

# Conway School

## Annual Campus Security and Fire Safety Plan with 2017 Clery Act Report

September 2018

### Conway School General Information

**For Emergencies: Dial 911**

**Fire/EMS:** For non-emergencies, call the Northampton Fire Dept. at 413-587-1032.

**Police:** For non-emergencies, call the Northampton Police Dept. at 413- 587-1100.

**Phone Number:** (413) 369-4044

**Physical Location:** 88 Village Hill Road, Northampton, MA 01060

The **Annual Campus Security and Fire Safety Plan with 2017 Clery Act Report** is compiled to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and is available on the Conway School website at: [www.csld.edu/about/safety/](http://www.csld.edu/about/safety/)

This report is prepared in cooperation with the local law enforcement agencies responsible for Conway School’s two 2017 campuses (by Co-Directors: Ken Byrne, Priscilla Novitt, Bruce Stedman; Title IX Coordinator: Kate Cholakis; and Campus Manager: Dave Weber).

**Link to the U.S. Department of Education Clery Campus Crime data website:**

<http://ope.ed.gov/security/>

*Some sections of the following are modelled on the Hampshire College 2016 Clery Act Report*

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*In compliance with the Crime Awareness and Campus Security Act of 1990 [PL 101-542, Title II], the Conway School provides the following information to all current and incoming students and employees.*

## About the Conway School

The Conway School is a 10-month graduate program in ecological landscape planning and design. A small cohort of sixteen to eighteen students works on studio projects for real clients in Massachusetts, New England, and beyond, while taking classes in digital design, ecology, site engineering, field work, and humanities. The studio projects occur at three scales: in the fall, students work on small-scale residential or public projects; in the winter, students work on town, city, or regional planning projects; in the spring, students work on large-scale site design projects. Students graduate with a Master of Science in Ecological Design. The Conway School operates academic and administrative spaces but does *not* offer student housing.

## Statement of Non-Discrimination

*The Conway School does not unlawfully discriminate based on race, religion, creed, color, gender, gender identity, marital status, age, national origin, disability of an otherwise qualified individual, or sexual orientation, in accordance with applicable federal, state, and local laws. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall and transfer, leaves of absence, compensation, and training. The school facility is handicapped-accessible as required by local, state, and federal law.*

*Conway takes allegations of discrimination, intimidation, harassment, and retaliation very seriously and will promptly investigate when warranted.*

*Equal employment opportunity includes, but is not limited to, employment, training, promotion, demotion, pregnancy, military service, leaves of absence, and termination.*

# Campus Security Plan, Crime Prevention Program, and Fire Safety Plan

## CAMPUS SECURITY PLAN

### *Security in or on Campus Buildings or Property – Overview*

In 1990 Congress passed the Student-Right-to-Know Act, which established the right of students, their parents, and employees to know about crimes committed on campuses and about campus security policies and procedures. By having colleges and universities provide such information, Congress intended to increase the level of campus security awareness, thereby helping to create safer campuses.

In compliance with this law, now called the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)**, the Conway School presents information related to campus security and safety. Anyone with information about crimes or violations of state or federal law, or school rules, should report the matter to one of Conway's co-directors.

The Conway School shares the concern of students, families, and the community for the well-being and safety of all members of our community, although we also recognize that it is everyone's basic responsibility to ensure their own personal safety and the safety of their possessions. While the Conway School has a long history of a safe and secure environment, it must be remembered that no community is immune to crime. The community can only remain safe if each member does their part to ensure the security of the campus.

### *How to Report a Crime or Emergency: Dial 911*

**then contact a staff or faculty member.**

Conway strongly encourages every member of the community — faculty, staff, students, and visitors — to report any crime accurately and promptly. Professionally trained Northampton police officers are available for emergency response 24 hours a day, seven days a week, 365 days a year. To report a crime off campus, dial 911 in most areas in the U.S.

Two phones are always available to report emergencies or criminal actions: the conference (spider) phone and the phone in the small administrative conference room. Emergency phone numbers (fire, police, ambulance) are posted near each phone. Such calls are to be reported as soon as possible to one of the faculty or staff members, whose home phone numbers are posted in the studio. The staff will respond as appropriate to any such report.

Note that studio and office fire extinguishers are part of the Coach House fire suppression system and should not be tampered with.

