond promptly and effectively. Prompt reporting allows the University to obtain the most reliable information, be able to contact relevant witnesses (if any), and provide reasonable assistance and supportive or interim measures for affected parties. The University does not limit the time for reporting these incidents or filing a complaint however, and in all cases, a decision will be made on existing facts to determine if an investigation and conduct proceedings are necessary to comply with the law and to serve the university community.
10. **Informal Resolution.** The parties may request that the University facilitate informal resolution processes, such as mediation or restorative justice, after giving informed, written consent. Informal resolution may present a way to resolve sexual misconduct allegations in an informal atmosphere. Informal resolution may only be requested after a formal complaint has been filed, so that the parties understand what the grievance process entails and can decide whether to voluntarily attempt informal resolution as an alternative.
11. **Hearing.** The hearing panel will be assembled with members free of conflicts of interest and bias and who have been trained in their responsibilities under the law and under this Code.
 - a. The Director shall assign an advisor to both parties if they have not selected an advisor of their own choosing. The advisor can assist in preparing for the hearing, reviewing the investigation report, and directly related evidence and conducting cross-examination.
12. **Adjustments in the Hearing Process.** Proceedings involving allegations of sexual violence shall be processed as provided for other reports of violation under this Code, subject to the following adjustments:
 - a. The Complainant and the Respondent have a right to have a support person and an advisor of choice present at any meeting or hearing. Neither party is required to request permission for the presence of an advisor or support person. Advisors may conduct cross-examination, but support persons may not represent or speak on behalf of either party in any meeting or proceeding. Advisors and support persons will be subject to the rules of decorum adopted by the Director.
 - b. The Complainant and Respondent have a right to be assisted by an attorney, who may be present at any meeting or hearing. Legal counsel shall provide the Director with two (2) business days' notice that counsel will be present at any hearing or meeting. Legal counsel shall abide by the rules of decorum at every meeting or hearing and shall not disrupt any meeting or hearing. Legal counsel may not speak on behalf of either party at any meeting or hearing. Legal counsel would be considered an advisor in a Conduct Conference or Hearing and would be expected to follow all guidelines for advisors including any modifications to the guidelines of an advisor for sexual violence and sexual harassment proceedings.

- c. The Director may conduct preliminary meetings separately with the Complainant and Respondent. The Director may permit or require the parties to be in separate rooms during the hearing itself, provided, however, that the Respondent's right of confrontation shall be given appropriate weight and protection in fashioning protections for the Complainant.
- d. The Director of the Civil Rights & Equity Office may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing, the Complainant withdraws the complaint; the Respondent is no longer enrolled at the University, or the University cannot gather evidence regarding the formal complaint. §106.45(b) (3) (ii). Either party may appeal the Director of the Civil Rights & Equity Office's decision to discretionarily dismiss a formal complaint.

13. Standard of Proof and Presumption of Non-Responsibility. The University's prescribed standard of proof used to determine responsibility for policy violations is the preponderance of the evidence standard, when the information suggests that it is more likely than not that a violation occurred. Decision-making bodies shall make no assumptions or presumptions (including about the credibility or culpability of the parties to the proceeding or witnesses) and reach decisions as to whether the Respondent has violated university policy solely on the basis of the evidence and testimony presented to them. In incidents where the University is the Complainant, the Respondent will be presumed not responsible until the appropriate disciplinary authority, using the preponderance of evidence standard, determines that a policy violation has occurred. When participating in any of the University's conduct processes, neither the Respondent nor Complainant bears the responsibility to prove or disprove allegations. It is the University's role to gather information and apply an unbiased and transparent process so that the appropriate decision-maker can determine the outcome.

14. Decision. Following the conclusion of the hearing, the Respondent will be notified in writing of the hearing results outlining the findings of fact, rationale any determination whether the student is responsible for violating the Code of Conduct and the sanctions, if any. If sanctions are imposed, they will be issued in consideration of the specific circumstances of the case, institutional precedent, disciplinary history, aggravating and mitigating circumstances, and community impact. If the hearing results involve outcomes of Disciplinary Probation, University Housing Removal, University Suspension, or University Dismissal, a summary of the appeal procedures will be included.

Sanctions:

Sanctions. The aims of sanctioning are to protect the University community, deter future misconduct, promote individual accountability, and enhance ethical development. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions.

Sanctions should be commensurate with the violations found to have occurred. In determining the sanction(s) to be imposed, the decision-making body should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any failure to comply fully with previously

assigned sanctions, the actual and potential harm caused by the violation, and the severity and pervasiveness of the prohibited conduct.

Ordinarily, the penalties for subsequent or repeated violations, whenever such violation(s) occur, should progress in severity. Further, certain types of violations are so fundamentally inconsistent with the University's educational mission that, absent unusual mitigating factors, will be considered for higher modes of discipline. Such violations include acts of violence or other violations that substantially threaten the University's educational mission or property, or the health or safety of university community members, misconduct motivated by bias for classes protected, other than constitutionally protected expression.

Where appropriate, the sanction shall include the period of duration, any conditions to be observed during that period, and the conditions for termination of the sanction. The following, individually or in combination, are authorized disciplinary sanctions:

- a. **Formal Warning.** An official written notification indicating that a student's behavior is inconsistent with established behavioral expectations for members of the university community. Unless otherwise specified, a University Warning will remain in effect for one academic year and would serve as a basis for progressive sanctioning should subsequent misconduct occur.
- b. **Disciplinary Probation.** A specified period of time for observation and review during which continued relationship with the University is conditional and dependent upon demonstrated and sustained compliance with university policy, and the development of a plan for modified behavior. A probationary status may impact any merit-based scholarships, eligibility to participate in university organizations or activities, including study abroad or holding certain leadership positions. Failure to abide by the conditions of a probationary status or further misconduct will likely result in University Suspension or University Dismissal.
- c. **University Housing Probation.** Formal notice that the student is not in good standing with the Department of Residence Life and Housing. Housing probation is typically assigned in situations where behavior has been detrimental to the on-campus residential community for a period of time to allow residential students to reflect upon their actions and demonstrate the ability to abide by housing community standards and expectations. Additional residentially based violations while on a probationary status may impact a student's eligibility to participate in the housing lottery process, residential sponsored programs or services, serve in leadership positions or result in suspension from on-campus housing or permanent removal.
- d. **University Housing Suspension.** Separation of the respondent from the residence halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. Suspension from university housing occurs when conduct clearly demonstrates unwillingness or inability to function appropriately in the residential living and learning environment. Students suspended from the housing system may reapply for on-campus housing at the end of the housing suspension period; however, there is no guarantee that Residence Life and Housing will be able to provide on-campus housing in any future semester or academic year.

- e. **University Housing Dismissal.** Permanent separation from on-campus housing that terminates the student's ability to be around, live in, or visit any residence hall or apartment complex at UNH indefinitely.
- f. **University Suspension.** Separation from the University for a definite period of time that terminates the student's enrollment. Satisfactory completion of specified stipulations may be required for re-enrollment at the end of the suspension period. Under special circumstances, a suspension may be held in abeyance, which would allow for the student's continued enrollment so long as the student adheres to all stipulations, restrictions, or conditions imposed and is at the sole discretion of the Director. A student who has been suspended from the University shall be denied all privileges afforded a student including, but not limited to, participation in University-sponsored or sanctioned events and activities, and shall be required to vacate campus property, and may not enter upon campus and/or other university property at any time, for any purpose, in the absence of expressed written permission from the Dean of Students. Readmission to the University requires application and acceptance through the Office of Admissions. A student ineligible to register for or attend classes at any one USNH institution because of suspension shall be ineligible to register for or attend classes at any other USNH institution during the entire period of suspension. Students on suspension for any reason will not earn transfer credit for courses taken while on suspension for the first full semester of their suspension. The Director, in collaboration with the Registrar, will authorize the conferral of degree at the end of a period of suspension upon students who have completed their coursework and would graduate during a period of suspension.
- g. **University Dismissal.** Permanent separation from the institution that terminates a student's enrollment and all attendant privileges indefinitely. Students may conduct administrative business on campus with prior notice to University Police. A student ineligible to register for or attend classes at any one USNH institution because of University Dismissal shall be ineligible to register for or attend classes at any other USNH institution for a period of two (2) years following the date on which the student was permanently dismissed.
- h. **Discretionary Assignments or Activities.** Specific academic work, community service for a specific number of hours, remedial education, or other appropriate reflective or restorative assignments, restitution, or fines.
- i. **Loss of Privileges.** Exclusion from participation in designated privileges and activities for a specified period of time, participating in intercollegiate activities, including attendance at athletic events, serving in positions of trust and responsibility, using university facilities, such as libraries and gymnasiums, revocation of visitation rights at university housing, holding office or representing the University or denial of the use of a vehicle on campus.

Appeals Process and Procedures

Right to Appeal. When the Respondent is found to have violated the Code of Conduct and is sanctioned with Disciplinary Probation, University Housing Removal, University Suspension, or University Dismissal, the Respondent has the right to request an appeal of the original decision. Appeals are documentary reviews, narrowly tailored to the specific grounds identified by the filing party, and not intended to rehear or reargue the same case. Appellants

shall be limited to one appeal of a disciplinary outcome. Non-attendance by the parties may not be the sole grounds for an appeal nor is mere dissatisfaction with the decision grounds for appeal.