### *External Police and Fire Support*

Conway has no hired security personnel. The school has back-up aid from the Northampton Police and Fire Departments:

**Fire/EMS:** For emergencies, dial 911. For non-emergencies, call the Northampton Fire Department at 413-587-1032.

**Police:** For emergencies, dial 911. For non-emergencies, call the Northampton Police at 413-587-1100.

Faculty and staff handle most if not all incidents that occur on Conway School property. Northampton Police would be notified of any major incidents that occur on campus. Under Massachusetts law, the State Police will be notified of any death on campus and can have jurisdiction over any criminal incident that occurs on campus. Generally, the Northampton fire department would respond to fire and medical emergencies as a supplement to faculty and staff.

### *Emergency Response and Evacuation Procedures*

The fire alarm system at the coach house is wired directly to the Northampton Fire Department. When the fire alarm sounds, everyone should evacuate the building immediately via the nearest exit and meet at the corner of Village Hill Rd. and Ford Crossing across the street from the school's main entrance, where a headcount will be taken. Do not congregate in the parking lot or in the street, or otherwise block emergency vehicles. Students may not re-enter the building until the fire department has given the all clear signal. In the event of an alarm outside of normal operating hours students should follow the above guidelines and notify a member of the faculty or staff. Conway is required to perform and document at least one test of the emergency response and evacuation procedures each school year.

### *Special Alerts for Emergencies*

Special alerts (when needed) will be delivered in person or by email or telephone and are meant to keep the Conway School community informed of any threats to health and safety. The school asks for assistance from all community members by reporting of such incidents to the co-directors (or any member of the faculty and staff). All correspondence will be considered **confidential** and personal information will NOT be released.

### *Florescent light bulbs*

If a florescent light bulb is broken inside the building, all windows must be opened in the room where the light bulb was broken, and the room evacuated for fifteen minutes to allow time for the mercury vapors to dissipate.

### *Persons with Disabilities*

Students with health concerns that may make it difficult to exit a building in an emergency should work with the Campus Manager to develop a plan to ensure safe egress in the case of fire or other emergency forcing the evacuation of a campus building.

### *Campus-Wide Evacuation*

1. Evacuation of all or part of the campus will be announced by a member of the faculty or staff, or other appropriate officials.
2. All persons (students and staff and their visitors) are to vacate the building immediately and relocate to the sidewalk across Village Hill Rd. from the school's main entrance at the intersection with Ford Crossing.

### *Emergency Contact Information*

Emergency contact information is collected from new students and employees when they begin at Conway. Information is updated in January of each year.

### *Security Considerations for Access to Campus Facilities*

The school building is to be locked and inside lights turned off by the last person to depart. Only students, faculty, and staff may have access to keys to enter the building. Students are cautioned to use common sense and discretion when working late at night or walking home or to cars, and to report any suspicious behavior immediately. After hours, the doors to the Coach House should be kept locked while students are working.

### *Access to Campus Buildings and Grounds*

- The Coach House is closed to the public and secured via RFID key cards between 5:00PM and 9:00AM M-F and all day on Saturday and Sunday.
- Building hours are generally business days during class hours, and unauthorized individuals may be asked to leave.
- Visitors and others may be asked to leave the school at any time.
- The school has the right to restrict access to campus grounds and academic and administrative buildings, which are open to faculty, staff, students, and invited guests.
- The school has the right to ask Northampton police to issue trespass notices to unauthorized people, which may be done upon receipt of a complaint, and to arrest anyone returning to campus after receiving such a notice.

## CRIME PREVENTION PROGRAM

During the orientation week, students are given a *Student Handbook* containing all school policies, and shown the locations of phones, fire extinguishers, etc. Evacuation procedures are reviewed. Students are encouraged to be responsible for their own and others' security while on campus. No programs on crime prevention other than this initial orientation is provided unless unusual circumstances warrant. New employees are given a similar orientation.

### *Sexual Violence Prevention*

The Conway School is committed to the prevention of Sexual Misconduct, Relationship Violence, and Stalking. New students and new employees are required to read through the Student and Employee Handbooks, both of which contain the school's **Sexual Harassment Policy & Procedures**, and sign a statement confirming that they have read this policy.

The school has designated the **Title IX Coordinator** with oversight of as required by Title IX, the Clery Act, and VAWA. The Title IX Coordinator:

- Is familiar with the kinds of discrimination covered under Title IX.
- Knows the details of the school's policies and procedures on sex discrimination and sexual misconduct.
- Helps create campus policies regarding sex discrimination and sexual misconduct.
- Considers how the school defines consent.
- Oversees sex discrimination and sexual violence prevention policies.
- Investigates complaints of sex discrimination or allegations of sexual misconduct and enforces disciplinary actions in accordance with the school's policy (as outlined in the student handbook). This might involve conducting interviews with the involved parties, informing all parties of the school's grievance process, establishing witness credibility, evaluating evidence with an impartial view, determining appropriate sanctions against the perpetrator, and helping survivors find resources.
- Communicates their availability and remains accessible to students who need guidance or want to make a complaint.

### *Warning Signs of Abusive Behavior*

Because relationships exist on a spectrum, it can be hard to tell when a behavior crosses the line from healthy to unhealthy or even abusive. Use these warning signs of abuse to see if your relationship is going in the wrong direction. If the person you have a relationship with exhibits one or more of the following, the relationship may be unhealthy or abusive:

- Is checking your cell phone or email without permission
- Is constantly putting you down
- Is extremely jealous or insecure
- Has an explosive temper
- Is isolating you from family or friends

- Is making false accusations
- Has mood swings
- Is physically hurting you in any way
- Is possessive
- Is telling you what to do

See <http://www.loveisrespect.org/> for more information and resources.

### *Risk Reduction for Sexual Assaults*

With no intent to victim-blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment:

1. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
2. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
3. Make sure your cell phone is with you and charged and that you have cab money.
4. Isolation is a strategy of some assaulters. Meet new acquaintances in public places you are familiar with.
5. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
6. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
7. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from large, common open containers.
8. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated given the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
9. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
10. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

### *Students' and Employees' Responsibilities under the Law*

Students have the same rights and responsibilities as other citizens and are expected to follow College policies and applicable federal, state, and local laws.

### *Massachusetts Sex Offender Registry Board*

The Sex Offender Registry Board is the state agency responsible for keeping a database of convicted sex offenders and classifying each offender so that the public may receive information about dangerous sex offenders who live or work in each community. The goal of the Sex Offender Registry is to educate the public and to prevent further victimization. Members of our community may also contact the Northampton police department to ask for information on sex offenders in Northampton.

<http://www.mass.gov/eopss/agencies/sorb/>

### *National Sex Offender Registry*

This Web site is provided as a public service by the U.S. Department of Justice. Using this Web site, interested members of the public have access to and may search participating state Web site public information regarding the presence or location of offenders, who, in most cases, have been convicted of sexually-violent offenses against adults and children and certain sexual contact and other crimes against victims who are minors. The public can use this Web site to educate themselves about the possible presence of such offenders in their local communities.

<http://www.nsopw.gov/Core/Portal.aspx?AspxAutoDetectCookieSupport=1>

### *Being an Active Bystander*

Regardless of how close to the situation they are, bystanders have the power stop relationship and sexual violence, insensitivity, and oppression from occurring and to get help for people who have been affected. *Understand, we are not advocating that people risk their own safety to be an active bystander*, though we also believe that the creation of the inclusive campus we want takes all members of the community to be involved in the work of change. Remember, there is a range of actions that are appropriate, depending on the situation.

### *What to Do If You Believe Someone Is in an Unsafe Situation?*

- First, assess the situation to determine what action, if any, might be appropriate & safe.
- Second, evaluate options and choose strategies for responding either at the time or later.
- Whether or how an Active Bystander acts will depend on the situation. Such actions may include:
  - Explain to the victim that you are concerned for their safety and why – they may not recognize they are in an unsafe situation or may not realize they can get help stopping the unacceptable behavior.
  - Interrupting the behavior – if it is safe for the bystander, tell the victim that you have an important call for them, or that it is time for “that meeting.”
  - Calling for help when needed.
  - Support the victim – offer, if they are willing, to accompany them to report the situation.

- If the person is not willing to accept help, you can talk to the Title IX Coordinator or one of the co-directors for more strategies and how to support to help the victim, keeping in mind that these individuals are responsible employees who may need to respond to the information you share to ensure a safe campus.