- a. **Grounds for Appeal.** An appeal may be based only upon one or more of the following grounds:
 - i. **Procedural Error.** A Procedural irregularity that significantly affected the outcome; deviations from the designated procedures will not be a basis for sustaining an appeal unless the error had a prejudicial effect on the hearing results.
 - ii. **Sufficiency of Evidence.** The finding did not meet the required standard of evidence and the decision rendered is clearly erroneous.
 - iii. **New Evidence.** Discovery of substantial new evidence that was not known nor available at the time of the hearing and that would, with high probability, have affected the outcome.
 - iv. **Disproportionate Sanction.** The sanctions or remedies imposed are substantially disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors, or are otherwise manifestly unjust.
- b. **Jurisdiction.** The Director accepts all appeal submissions except when any such petition is appealing an academic penalty assessed by a faculty member. The Director will evaluate the appeal request to determine whether it meets the stated criteria for convening a review. Key to this evaluation is whether the claims presented in the request for appeal individually or collectively were more likely than not to have had a bearing on the outcome. The Dean of Students or their designee will review an appeal for standing when the decision-maker is the Director. Upon receipt of the appeal request, the Director may do one of the following:
 - i. **Deny the appeal.** Determine that the appeal lacks standing and is dismissed, in which case the original decision stands is final
 - ii. **Grant the appeal.** Determine that the appeal has standing and appoint the appropriate Appellate Body to review the record limited to the grounds identified by the filing party.
- c. **Deadline.** No later than three (3) days from receipt of the disciplinary outcome, the appellant may submit a notice of appeal and all supporting documentation to Community Standards. Although rare, should a party intending to appeal believe they have inadequate time to prepare written documents, a request for extension of time and rationale supporting such a request must be submitted in writing to the Director. Requests will be considered on their merits and will not be granted automatically; any extension granted is at the discretion of the Director.

Content of Appeal. The Notice of Appeal must contain at least the following: (1) specific grounds for appeal; (2) specific outcome requested; and (3) the appellant's reasons in support of the grounds identified and outcome requested. The appellant must sign and submit the notice of appeal in writing, in the manner and method prescribed by Community Standards. Oral appeals, appeals authored by a third-party including advisors, and physical appeals mailed or submitted in person to Community Standards will not be accepted.

- d. **Sanctions Held in Abeyance Pending Appeal.** Any formal or educational sanctions imposed will be held in abeyance automatically during the period in which the appeal may be filed and, once an appeal is filed, until a decision on the appeal has been reached.

Behavioral restrictions and/or administrative actions, however, remain in place pending the appeal.

Authority of the Appellate Body. The Appellate Body is responsible for determining if the procedures were followed to a fair result or to identify a clear error. In its review of the appellate documents, the Appellate Body may not substitute their judgment for that of the original decision-making body merely because they disagree with the findings or conclusion, nor will they make new findings of fact. Moreover, the Appellate Body may not substitute its opinion on credibility for the judgment of the review officer who saw and heard the witnesses and parties.

Great deference is given to the original decision. The role of the Appellate Body is not to decide whether it would have reached the same factual conclusions as the conduct officer, but rather to decide whether a reasonable factfinder could have come to the same conclusion based on the facts in the record. If there is a conflict in the evidence and a reasonable fact-finder could have resolved the conflict either way, the Appellate Body will generally not reverse findings of fact by the original decision-making body.

Appeal Decision. After the review process, the Appellate Body will do one of the following:

- e. Affirm the findings of responsibility and sanctions imposed. The original decision stands.
- f. Affirm the findings of responsibility and moderately adjust, but not eliminate the sanction, if the ground for appeal was disproportionate sanction.
- g. Remand the case to the original decision-making body with recommendations if there were procedural errors.
- h. Remand the case to the original decision-making body for clarification or reconsideration in light of new, relevant information that was not reasonably available prior to or during the hearing.

The Appellate Body's decision will be communicated in writing. The Appellate Body will review and respond to the appeal within five (5) business days of receipt of all documentation but may extend this time for specific reasons that will be communicated in writing to the appealing party. The Appellate Body's decision is final, binding, and non-reviewable.

Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses

1. **Scope.** These procedures shall apply to alleged prohibited conduct by a student, where the reported violation states a colorable claim of discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse.
2. **Protocols.** The Director will establish public protocols to guide Community Standards as it implements these procedures. The protocols will include rules of decorum and rules of evidence for hearings.
3. **Report and Disclosure.** Any member of the university community and any person may report or disclose incidents of this nature at any time in person, by mail, by telephone, or by electronic mail. The report or disclosure may be made to Community Standards or to the Civil

Rights & Equity Office. Community Standards shall convey a copy of any report or disclosure that it receives directly to the Civil Rights & Equity Office. The Director of the Civil Rights & Equity Office is also UNH's Director of the Civil Rights & Equity Office.

4. **Emergency Removal for Sexual Misconduct and Related Offenses.** In circumstances when a student's behavior poses an immediate threat to the physical health or safety of a student or any other individual arising from alleged sexual harassment, sexual misconduct, stalking, or relationship abuse, the University can remove a Respondent from its education program or activity following the procedures described in the Interim Action policy within this Code of Conduct. The University will make the decision to remove a Respondent from its education program or activity based on an individualized safety and risk analysis. If the University makes such a decision, the Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.
5. **Outreach.** When the Civil Rights & Equity Office receives a report or disclosure that a student experienced discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse, a staff member from that office will offer information to the student about the student's rights to make a formal complaint, to initiate other proceedings, to receive supportive services, and to participate in an intake.
6. **Intake.** If the student wishes to meet with a staff member from the Civil Rights & Equity Office, the staff member will provide the student with information about their rights, responsibilities, resources, and options.
7. **Formal Complaint.** The formal complaint is a document filed and signed by the Complainant (physical or digital signature or signed by Director of the Civil Rights & Equity Office) alleging discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse against a respondent and requesting the institution investigate the allegations of sexual harassment.
8. **Resolution of Formal Complaint.** The process to resolve the formal complaint will begin upon receipt of a formal complaint and conclude upon the issuance of a written determination of the alleged misconduct. This process will be completed as soon as practicable but no more than 180 days after the receipt of a formal complaint. Deviations from this time frame will be made on a case-by-case basis and supported by good cause. Parties will be notified in writing regarding the length of time and justification for any such delays.
 - a. A copy of the formal complaint will be forwarded to the Director of the Civil Rights & Equity Office for review pursuant to §106.45(b)(3)(i)).
 - b. Review of formal complaint of sexual misconduct, stalking, and relationship abuse: the Director of the Civil Rights & Equity Office will review the formal complaint to determine whether the conduct alleged would constitute sexual harassment as defined in 34 C.F.R. §106.30. If the alleged prohibited conduct meets those requirements, the complaint will be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses of this Code of Conduct. If the conduct does not constitute sexual harassment under that regulation, but otherwise alleges sexual misconduct, stalking, or stalking under this Code, the complaint will still be processed as provided in the Procedures for Responding to Discrimination, Discriminatory Harassment, Sexual Misconduct, and Related Offenses section of this Code of Conduct.

- c. The Director of the Civil Rights & Equity Office will notify the Complainant and the Respondent of the results of the review. Either party may appeal the finding that the conduct alleged does not meet the requirements of 34 C.F.R §106.30
9. **Dismissal of Formal Complaint.** At any point in the process, the Director of the Civil Rights & Equity Office may determine that the alleged behavior, even if substantiated, would not constitute discrimination, discriminatory harassment, sexual harassment, sexual misconduct, stalking, or relationship abuse. Should this determination occur, the parties will be notified and the matter will be closed.
10. **Appointment of Independent Investigator.** After completing the intake, the Director of the Civil Rights & Equity Office may appoint an independent investigator and notify the Director of Community Standards.
11. **Notice of Allegations and Complaint.** The Director of the Civil Rights & Equity Office will send a notice of allegations and the formal complaint to the Complainant and to the Respondent. Notice to the parties will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process, notice of their right to an advisor of choice, a summary of available resources, the contact information for the Director of the Civil Rights & Equity Office, a link to this Code, and a caution against retaliation.
12. **Investigation.** The independent investigator shall work under the direction of the Director of the Civil Rights & Equity Office to complete a thorough, prompt, and equitable investigation.
 - a. The Director of the Civil Rights & Equity Office and investigator shall provide status reports to the Director of Community Standards periodically and upon request.
 - b. In cases where there is/are parallel criminal and administrative investigations the Director of the Civil Rights & Equity Office and investigator may cooperate with law enforcement to preserve the integrity of both investigations while striving to complete a prompt, thorough and equitable investigation of the matter.
13. **Amnesty.** Students who participate in an investigation related to a report of a violation under these procedures generally are not subject to a conduct complaint for drug, alcohol, or COVID-19 violations immediately before and during the incident giving rise to the report, unless the lesser violation is directly related to the facilitation of the offense. Students may be held responsible for subsequent conduct violations of any nature. If students are involved in repeated violations or more serious violations, they may still be subject to a conduct process.
14. **Investigative Report.** The investigator shall prepare a written report of the investigation that fairly summarizes relevant evidence.
 - a. The Director of the Civil Rights & Equity Office shall provide a comment draft of the report to both the reporting and responding persons and their advisors, and at the same time provide access to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, providing them both with ten days to submit a written response containing suggestions to make the report more accurate. The investigator shall consider the written response(s) but is not required to accept any proposed change from either party.
 - b. The investigator shall prepare a final investigative report and submit it to the Director of the Civil Rights & Equity Office. The Director of the Civil Rights & Equity Office shall convey the final report to the parties, their advisors, and the Director of Community Standards.