### *Important Cautions*

- **Do not** engage a violent person and endanger your safety; **step back and call 911**
- For **immediate help** dial **911** from a campus phone or a cell phone

### *Assistance in Connecting with External Resources*

The Title IX Coordinator and Co-Directors will assist survivors (students and employees) connecting with external resources, including the local police department, state police department, or personnel from the District Attorney's Office, the survivor has the right to decline notifying law enforcement; a decision to utilize law enforcement or to decline to utilize law enforcement will not impact the school's obligations under Title IX and its own policies. Students and employees can receive 24-hour care at local hospitals or other medical facilities.

Please see the Sexual Harassment Policy & Procedures section of the *Student Handbook* for detailed definitions of sexual harassment and procedures related to filing a complaint.

Please see the Sexual Harassment Policy & Grievance Procedures section of the *Employee Handbook* for detailed definitions of sexual harassment and procedures related to filing a complaint.

### *Title IX Investigations and Police Investigations*

The school will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its Title IX investigation and, if needed, will take immediate steps to protect the student in the educational setting. For example, the school will **not** delay conducting its own investigation or taking steps to protect the complainant because it wants to see whether the alleged perpetrator will be found guilty of a crime. If the survivor or the district attorney chooses to pursue criminal charges based on the complaint of harassment or assault, the school may need to delay temporarily the fact-finding portion of a Title IX investigation while police are gathering evidence; once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school will promptly resume and complete its fact-finding for the Title IX investigation. However, temporary safety measures, if needed, will be put into place.

### *Cases Allegedly Committed by a Conway Student*

Conway's Sexual Harassment Policy & Procedures (*Student Handbook*, page 21) apply to all student misconduct violations. Complaints may be filed with the Title IX Coordinator.

### *Cases Allegedly Committed by a Conway Employee*

The Sexual Harassment Policy (*Employee Handbook*, page 20) applies to all employee sexual misconduct violations. Complaints may be filed with the Title IX Coordinator.

*Resource List for Sexual Assault/Harassment*

	<b>Emergency</b>	<b>911</b>
Title IX Coordinator (oversees Conway School adherence to Title IX concerns)		413-203-6774
Center for Women & Community UMASS/Amherst 24-Hour Crisis Line		413-545-0800
Safe Passage (Northampton) 24-hour Crisis Line		413-586-5066
Northwestern District Attorney’s Office Victim/Witness Assistance		413-586-5780
New England Learning Center for Women in Transition 24-Hours		413-772-0806
Toll Free 24-Hour Hotline		888-249-0806
Men’s Resource Center for Change		413-253-9887

*Campus Security Authorities*

Designated “*Campus Security Authorities*” are defined in the Clery Act as “any individual who has responsibility for campus security but who does not constitute a campus police or security department...or who has significant responsibility for student and campus activities.” This includes, but is not limited to:

- Conway Co-Directors
- Title IX Coordinator
- Campus Manager
- Senior Faculty and Staff

The Clery Act prescribes how the school collects and reports crime statistics and provides for confidential reporting of criminal incidents. Other laws and regulations mandate the school act to stop sexual harassment, sexual assault, and other criminal acts. In those cases, the school will attempt to respect an individual's desire for confidentiality and will work to maintain the privacy of the individual to the degree possible. However, the school may be legally required to act depending on the nature of the grievance or complaint and may not be able to honor the request for confidentiality. The individual will be informed if, while satisfying this obligation, the school may be unable to comply with the request for confidentiality.

A **Campus Security Authority** is not always required to disclose confidential information concerning an incident, such as information that would identify a victim of a crime who wishes for their identity to remain confidential. However, the crime must be reported to police immediately. Keep in mind, that Campus Security Authorities, under Title IX and the Violence Against Women Act (VAWA), may be required to provide more information than is otherwise required in their role as a Campus Security Authority.

*Sexual Offender Registry and Access to Related Information*

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information

provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice to the state of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

In Massachusetts, convicted sex offenders must register with the state's Sex Offender Registry Board; this includes anyone enrolled at or employed by a college or school, even if they are registered in their home jurisdiction in one of three categories (Level 1—considered a low-risk offender, Level 2—considered a moderate risk offender, and Level 3—considered a high-risk offender). Any member of the public who is at least 18 years of age may request sex offender information.

### *Reporting Incidences of Domestic Violence, Dating Violence, Sexual Assault & Stalking*

All employees, except where confidentiality is governed by law, should report to Campus Security Authorities any criminal incidents brought to their attention. The survivor's name is not required. This allows the Campus Security Authorities to have accurate records of the number of incidents involving members of the community, to include those statistics in our annual security report, and to alert the community if there is a potential of danger. Third-party anonymous reports of crimes on campus can be reported to Campus Security Authorities. The statistics shall be included in the annual security report.

Although the school recognizes the importance of confidentiality, federal law requires us to record and act upon certain information affecting the safety of the entire community. This includes, where necessary, the sharing of certain elements of crimes reported on campus to Campus Security Authorities when a community notification must be sent when the incident creates an ongoing threat to members of the community. Details revealing the identity of a reporter choosing not to go to Campus Security Authorities will be withheld.

Campus Security Authorities must acknowledge that an alleged crime has been reported and release basic information about location and time of occurrence. Disclosure of this information is done as carefully as possible to protect the victim's privacy. The names of survivors of sexual assault, dating and domestic violence, and stalking will be maintained in confidence except as required by law.

The Clery Act prescribes how the school collects and reports crime statistics and provides for confidential reporting of criminal incidents. (See Clery Act Report, below). Other laws and regulations mandate the school to act to stop sexual harassment, sexual assault, and other criminal acts. In those cases, the school will attempt to respect an individual's desire for confidentiality and will work to maintain the privacy of the individual to the degree possible. However, the school may be legally required to act depending on the nature of the grievance or complaint and may not be able to honor the request for confidentiality. The individual will be informed if, while satisfying this obligation, the school may be unable to comply with the request for confidentiality.

### *Standard of Evidence*

Other than where otherwise legally mandated, a violation of the school's sexual harassment policy will be found only where there is a preponderance of evidence that a violation has occurred. The school will be bound to make its determinations based on this standard of proof.

## **FIRE SAFETY PLAN**

Fire prevention is the responsibility of all members of the Conway School community. Additionally, all members of the community are required to:

- Participate in all fire drills and promptly leave a building when the fire alarm sounds. Follow any instructions of faculty and staff during a drill or an actual alarm.
- Report to the Campus Manager any condition that creates a fire hazard (trash in the corridors or stairwells, missing fire extinguishers, blocked floor exits or stairwells, etc.).
- Know where the nearest exits are and be prepared to use an alternative exit, if necessary. Plan how you would escape through each of these exits in case of a fire.
- Know the location of the fire stairwells.

### *Fire Evacuation Policy*

Every person in the building, including staff, faculty, students, visitors, and contractors where the fire alarm is sounding, regardless of known or suspected cause, is required to evacuate immediately. Persons evacuating must leave via the closest exit. Any equipment that could cause a fire should be turned off before exiting if it can be done quickly and safely. All occupants will assemble at a safe distance from the building and await further instructions from fire and/or police personnel. No occupant will re-enter a building until clearance is given by fire and/or police personnel.

### *Policy on Reporting of Fires*

Fire alarms for Coach House ring directly to the Northampton Fire Department. However, any member of the community who becomes aware of any active or past fire must notify Northampton Fire Department immediately.

### *Prohibited Items*

Items prohibited from the Conway School include, but are not limited to:

- Candles and incense.
- Smoking, including e-cigarettes (prohibited in all school rooms and at school events).
- Space heaters.
- The storage and use of flammable liquids (e.g. gasoline, paint thinner, spray paint, air brushes) and flammable gases (e.g. propane, acetylene), fireworks or other materials that pose an increased fire hazard.
- Extension cords, unless UL-approved with surge protectors. Electrical cords should be kept at least 12 inches (30.5 cm) away from heaters.

- Toaster and microwave ovens may be used only in the kitchen or lounges. Appliances must always be kept clean.

### *Procedure if fire is discovered*

Any person who discovers a fire, smoke, or an unusual amount of heat should do the following:

1. Pull the nearest fire alarm.
2. Exit the building immediately; notify those in the immediate area of the danger.
3. Assist in removing any person needing assistance from the immediate area to wait for fire department personnel (or to the outside if that can be done safely). **However, never place yourself in danger.**
4. Assemble outside your building at the predetermined location (across Village Hill Rd. from the school's main entrance at the intersection of Village Hill Rd. and Ford Crossing.
5. Follow the instructions given by police and fire department personnel.