Notice of Hearing. The Director shall prepare the notice to be used to guide the parties to prepare for the hearing and to assist the hearing panel to understand the evidence presented at the hearing.

- c. The notice shall provide fair notice of the alleged facts and shall specify the provisions of this Code that are alleged to have been violated.
- d. The notice, together with a copy of the final investigative report, shall be conveyed to the parties at least 10 days before the hearing and to the hearing panel members at least 2 days before the hearing.
- e. The notice will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process.

Adjustments in the Hearing Process. Proceedings involving allegations of sexual violence shall be processed as provided for other reports of violation under this Code, subject to the following adjustments:

- f. The Complainant and the Respondent have a right to have a support person and an advisor of choice present at any meeting or hearing. Neither party is required to request permission for the presence of an advisor or support person. Advisors may conduct cross-examination, but support persons may not represent or speak on behalf of either party in any meeting or proceeding. Advisors and support persons will be subject to the rules of decorum adopted by the Director.
- g. The Complainant and Respondent have a right to be assisted by an attorney, who may be present at any meeting or hearing. Legal counsel shall provide the Director with two (2) business days' notice that counsel will be present at any hearing or meeting. Legal counsel shall abide by the rules of decorum at every meeting or hearing and shall not disrupt any meeting or hearing. Legal counsel may not speak on behalf of either party at any meeting or hearing. Legal counsel would be considered an advisor in a Conduct Conference or Hearing and would be expected to follow all guidelines for advisors including any modifications to the guidelines of an advisor for sexual violence and sexual harassment proceedings.
- h. The Director may conduct preliminary meetings separately with the Complainant and Respondent. The Director may permit or require the parties to be in separate rooms during the hearing itself, provided, however, that the Respondent's right of confrontation shall be given appropriate weight and protection in fashioning protections for the Complainant.
- i. The Director of the Civil Rights & Equity Office may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing, the Complainant withdraws the complaint; the Respondent is no longer enrolled at the University, or the University cannot gather evidence regarding the formal complaint. §106.45(b) (3) (ii). Either party may appeal the Director of the Civil Rights & Equity Office's decision to discretionarily dismiss a formal complaint.

1. **Interim Actions.** Such actions include, but are not limited to:

- a. **No Contact Instruction.** A restriction between members of the UNH community that they may not contact each other.
 - b. **Loss of Privileges and/or Restrictions.** This can take various forms including interim suspension (see below), limiting a student's access to certain areas of campus or facilities, or exclusion from participation in designated privileges and activities such as intercollegiate activities, leadership positions, visitation rights at university housing, holding university office, representing the University, or denial of the use of a vehicle on campus. Campus Restrictions can also include administrative room/hall reassignments for students living on-campus.
 - c. **Cease and Desist.** A cease-and-desist notice may be issued to student organizations to cease some or all their operations and business. Organizations issued a cease-and-desist may be prohibited from conducting formal or informal business, recruiting potential new members, sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus, hosting any social or philanthropic events, utilizing campus facilities, and/or may be ineligible to receive any university award, honorary recognition or institutional funding.
2. **Notice.** The Director will provide written notification to a student who is issued an interim action. The written notification will include information regarding the alleged prohibited conduct and the rationale for the interim action. The interim action will be effective immediately. If the interim action is an interim suspension from the University and/or from University housing, or a Cease-and-Desist issued to an organization restricting all the organization's operations and business, the notice will contain information on the appeal process.
 3. **Interim Suspension.** In circumstances when a student's behavior significantly interferes with or poses a credible substantial risk of harm to other individuals within the community or to the University as a whole, the Director may temporarily suspend a student from the University and/or university housing or deny access to University privileges for an interim period pending disciplinary charges or criminal proceedings regarding behavior relevant to such proceedings. This interim suspension will be predicated on an individualized assessment of the student's behaviors. The primary considerations in making this assessment will be the severity of the safety risk presented by the student and the impact of the student's behaviors on the university community and the broader community. The University reserves the right to place a registration hold on the account for a student who has been issued an interim suspension.
 - a. **Conditions.** When placed on an interim suspension from the University, the student is prohibited from participating in any in-person University activities or programs, attending in-person academic classes, residing in university-owned or operated housing, or otherwise being on university premises for any reason. At the time of the interim suspension, the Director will determine if the student may be permitted to continue coursework remotely based on the Director's assessment of if the student's ongoing participation in remote coursework could significantly interfere with or pose a credible substantial risk of harm to other individuals within the community or to the University as a whole.
 - 12 Any modifications to the interim suspension will be explicitly communicated by the Director.

- 13 The student's faculty will be notified of an interim suspension. If the student is being permitted to work remotely, the student's faculty will be asked to work flexibly with students whenever possible. However, the student is responsible for keeping up with the work and may be penalized for assignments that require in-person participation. No specific information regarding the allegations will be released. University regulations will continue to apply during an interim suspension.



UNH's Appledore Island (isle of shoals classroom)

State of New Hampshire Crime Statutes and Definitions

The Clery Act and Violence against Women Act mandate that UNH provide domestic violence, dating violence, sexual assault and stalking definitions applicable in its jurisdictions. New Hampshire statutes recognize that sexual assault, domestic violence and stalking are serious criminal offenses. It is important for all members of the UNH community to understand how these offenses are defined in law and to be aware of the penalties. Excerpted below are the definitions and penalties of sexual assault, domestic/dating violence and stalking. Also included is the definition of consent. The State of New Hampshire does not define or recognize dating violence as a separate crime. It is found under the domestic violence statute

Domestic Violence:

The state of NH defines domestic violence as follows: a person is guilty of domestic violence if the person commits any of the following against a family or household member or intimate partner:

- (a) Purposely or knowingly causes bodily injury or unprivileged physical contact against another by use of physical force;
- (b) Recklessly causes bodily injury to another person by use of physical force;
- (c) Negligently causes bodily injury to another by means of a deadly weapon;
- (d) Uses or attempts to use physical force, or by physical conduct threatens to use a deadly weapon for the purpose of placing another in fear of imminent bodily injury;
- (e) Threatens to use a deadly weapon against another person for the purpose to terrorize that person;
- (f) Coerces or forces another to submit to sexual contact by using physical force or physical violence;
- (g) Threatens to use physical force or physical violence to cause another to submit to sexual contact and the victim believes the actor has the present ability to execute the threat;
- (h) Threatens to use a deadly weapon to cause another to submit to sexual contact and the victim believes the actor has the present ability to carry out the threat;
- (i) Confines another unlawfully as defined in RSA 633:2, by means of physical force or the threatened use of a deadly weapon, so as to interfere substantially with his or her physical movement;
- (j) Knowingly violates a term of a protective order issued pursuant to RSA 173-B: 4, I by means of the use or attempted use of physical force or the threatened use of a deadly weapon;
- (k) uses a physical force or the threatened use of a deadly weapon against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with the report of any criminal offense, bodily injury, or property damage to a law enforcement agency or a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

For purpose of this section "family or household member" means: the actor's spouse or former spouse, a person with whom the actor is cohabitating as a spouse, parent, or guardian; a person with whom the actor cohabited as a spouse, parent or guardian but no longer shares the same residence; an adult with whom the actor is related by blood or marriage; or a person with whom the actor shares a child in commons. Intimate partner means a person with whom the actor is currently or was formerly involved in a romantic relationship, regardless of whether or not the relationship was sexually consummated.

Dating Violence:

The State of New Hampshire does not have a definition of dating violence.

Sexual Assault:

The State of New Hampshire defines sexual assault as follows:

Aggravated Felonious Sexual Assault:

A person is guilty of the felony of aggravated felonious sexual assault if such person engages in sexual penetration with another person under any of the following circumstances:

- (a) When the actor overcomes the victim through the actual application of physical force, physical violence or superior physical strength;
- (b) When the victim is physically helpless to resist;
- (c) When the actor coerces the victim to submit by threatening to use physical violence or superior physical strength on the victim, and the victim believes that the actor has the present ability to execute these threats;
- (d) When the actor coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim believes that the actor has the ability to execute these threats in the future;
- (e) When the victim submits under circumstances involving false imprisonment, kidnapping, or extortion;
- (f) When the actor, without the prior knowledge or consent of the victim, administers or has knowledge of another person administering to the victim any intoxicating substance which mentally incapacitates the victim;
- (g) When the actor provides therapy, medical treatment or examination of the victim and in the course of that therapeutic or treating relationship or within one year of termination of that therapeutic or treating relationship;
 - (1) Acts in a manner or for purposes which are not professionally recognized as ethical or acceptable; or
 - (2) Uses this position as such provider to coerce the victim to submit;
- (h) When, except as between legally married spouses, the victim has a disability that renders him or her incapable of freely arriving at an independent choice as to whether or not to engage in sexual conduct, and the actor knows or has reason to know that the victim has such a disability;
- (i) When the actor through concealment or by the element of surprise is able to cause sexual penetration with the victim before the victim has an adequate chance to flee or resist;
- (j) When, except as between legally married spouses, the victim is 13 years of age or older and under 16 years of age and;
 - (1) The actor is a member of the same household as the victim; or
 - (2) The actor is related by blood or affinity to the victim.
- (k) When, except as between legally married spouses, the victim is 13 years of age or older and under 18 years of age and the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit.;
- (l) When the victim is less than 13 years of age;
- (m) When at the time of the sexual assault, the victim indicates by speech or conduct that there is not freely given consent to performance of the sexual act.

(n) When the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit under any of the following circumstances;

- (1) when the actor has direct supervisory, disciplinary, or other authority authorized by law over, or direct responsibility for maintaining detention of, the victim by virtue of the victim being detained or incarcerated in a correctional institution, this secure psychiatric unit, a juvenile detention facility, or any other setting in which the victim is not free to leave; or
- (2) When the actor is a probation or parole officer or a juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation. Consent of the victim under any of the circumstances set forth in sub paragraph (n) shall not be considered a defense.

A person is guilty of aggravated felonious sexual assault without penetration when he intentionally touches whether directly, through clothing, or otherwise, the genitalia of a person under the age of 13 under circumstances that can be reasonably construed as being for the purpose of sexual arousal or gratification.

A person is guilty of aggravated felonious sexual assault when such person engages in a pattern of sexual assault against another person, not the actor's legal spouse, who is less than 16 years of age. The mental state applicable to the underlying acts of sexual assault need not be shown with respect to the element of engaging in a pattern of sexual assault.

A person is guilty of aggravated felonious sexual assault when such person engages in sexual penetration as defined in RSA 632-A:1, V with another person under 18 years of age whom such person knows to be his or her ancestor, descendent, brother or sister of the whole or half blood, uncle, aunt, nephew, or niece. The relationships referred to herein include blood relationships without regard to legitimacy, step children, and relationships of parent and child by adoption.

(a) Upon proof that the victim and defendant were intimate partners or family or household members, as those terms are defined in RSA 631; 2-B, III, a conviction under this section shall be recorded as "aggravated felonious sexual assault- domestic violence.

(b) In addition to any other penalty authorized by law, the court shall levy a fine of \$50.00 for each conviction recorded as "aggravated felonious sexual assault- domestic violence" under this paragraph.

Felonious Sexual Assault;

A person is guilty of a class B felony if such person;

- I. subjects a person to sexual to contact and causes serious personal injury to the victim under any of the circumstances named in RSA 632-A; 2, or
- II. Engages in sexual penetration with a person, other than his legal spouse, who is 13 years of age or older and under 16 years of age with an age difference between the actor and the other person is four years or more; or
- III. Engages in sexual contact with a person other than his legal spouse who is under 13 years of age.

IV.

(a) Engages in sexual contact with a person, or causes the person to engage in sexual contact on himself or herself in the presence of the actor, when the actor is in a position of authority over the person and uses that authority to coerce the victim to submit under any of the following circumstances;

(1) When the actor has direct supervisory or disciplinary authority over the victim by virtue of the victim being incarcerated in a correctional institution, the secure psychiatric unit, or juvenile detention facility where the actor is employed; or

(2) When the actor is a probation or parole officer or a juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation.

(b) Consent of the victim under any of the circumstance set forth in this paragraph shall not be considered a defense.

(c) for the purpose of this paragraph, “sexual contact” means the intentional touching of the persons sexual or intimate parts, including genitalia, anus, breasts, and buttocks, where such contact, or the causing of such contact, can reasonably be construed as being for the purpose of sexual arousal or gratification of the person in the position of authority, or the humiliation of the person being touched.

V. (a) upon proof that the victim and defendant were intimate partners or family or household members, as those terms are defined in RSA 631:2-B, III, a conviction under this section shall be recorded as “felonious sexual assault-domestic violence.”

Sexual Assault:

I. a person is guilty of a Class A misdemeanor under any of the following circumstances:

(a) When the actor subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in RSA 632-A: 2.

(b) When the actor subjects another person, other than the actors legal spouse, who is 13 years of age or older and under 16 years of age to sexual contact where the age difference between the actor and the other person is 5 years or more.

(c) In the absence of any of the circumstances set forth in RSA 632-A: 2 when the actor engages in sexual penetration with a person, other than the actors legal spouse, who is 13 years of age or older and under 16 years of age where the age difference between the actor and other person is 4 years or less.

II. A person found guilty under sub paragraph I(c) of this section shall not be required to register as a sexual offender under RSA 651-B.

III. (a) a person is guilty of a misdemeanor if such person engages in sexual contact or sexual penetration with another person, or causes the person to engage in sexual contact on himself or herself in the presence of the actor, when the actor is in a position of authority over the person under any of the following circumstances:

(1) When the actor has direct supervisory or disciplinary authority over the victim by virtue of the victim being incarcerated in a correctional institution, the secure psychiatric unit, or juvenile detention facility where the actor is employed; or

(2) When the actor is a probation or parole officer or juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation.

(b) Consent of the victim under any of the circumstances set forth in this paragraph shall not be considered a defense.

(c) for the purpose of this paragraph, “sexual contact” means the intentional touching of the persons sexual or intimate parts, including genitalia, anus, breasts, and buttocks, where such contact, or the causing of such contact, can reasonably be construed as being for the purpose of sexual arousal or gratification of the person in the position of authority, or the humiliation of the person being touched.

IV.

(a) Upon proof that the victim and defendant were intimate partners or family or household members, as those terms are defined in RSA 631:2-B, III, a conviction under this section shall be recorded as “sexual assault-domestic violence.”

Stalking:

The state of (NH) defines stalking as follows:

I. A person commits the offense of stalking if such person:

(a) Purposely, knowingly, or recklessly engages in a course of conduct targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person’s immediate family, and the person is actually placed in such fear.

(b) Purposely or knowingly engages in a course of conduct targeted at a specific individual, which the actor knows will place that individual in fear for his or her personal safety or the safety of a member of that individual’s immediate family; or

(c) After being served with, or otherwise provided notice of, a protective order pursuant to RSA 173-B, RSA 458:16, or paragraph III-a of this section, or an order pursuant to RSA 597:2 that prohibits contact with a specific individual, purposely, knowingly, or recklessly engages in a single act or conduct that both violates the provisions of the order and is listed in paragraph II (a).

II. (a) “Course of conduct” means 2 or more acts over a period of time, however short, which evidences a continuity of purpose. A course of conduct shall not include constitutionally protected activity, nor shall it include conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person.

University of New Hampshire’s Definition of Consent in regards to sexual activity:

The institution’s definition of consent in regards to sexual activity is as follows:

Expressed Consent at UNH: consent to engage in sexual activity must be given by each partner. Expressed consent “is mutual agreement, based on a shared desire for specific sexual activities that is expressed verbally or nonverbally. Examples of expressed consent include, but are not limited to:

- (a) An ongoing verbal interaction, taken one step at a time, to engage in escalating sexual intimacy;
- (b) Mutual awareness of possible unwanted consequences of sexual activities such as pregnancy and sexually transmitted diseases and taking precautions to avoid these consequences and
- (c) An ongoing recognition that consent to some sexual activities does not imply consent to other, different, or more intimate sexual activities”.

Examples of nonconsensual sex includes but are not limited to: threatening, forcing, manipulating, intimidating, blackmailing, drugging, and causing a person to become intoxicated as a substitute for expressed consent or engaging in unwelcome sexual activity with a sleeping or incapacitated person.

Sexual Harassment

Sexual Harassment is prohibited by University of New Hampshire Policy. For more information about sexual harassment, including reporting options and resources please visit: <https://www.unh.edu/diversity-inclusion/sexual-misconduct/process>.

The University System’s policy on Sexual Harassment and Sexual Violence can be found here: <https://www.usnh.edu/policy/unh/v-personnel-policies/b-affirmative-action-and-equity>.

It is the policy of the University of New Hampshire to uphold the constitutional rights of all members of the University community and to abide by all United States and New Hampshire State laws and University System of New Hampshire and University of New Hampshire policies applicable to discrimination and harassment.¹ In accordance with those laws and policies, all members of the UNH community will be responsible for maintaining a university environment that is free of discrimination and harassment based on race, color, religion, sex, age, national origin, sexual orientation, gender identity or expression, disability, veteran status, or marital status.² Therefore, no member of UNH may engage in discriminatory or harassing behavior within the jurisdiction of the university that unjustly interferes with any individual's required tasks, career opportunities, learning, or participation in university life.

The University of New Hampshire Policy on Discrimination and Discriminatory Harassment covers all members of the UNH community, faculty, staff and students. It applies to applicants for employment and admission. Regardless of the process used to investigate and adjudicate complaints, any complaint may be filed with the Affirmative Action and Equity Office, and in many cases, complaints must be monitored by that office.

Reporting Sexual Harassment to UNH

You may report sexual harassment to the following offices:

Dean of Students Office

88 Commercial Street
Manchester, NH
603-641-4101

Civil Rights & Equity Office

305 Thompson Hall
105 Main St. Durham, NH
603-862-2930
www.reportit.unh.edu
603-862-1527 (TTY)

Human Resources

Nesmith Hall
131 Main St. Durham, NH
603-862-0501

The following offices provide confidential support services:

SHARPP Office

Wolff House
2 Pettee Brook Lane, Durham NH
603-862-7233

UNH Employee Assistance Office

Nesmith Hall
131 Main St. Durham, NH
800-424-1749



UNH Alcohol & Drug Resource Information, Policy, and Laws

UNH provides a variety of programs and interventions for drug and alcohol abuse. Confidential information, assessment, referral, and short term counseling are available at Health and Wellness 603-862-WELL (9355). Employees may contact the Employee Assistance Office at 1-800-424-1749. Granite State Recovery Centers are set up across NH and ready to help people with abuse and addiction. They can be reached by calling 855-622-8271.

Information about UNH's full compliance with the Drug Free Schools and Communities Act, including the description of drug and alcohol abuse education and intervention programs, can be found in UNH's Drug-Free Schools and Campuses Regulations Biennial Review.

UNH ALCOHOL AND DRUG POLICY

The University is committed to establishing and maintaining an environment that fosters mutually beneficial interpersonal relations and a shared responsibility for the welfare and safety of others. Because alcohol can have a significant effect on that environment, the University has adopted this policy for governing alcohol use by students, staff, faculty, visitors, and guests. The focus of University alcohol policy is to comply with local ordinances, state laws and federal laws that protect the health and welfare of individuals and the community. The possession, consumption and transportation of alcohol by persons under the age of twenty-one is illegal in New Hampshire. While University policy permits responsible consumption of alcohol at some places and times, the consumption of alcohol should never be the primary purpose or focus of an event and should always comply with applicable law. Alcohol-free social events are encouraged.

The use of illegal drugs is prohibited by law. The legal status of marijuana is changing in many states and in other parts of New Hampshire, but the University of New Hampshire prohibits the possession and use of marijuana and other illegal drugs.

In compliance with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989, all students and employees of UNH are notified of the following:

The unlawful possession, use, sale and distribution of illicit drugs and alcohol on the University Campus or during University sponsored activities are prohibited. The Manchester Police Department has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

1. Students and employees who are found to be in violation of this state prohibition may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the State of New Hampshire, or the United States. Convictions can result in sanctions including probation, fines and imprisonment.
2. Students who are found to be in violation of this stated prohibition are subject to discipline in accordance with the procedures of the Community Standards Systems. Discipline may include disciplinary probation, eviction of university housing or dismissal from the university.

3. Faculty and staff employees who are found to be in violation of this stated prohibition are subject to discipline in accordance with the applicable university employment rules and procedures. Discipline may include probation, suspension, or termination of employment. In addition to the above requirements, all employees are notified that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by University employees on University premises or off our premises while conducting University business is prohibited. Violation of this policy will result in disciplinary action, up to and including termination and may have further legal consequences.

Federal Drug Laws:

Denial of Federal Benefits 21 U.S.C. 862

A Federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal Drug Trafficking convictions may result in denial of Federal benefits for up to 5 years for a first conviction, 10 years for a second conviction, and permanent denial of Federal benefits for a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to 1 year for first conviction and up to 5 years for subsequent convictions.

Forfeiture of Personal Property and Real Estate 21 U.S.C. 853

Any person convicted of a Federal Drug Offense punishable by more than 1 year in prison shall forfeit to the United States any personal or real property related to the violation including houses, cars, and other personal belongings. A warrant of seizure is issued, and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties 21 U.S.C. 841

Penalties for Federal Drug Trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties of subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$ 8 million.

Persons convicted on Federal charges of drug trafficking within 1,000 feet of a University (U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least a year.

Federal Drug Possession Penalties:

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison

and minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000.

State of New Hampshire Liquor Laws

The legal drinking age in New Hampshire is 21. If you are under 21, it is illegal to:

1. Have in your personal possession any alcoholic beverages,
2. Misrepresent your age for purpose of obtaining alcoholic beverage,
3. Drive in a car having alcoholic beverage except when accompanied by a parent, step-parent, grandparent, step-grandparent, legal aged sibling, guardian, or domestic partner. "Legal age spouse" means a person 21 years of age or older.
4. Be in an area where alcoholic beverages are served unless accompanied by person 21 years of age.

Penalty: fine and/or jail sentence

It is illegal for anyone to:

1. Sell, give away or procure alcoholic beverage to a minor or individual who is intoxicated,
2. Charge for alcoholic beverages without a license,
3. Manufacture, sell, possess or use of a falsified ID,
4. To lend a driver's license to be used for unlawful purpose

Penalty: fine and/or jail sentence

(DWI) Driving While Intoxicated and Driving under the influence (DUI)

265-A: 2 Driving or operating under the influence of drugs or liquor; Driving or operating with excess alcohol concentration

I. No person shall drive or attempt to drive a vehicle upon any way or operate or attempt to operate an OHRV:

(a) While such person is under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drugs, prescription drugs, over-the-counter drugs, or any other chemical substances, natural or synthetic, which impair a person's ability to drive; or

(b) While such person has an alcohol concentration of 0.08 or more or in the case of a person under the age of 21, 0.02 or more.

II. No person shall operate or attempt to operate a boat while under the influence of intoxicating liquor or a controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and a controlled drug or drugs, prescription drug or drugs, over-the-counter drug or drugs, or any other chemical substance or substances, natural or synthetic, which impair a person's ability to drive or while such person has an alcohol concentration of 0.08 or more or in the case of persons under the age of 21, 0.02 or more.

265-A: 3 Aggravated Driving While Intoxicated.

A person shall be guilty of aggravated driving while intoxicated if the person drives, operates, or attempts to operate an OHRV, or if the person drives or attempts to drive a vehicle upon any way, or if the person operates or attempts to operate a boat:

I. While under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drug or drugs, prescription drug or drugs, over-the-counter drug or drugs, or any other chemical substance or substances, natural or synthetic, which impair a person's ability to drive and, at the time alleged:

- (a) Drives or operates at a speed more than 30 miles per hour in excess of the prima facie limit;
- (b) Causes a motor vehicle, boating, or OHRV collision resulting in serious bodily injury, as defined in RSA 625:11, VI, to the person or another;
- (c) Attempts to elude pursuit by a law enforcement officer by increasing speed, extinguishing headlamps or, in the case of a boat, navigational lamps while still in motion, or abandoning a vehicle, boat, or OHRV while being pursued; or
- (d) Carries as a passenger a person under the age of 16;

II. While having an alcohol concentration of 0.08 or more or, in the case of a person under the age of 21 at the time of the offense, 0.02 or more and, at the time alleged:

- (a) Drives or operates at a speed more than 30 miles per hour in excess of the prima facie limit;
 - (b) Causes a motor vehicle, boating, or OHRV collision resulting in serious bodily injury, as defined in RSA 625:11, VI, to the person or another;
 - (c) Attempts to elude pursuit by a law enforcement officer by increasing speed, extinguishing headlamps or, in the case of a boat, navigational lights while still in motion, or abandoning a vehicle, boat, or OHRV while being pursued; or
 - (d) Carries as a passenger a person under the age of 16; or
- III. While having an alcohol concentration of 0.16 or more.

265-A: 18 Penalties for Intoxication or Under Influence of Drugs Offenses

I. Except as otherwise provided in this section:

(a) Any person who is convicted of any offense under RSA 265-A:2, I shall be:

- (1) Guilty of a class B misdemeanor;
- (2) Fined not less than \$500;
- (3) Referred by the court to an IDCMP and, if a first-time offender, required to submit to an alcohol and drug abuse screening within 14 days of conviction, and, if testing demonstrates the likelihood of a substance use disorder, to submit further to a full substance use disorder evaluation within 30 days of conviction, to be administered by a service provider indicated by the IDCMP, and thereafter to follow the service plan developed from that substance use disorder evaluation by the IDCMP;
- (4) Required to complete a department of health and human services approved impaired driver education program prior to the restoration of the person's driver's license or privilege to drive; provided however, that if the person has previously completed such a program within the past 5 years and provides required proof, that shall serve as fulfillment of this requirement;
- (5) Required to pay all fees arising from services provided by the IDCMP and its referrals for the

service plan; and

(6) Subject to the following:

(A) The person's driver's license or privilege to drive shall be revoked for not less than 9 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. The court may suspend up to 6 months of this sentence, provided that the person has been screened within 14 days and, if required, has completed the substance use disorder evaluation within 30 days with a service provider indicated by an IDCMP and is in compliance with the service plan produced thereafter, and has completed a department of health and human services approved impaired driver education program. The court may, in its discretion, require the installation of an interlock device in accordance with RSA 265-A:36 during the period of sentence reduction, and may re-impose the longer suspension period if the defendant becomes noncompliant with the treatment recommendations at any time during the suspension period;

(B) The sentencing court may require the person to submit to random urinalysis or such other tests as the court may deem appropriate; and

(C) The court in which the person was convicted may reduce the conviction to a violation upon a motion filed by either party at least one year after the date of the conviction. In deciding whether to reduce the conviction to a violation, the court may consider the person's subsequent driving record, the recommendation of the IDCMP, the hardship that having a criminal record may cause for the person, and any other factors that the court deems relevant.

(b) Any person who is convicted of any aggravated DWI offense under RSA 265-A: 3, except as provided in subparagraph (c), shall be:

(1) Guilty of a class A misdemeanor;

(2) Fined not less than \$750;

(3) Sentenced to a mandatory sentence of not less than 17 consecutive days in the county correctional facility, of which 12 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 5 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

(4) Ordered to install an interlock device in accordance with RSA 265-A:36; and

(5) Subject to the following:

(A) The person's driver's license or privilege to drive shall be revoked for not less than 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Upon confirmation from the IDCMP that the person is in full compliance with the service plan, the court may suspend up to 6 months of this sentence, with the condition that an interlock device be installed for the period of the suspended sentence in addition to any period required in accordance with RSA 265-A: 36 and provided that all fees have been paid; and

(B) The sentencing court may require the person to submit to random urinalysis or such other tests as the court may deem appropriate.

(c) Any person who is convicted of aggravated DWI under RSA 265-A:3, I(b) or II(b), shall be:

(1) Guilty of a class B felony;

(2) Fined not less than \$1,000;

(3) Sentenced to a mandatory sentence of not less than 35 consecutive days in the county correctional facility, of which 21 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 14 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

(4) Ordered to install an interlock device in accordance with RSA 265-A:36; and

(5) Subject to the following:

(A) The person's driver's license or privilege to drive shall be revoked for not less than 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. The court may suspend up to 6 months of this sentence, provided that the person shall schedule a substance use disorder evaluation within 30 days of release, or upon release from the county correctional facility, whichever occurs later, complete the required substance use disorder evaluation within 60 days of release with a service provider indicated by an IDCMP, and the service plan produced thereafter, with the condition that an interlock device be installed for the period of the suspended sentence in addition to any period required in accordance with RSA 265-A:36 and provided that all fees have been paid; and

(B) The sentencing court may require the person to submit to random urinalysis or such other tests as the court may deem appropriate.

II. Any person convicted of a violation of RSA 265-A: 19, II shall be subject to the penalties set out in this section for a violation of RSA 265-A: 3. Any person convicted of a violation of any other provision in RSA 265-A: 19 or a violation of RSA 265-A: 2, II shall be subject to the penalties set out in this section for a violation of RSA 265-A: 2, I.

III. Any person who is convicted of an offense under RSA 265-A: 2, I or RSA 630:3, II, and whose offense occurred while the person was under the age of 21, shall be sentenced according to the provisions of this section, except that in all cases the person's driver's license or privilege to drive shall be revoked for not less than one year. The person shall schedule a substance use disorder evaluation with a service provider indicated by an IDCMP within 30 days of conviction, or upon release from the correctional facility, whichever occurs later, complete the required substance use disorder evaluation within 60 days of release, comply with the service plan developed by the IDCMP, and complete an approved impaired driver education program if not previously completed within the past 5 years.

IV. Upon conviction of any offense under RSA 265-A:2, I or RSA 265-A:3, based on a complaint which alleged that the person has had one or more prior convictions under RSA 265-A:2, I or RSA 265-A:3, or RSA 630:3, II, or under reasonably equivalent offenses in an out-of-state jurisdiction, within 10 years preceding the date of the second or subsequent offense, the person shall be subject to the following penalties in addition to those provided in paragraph I:

(a) For a second offense:

(1) The person shall be guilty of a class A misdemeanor;

(2) The person shall be fined not less than \$750;

(3)(A) If the complaint alleges that the prior conviction occurred within 2 years preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of not less than 60 consecutive days in the county correctional facility, of which 30 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

(B) If the complaint alleges that the prior conviction occurred more than 2 but not more than 10 years preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of not less than 17 consecutive days in the county correctional facility, of which 12 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 5 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period; and

(4) The person's driver's license or privilege to drive shall be revoked for not less than 3 years. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(b) For a third offense, any person convicted under this paragraph shall be subject to all the penalties of subparagraph (a) except that:

(1) The person's driver's license or privilege to drive shall be revoked indefinitely and shall not be restored for at least 5 years. At the end of the 5-year minimum revocation period the person may petition the court for eligibility to reapply for a driver's license and the court, for good cause shown, may grant such eligibility subject to such terms and conditions as the court may prescribe. Any untimely petition under this subparagraph shall be dismissed without a hearing. If such petition is granted and the person is otherwise eligible for license restoration, the person may then apply to the director for restoration of driver's license, but the license shall not be restored until all requirements under law are met. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(2) The person shall be sentenced to a mandatory sentence of not less than 180 consecutive days of which 150 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder

evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period. The remainder of the sentence may be deferred for a period of up to 2 years. The court may, at the satisfactory completion of any required treatment, suspend any remaining deferred sentence.

(c) For a fourth or subsequent offense, any person convicted under this paragraph shall be subject to all the penalties of subparagraphs (a) and (b) except that the person shall be guilty of a felony, and the person's driver's license or privilege to drive shall be revoked indefinitely and the person shall not petition for eligibility to reapply for a driver's license as provided in subparagraph (b) (1) for at least 7 years.

(d) For a third or subsequent offense when any prior offense under this paragraph is negligent homicide under RSA 630:3, II, or reasonably equivalent offense in an out-of-state jurisdiction, the person convicted under this paragraph shall be subject to all the penalties of subparagraphs (a) and (b) except that the person's driver's license or privilege to drive shall be revoked indefinitely and the person shall not petition for eligibility to reapply for a driver's license as provided in subparagraph (b)(1) for at least 10 years.

V. If any person is convicted of a violation of RSA 265-A:2, I or RSA 265-A:3, and the conviction is not based upon a complaint which alleges prior convictions as provided in paragraph IV, but the person is found to have had one or more such prior convictions in this state or in an out-of-state jurisdiction within 10 years preceding the date of the offense, the person's driver's license or privilege to drive shall be revoked for not less than one year nor more than 3 years. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. The person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. The court may suspend up to 6 months of this sentence, conditional on completion of the required evaluation within 30 days of the court's finding, completion of the service plan developed by the IDCMP, and payment of all relevant fees.

VI. For the purposes of this section:

(a) "Revocation" or "revoked" means revocation as defined in RSA 259:90 and also includes, if the person is a nonresident, the revocation of the person's privilege as an out-of-state driver to drive on any ways of this state.

(b) "Out-of-state jurisdiction" includes any governmental entity that issues driver's licenses that are valid for operating a motor vehicle on the ways of this state as provided in RSA 263:37, and that has laws relating to driving while impaired that are reasonably equivalent to the laws of this state.

(c) "IDCMP" means an impaired driver care management program approved by the department of health and human services under RSA 265-A: 40.

VII. No portion of the minimum mandatory sentence of imprisonment and no portion of the mandatory sentence of the period of revocation and no portion of any fine imposed under this section shall be suspended or reduced by the court. No case brought to enforce this section shall be continued for sentencing for longer than 35 days. No person serving the minimum mandatory

sentence under this section shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by RSA title LXII or any other provision of law.

VIII. Any person convicted of a violation of RSA 265-A:2, RSA 265-A:3, or RSA 265-A:19, II, and who at the time of driving or attempting to drive a vehicle or off highway recreational vehicle or operating or attempting to operate a boat was transporting a person under the age of 16, shall have the driver's license or privilege to drive revoked for the maximum time period under the section violated and the person's license or privilege to drive shall not be restored until the offender has completed an IDCMP screening within 14 days of conviction, and if testing demonstrates the likelihood of a substance use disorder, the person shall schedule a substance use disorder evaluation within 30 days of conviction or within 30 days of release from the correctional facility, whichever occurs later, complete the required substance use disorder evaluation within 60 days of release from the correctional facility, comply with the service plan developed from the substance abuse disorder evaluation by the IDCMP, and complete a department of health and human services approved impaired driver education program prior to the restoration of the person's driver's license or privilege to drive; provided however, that if the person has previously completed such a program within the past 5 years and provides required proof, that shall serve as fulfillment of this requirement.

IX. Any conviction under RSA 265-A:2, I or RSA 265-A:3 shall be reported to the department of safety, division of motor vehicles, and shall become a part of the motor vehicle driving record of the person convicted.

X. When any provision of this section requires a person to schedule, submit to, or complete an alcohol and drug abuse screening or substance use disorder evaluation within a specified number of days, or makes such a condition of eligibility for suspension of a period of license revocation or other sentence, a person may comply with the requirement within the time period specified or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow.

179:10 Unlawful Possession and Intoxication-

I. Except as provided in RSA 179:23, any person under the age of 21 years who has in his or her possession any liquor or alcoholic beverage, or who is intoxicated by consumption of an alcoholic beverage, shall be guilty of a violation and shall be fined a minimum of \$300. Any second and subsequent offense shall be fined at least \$600. For purposes of this section, alcohol concentration as defined in RSA 259:3-b of .02 or more shall be prima facie evidence of intoxication. No portion of this mandatory minimum fine shall be waived, continued for sentencing, or suspended by the court. In addition to the penalties provided in this section, the court may, in its discretion, impose further penalties authorized by RSA 263:56-b.

II. Except for persons convicted on the basis of intoxication, any person under the age of 21 years convicted of unlawful possession of liquor or beverage shall forfeit the same, and it shall be disposed of as the court directs. The proceeds, if any, shall be paid into the treasury of the county in which the proceedings were determined.

Keg Registration Law

Law requires sellers of keg beer to create a record of purchases and to obtain the identity of the purchaser. Sellers will attach a unique label to the retail keg which will enable law enforcement to determine the identity of the seller as well as the purchaser. If contents of the keg are consumed by a minor, law enforcement will have an avenue to identify the purchaser of the keg. Any person who removes the label shall be guilty of a violation which is punishable by a \$1,000 fine.

State of New Hampshire Uniform Controlled Drug Act:

The Controlled Drug act, NH RSA 318-B, regulates controlled substance and NH RSA 318-B: 26 outlines specific penalties for the violation of the regulations. Penalties vary according to type of drug involved, the amount of drug confiscated, and the number of previous convictions, and presence of any aggravating factors.

USNH Policy Governing Alcohol and Controlled Substance

Use of Alcohol and Controlled Substances during Work Hours

Drug Free Workplace.

2.1 Goal. USNH views alcoholism and drug addiction as highly complex diseases that, once they have been diagnosed, can be addressed by appropriate treatment, and require the same consideration given to employees in cases of other illnesses. Because USNH values its employees, its only purpose in involving itself in the complex areas of alcoholism and drug addiction is to assist the employee in seeking treatment and returning to a state of effectiveness and productivity. The Employee Assistance Program (EAP) is available to assist with such illnesses. Every case is handled with the utmost confidentiality.

2.2 Commitment & Responsibilities. USNH institutions shall establish guidelines for the use of alcohol and controlled substances during work hours in conformance with the following general policy: using, possessing, or being under the influence of alcoholic beverages, amphetamine-type drugs, barbiturate-type drugs, cannabis-type drugs, Phencyclidine, Methaqualone, Benzodiazepines, cocaine-type drugs, morphine-type drugs, hallucinogenic drugs, or any controlled drugs as provided in RSA 318-B during work hours by USNH employees is prohibited.

2.2.1 The use of prescription drugs will be permitted by policy in strict accordance with the prescription of a licensed health care professional.

2.2.2 Where the use of alcohol is permitted by policy, safety considerations and concern for the image of the institution require that discretion be exercised in the use of alcoholic beverages either on or away from USNH property.

2.2.3 In situations where the use of certain types of prescription and non-prescription medication may negatively affect mental concentration or coordination (such as antihistamines or "mood altering" drugs), safety considerations may require temporary reassignment of duties and responsibilities.

2.2.4 Supervisors who have documented an employee's deficient or deteriorating performance and believe such performance to be related to the use of alcohol or drugs must discuss options for handling the problem with HR or other official designated by the campus Chief Executive Officer. Supervisors shall not engage in diagnosis or establishing treatment plans for employees. The supervisor may meet with the employee and make a referral to the EAP (see *USY V.D.5.2*).

2.2.5 The decision to undertake treatment through qualified sources is the responsibility of the individual employee. The individual's employment status will in no way be affected by the decision to seek treatment. They will continue to be covered by applicable policies. If work performance continues to be deficient, a performance review will be conducted within the framework of USNH policy to allow for appropriate determination concerning the individual's future employment status. Such performance reviews will consider evidence of poor work performance, frequent absences, neglect of duties and responsibilities, drastically altered moods, physical or verbal abuse, and deterioration of working relationships.

2.3 Legal Requirements. In accordance with the Drug Free Workplace Act of 1988 (Pub. L. No. 100-690, Title V, Subtitle D) employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance in the workplace. Each USNH institution will: (a) make a good faith effort to maintain a drug free workplace, (b) conduct a biannual review of its program to determine effectiveness, (c) implement changes to the program if needed, and (d) ensure that disciplinary sanctions are enforced. Each USNH institution will take the following actions within 30 days upon notification of an employee conviction: (1) take appropriate personnel action against a convicted employee up to and including termination; (2) place a notice of the drug conviction in the employee's personnel file in accordance with normal disciplinary policy procedures; (3) require the convicted employee to utilize the services of the EAP and, (4) require the convicted employee to successfully complete an approved drug abuse assistance or rehabilitation program recommended by the EAP as a condition of continued employment.

2.3.1 USNH institutions will notify, in writing, employees working on a grant that as a condition of employment they will:

2.3.1.1 Abide by the terms of the USNH policy, and

2.3.1.2 Notify HR of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction.

2.3.2 USNH institutions will notify the granting agency within ten days after receiving notice from the employee or otherwise receiving notice of the conviction.

2.3.3 Violations. In the event that an employee is found to be acting against policy as stated above, they will be subject to appropriate action, which may include a warning, reprimand, and suspension, referral to counseling or EAP, or discharge.

2.4 USNH institutions may establish an ongoing drug/alcohol free awareness that informs employees of:

2.4.1 The dangers of drug/alcohol abuse and the health risks associated with that abuse,

2.4.2 The policy of maintaining a drug/alcohol free workplace,

2.4.3 Any available drug counseling, rehabilitation program or an EAP, and

2.4.4 The penalties that may be imposed upon employees for violation of this policy.

2.5 Employee Alcohol and Controlled Substance Testing under U.S. Department of Transportation Agency Regulations Implementing the Omnibus Transportation Employee Testing Act of 1991, 49 CFR Part 40, Part 382, and Part 655 as amended.

2.5.1 Purpose. USNH institutions shall comply with all applicable regulations of agencies of the U.S. Department of Transportation as they relate to alcohol and controlled substance testing. Such testing is mandated for employees required to have a commercial driver's license and/or perform safety sensitive function as defined by 49 CFR Part 40 and Part 655 as amended. For reference see:

2.5.1.1 49 CFR § 40 - Office of the Secretary of Transportation: "Procedures for Transportation Workplace Drug and Alcohol Testing Programs".

2.5.1.2 49 CFR § 655 – Federal Transit Administration: "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations".

2.5.1.3 49 CFR § 382 – Federal Motor Carrier Safety Administration Regulations: "Controlled Substances and Alcohol Use and Testing".

2.5.2 Testing.

2.5.2.1 USNH institutions will contract with external agencies to conduct all testing as mandated by and in accordance with the federal regulations referenced in *USY V.D.2.5*.

2.5.3 Penalties for Violations of Regulations. USNH institutions shall impose such penalties are required by the regulations referenced in *USY V.D.2.5* on employees whose test results indicate prohibited alcohol and/or controlled substance concentrations. Any disciplinary actions taken under this section shall be in conformance with *USY V.C.8*.



Fire Safety Information:

Manchester Fire Department
 100 Merrimack Street
 Manchester, NH 03101
 Phone: 603-669-7707 or 911

The Manchester Fire Department is a full-time, professional, full-service fire department, on duty 24 hours per day, 365 days per year. The department responds to all types of fire, and hazardous materials emergencies throughout the city of Manchester. The Manchester Fire Department is comprised of a Chief, Assistant Chief, and several district chiefs. The fire department also has a fire prevention team which includes a fire marshal and 3 fire inspectors. The department has 10 fire stations located throughout the city. Central Station is the closest station to UNH- Manchester's academic and residential building. Central fire station is located at 100 Merrimack Street which is within a mile of both buildings. Apparatus consists of Engines, Air units, Forestry Units, Rescue units and trucks.

Procedures Students and Employees Should Follow in Case of a Fire: In these programs, procedures that students and employees should follow in case of a fire are reviewed and include the following:

Student Housing Evacuation Procedures in Case of a Fire

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so.
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room. Be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example, there is an emergency in the building leave by the nearest exit) and knock on doors as they make their way to the nearest exit and out the building.

- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- **DO NOT USE ELEVATORS.** Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. Resident life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Reporting a Fire for inclusion in the Fire Statistics: Reporting Fires:

Per federal law, UNH-M is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify UNH-M Security at 603-641-4124 to investigate and document the incident for disclosure in the University's annual fire statistics.

Plans for Improvement to Fire Safety

The University does not have any planned improvements in fire safety at this time for 1000 Elm St, in Manchester.

Fire Safety System

The University of NH Manchester's residential building is completely covered by an integrated automatic sprinkler and fire alarm system which is monitored 24 hours a day seven day a week by the Manchester Fire Department. The building is equipped with emergency lighting which is designed to automatically activate whenever there is a power outage.

Fire Safety Training

Basic fire safety instruction is provided to all students by multiple means. Each dorm room is provided with an instructional sign located on the back side of the dorm room that contains information on what to do during an emergency. Students also receive fire drills once a semester to ensure they understand the proper building evacuation procedures during an emergency. Additionally, RA's receive specific training during orientation on their responsibilities during both fire and medical emergencies.

Additional hands-on practical training of fire extinguishers that utilize live fire exercises is available upon request.

Fire Safety at UNH

Your room is where you will spend most of your time while attending the University. Before you start making your room “your new home” take a moment to consider the UNH Regulations. Each year thousands of people are hurt or killed in fires. Most of the deaths and injuries are needless because most fire can be prevented. The best way to avoid fires is to avoid the hazards, which create them.

Appliances

- Any appliance used in your room must be listed or recognized to a U.L. standard by a national recognized testing laboratory. This includes clocks, radios, stereos, computers, etc.
- Appliances that are strictly prohibited in the residence halls include any item with a heating coil i.e. toasters, toaster ovens, hotplates, electric fry pans and electric heaters.
- Appliances that may be used in your room but CANNOT be plugged in unattended include: curling irons, coffee pots, hot pots, irons, and popcorn poppers. These items have heated exposed surfaces that have caused fires in the past.
- If an extension is needed for microwaves and refrigerators, it must be of construction-grade quality (generally the same size or larger than the units’ own cord). Microwaves and refrigerators need to be plugged directly into an outlet or a fused power strip or a splitter with a fuse. If an adapter is used for a power strip or an extension cord, the ground lead must be connected. Refrigerators no taller than 35 inches in height and drawing no more than 1.5 amps of power are allowed. Microwaves with a power output of 800 watts or less are allowed.

Decorations

- If you use wall or door posters or hanging, they should be used sparingly. No more than 50% of the surface of any wall or exit door may be covered (this does not include furniture). This precaution eliminates excess combustible material which could cause fires to spread.
- Overhead hanging of any kind including items hung from the ceiling, walls, or pipes running horizontally with the ceiling are strictly prohibited. If an item is hung from a wall, the item must be completely touching that wall. This precaution prevents the possibility of materials falling down during a fire.
- Candles, tarts, incense and other items with a wick (such as kerosene lamps) and other objects that create and hold a flame are prohibited. No exceptions will be made for cut wicks or removed wicks. Candles have caused many serious room fires in the past and are one of the easiest ways for a fire to start.

Electrical

- Multiple outlet adapters (splitters or cube taps) with a fuse or circuit breaker are acceptable. Power strips with a circuit breaker or a fuse are recommended.

- When using an extension cord, it must match the same size and type cord supplied with the appliance. Use only Underwriters Laboratories (U.L) listed cord sets.
- Any style lamp using a halogen type bulb is strictly prohibited. The intense heat generated by these lamps can cause a fire.
- In resident halls with electric heat, no less than six inches is required between any furniture and the heater unit. While it may seem unlikely, a number of room fires have started due to items too close to a room heater.
- Electric blankets are not allowed in the residence halls.
- No wires may be run underneath a rug except low voltage wires such as telephone cords, speaker wire or cable wire.

Exits

- All pathways to room doors and windows must be kept clear. An item hanging to enclose or decorate a sleeping space is not permitted. Room doors must open at least 90 degrees.
- Hallways and stairs must be kept clear at all times. No bicycle parking or other items are permitted in the hallways or stairwells.

Smoking

- Smoking is not allowed in the residence halls nor is it permitted within 20 feet of the building. Residence halls and the perimeter surrounding a residence hall are smoke free areas.
- Incense and incense paraphernalia are strictly prohibited.

Other regulations

- The University discourages the building and use of lofts. However, if you should decide to use a loft, there must be a minimum clearance of 33 inches from the top of the mattress to the ceiling. This is required to allow adequate breathing space in case of fire or smoke that may enter the room.
- Flammable items such as stain flammable cleaning solvents, butane, propane torches, gasoline, camping or cooking fuels, oil lamps, oil candles, and kerosene lamps are all strictly prohibited.
- Empty trash frequently and into outside bins to avoid it accumulating and becoming a fire hazard. Do not place room trash in bathrooms, hallways or other common areas since this creates a fire hazard also.

Room Inspection

- Safety inspections of student rooms for fire hazards and violations will be conducted several times per semester. (This inspection is held in conjunction with smoke detector testing, which is required by state law). Room inspections are designed to point out hazards and violations that have been overlooked. If any of these conditions exist in your room, an inspection report form will be issued, and you will be expected to comply with its findings.

- Housing facilities and operations operate the room safety inspection program. Any questions about the fire safety program or policies may be directed to your hall director or the fire safety supervisor for UNH at 603-862-4469.

Fire Safety Equipment in the Residence Hall Sprinkler, Fire Detection and Alarm Systems

The residence hall is protected by an automatic fire detections system that is connected directly to the Manchester Fire Department. Upon receipt of a fire alarm activation the Manchester Fire Department immediately responds to the residence hall. The fire protection system is comprised of smoke and heat detectors, sprinklers, and hallway manual pull stations. Each room has a sprinkler and local-sounding smoke detector. A charge of \$100 is assessed to the occupant(s) of a room for tampering with a smoke detector. If you suspect a smoke detector is malfunctioning contact your RA immediately.

Malicious False Alarm

Anyone activating a fire alarm without cause by pulling a pull station or tampering with any of the automatic fire detection devices is responsible for a malicious false alarm. This is a serious offense. By initiating such a false alarm, one exposes both residents and fire fighters to unnecessary risk. Those caught causing a malicious false alarm will be arrested and prosecuted to the full extent of the law and may be held accountable for any injuries or damage which occurs during a fire evacuation.

Fire Extinguishers

Fire extinguishers are found in the residence hall. These are your first line of defense in case of a fire and could save your life or the lives of your friends. **DO NOT TAMPER WITH THE FIRE EXTINGUISHERS.** Eviction from the residence hall is a possible consequence of tampering with a fire extinguisher. There is a \$100 charge for resetting a fire extinguisher that has been misused.

UNH Fire Safety Rules/ Agreements UNH Room and Board Agreement Fire Prevention /Drills/ Alarms/ Equipment

Students are expected to notify the RA of any fire and safety hazards and to report a fire promptly to the Manchester Fire Department. All students are expected to observe all fire safety procedures established for their residence hall including participating in the fire alarm/evacuation drills. Students must leave the building during fire drills or be subject to disciplinary action. Fire extinguishers and alarm systems shall not be tampered with or tested by unauthorized persons nor should anything cover, be attached to, or hung from detector devices, conduit, or sprinkler heads. Students are expected to help prevent false alarms and should report any tampering with fire safety equipment to the appropriate staff person. Students are financially responsible for charges assessed as a result of tampering with fire safety equipment.

UNH Administrative Policies and Regulations

Chapter 26 Health and Safety

26.2 False report

Making or causing to be made false fire alarms, false reports of fires or any other dangerous condition is prohibited per RSA 644:32 Offenders/Violators will be prosecuted to the fullest extent of the law.

26.3 Fire Safety Equipment

Nothing shall obstruct any fire sprinkler head or be hung from piping supplying sprinkler heads. Tampering with fire safety equipment or unauthorized removal of such equipment is prohibited per RSA 634:2. The playing of hall sports in residence halls is prohibited to protect fire safety equipment.

26.4 Evacuation

Failure to evacuate in the event of a fire alarm, hazardous, serious condition, or at the lawful request of a University or Fire official is prohibited.

26.5 Failure to Report

Failure to report serious or hazardous incidents including, but not limited to fire, accident, or illness is prohibited.

26.6 Failure to Obey Directives

Failure to obey directives or interference with the response of University of Civil officials to emergency calls or in the carrying out of their regular responsibilities is prohibited.

26.7 Fire Hazards

Creating fire hazards or endangering the safety of persons or property, or improper use of electrical appliances or possession of hazardous flammable substances but not limited to gasoline, benzene, naphtha, and cleaning fluids is prohibited.

UNH Manchester Residential Facility- 1000 Elm St Manchester, NH

Fire alarm Monitoring by Manchester FD	Partial sprinkler system	Full Sprinkler	Smoke Detection	Fire Extinguisher Device	Evacuation Placards	# fire drills per year	Number of residents
Yes	No	Yes	Yes	Yes	Yes	2 (1 each semester)	28

Fire Log:

UNH Manchester just opened their one residential housing facility at 1000 Elm Street in Manchester on August 23, 2018.

Statistics and Related Information Regarding Fires in Residential Facility for 2019

Residential Facility	Total Number of fires in each building	Fire Number	Cause of Fire	Number of injuries that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by fire
Downtown Commons 1000 Elm St	0	0	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facility for 2020

Residential Facility	Total Number of fires in each building	Fire Number	Cause of Fire	Number of injuries that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by fire
Downtown Commons 1000 Elm St	0	0	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facility for 2021

Residential Facility	Total Number of fires in each building	Fire Number	Cause of Fire	Number of injuries that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by fire
Downtown Commons 1000 Elm St	0	0	N/a	N/A	N/A	N/A