### *Tampering with Fire Safety Equipment*

Fire extinguishers and fire detection and alarm systems are in place to protect the community. Tampering with fire safety devices is a serious violation of school policy and is prohibited. This includes, but is not limited to:

- disabling smoke detectors
- covering smoke detectors with any materials whatsoever
- activating an alarm when no hazard is present
- hanging items from sprinkler pipes
- discharging, tampering with or moving fire extinguishers

## 2017 Clery Act Report

Each year the Executive Director is responsible for preparing and posting an annual security report (this document) containing security policies and statistics. Statistics are gathered from local police reports, faculty, and staff.

- Annually, all enrolled students and current employees will receive a notice of the availability of the school's annual security report on the school's web site via the school's electronic announcements.
- This notice will include the exact web site address of the school's Clery Law-compliant publication as well as information that additional copies can be requested from the Title IX Coordinator.
- A notice is also included in contract documents for prospective students and employees.
- A copy of these statistics, which are contained in the annual security report, is available at the school's website at [www.csl.edu/about/safety/](http://www.csl.edu/about/safety/)
- The school annually submits its Clery Crime data on the Department of Education website. Data from our institution and others throughout the U.S. is available online at <https://ope.ed.gov/campusafety/#/>.

### *Campus Crime Statistics Reporting Policy and Statistics*

**Criminal Offenses and Federal Law Bias Incidents.** Conway is required to report annually (to the U.S. Department of Education) statistics concerning the occurrence of the following criminal offenses. In 2017, Conway School had two campuses, and the relevant statistics were reported for both in September 2018, as follows (Federal Law Bias Incidents are included on each table below):

<b>Crime in 2017</b>	<b>Incidence (Conway Campus)</b>	<b>Incidence (Easthampton Campus)</b>	<b>As a hate crime at either Campus</b>
Murder / Non-negligent Manslaughters	0	0	0
Negligent Manslaughters	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robberies	0	0	0
Aggravated Assaults	0	0	0
Burglaries	0	0	0
Motor Vehicle Thefts	0	0	0
Arsons	0	0	0

**Sexual Assault, Domestic Violence, Dating Violence, & Stalking.** VAWA OFFENSES (Violence Against Women Act of 1994; Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act, H.R. 3355):

Offence in 2017	Incidence (Conway Campus)	Incidence (Easthampton Campus)	As a hate crime at either Campus
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

**Definitions of Clery Act Crimes.** (see Appendix A)

**Arrest & Referral Statistics.**

Arrests in 2017	Incidence (Conway Campus)	Incidence (Easthampton Campus)	As a hate crime at either Campus
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

*Possession of Marijuana*

While marijuana was legalized in Massachusetts for persons over 21, it is still **against Federal law** to possess marijuana on college campuses regardless of state laws. Manufacturing, distributing, and other related crimes involving marijuana remain illegal.

*Statement on Medical Marijuana*

Conway School receives federal funding through Title IV in the form of student financial aid. As a condition of accepting this money, Conway is required to certify that it complies with the Drug-Free Schools and Communities Act (DFSCA) (20 U.S.C. 1011i; 34 C.F.R. part 86). The federal government regulates drugs through the Controlled Substances Act (CSA), which does not recognize the difference between medical and recreational use of marijuana. Therefore, to comply with the Federal Drug Free School and Communities Act and avoid losing federal funding, the Conway School prohibits all marijuana use, including medical marijuana, and students may be subject to disciplinary action for its use. Therefore, marijuana prescribed for medical purposes is prohibited at the Conway School even though Massachusetts state law permits its use.

*Firearms and Other Weapons on Campus*

In accordance with Massachusetts General Law Chapter 269 Section 10J, weapons are prohibited on the grounds of the school. No person shall be permitted to carry firearms or other weapons, concealed or not concealed, with or without a concealed weapon permit, while on properties owned or controlled by the school.

For the purposes of this policy, the term “weapons” includes, but is not limited to, firearms of any nature or description, including shotguns, rifles, pistols, and revolvers, paint ball guns, or BB/pellet guns; firearm replicas; ammunition; martial arts-type weapons; explosives (including fireworks); bows, crossbows, arrows; slingshots; switchblade knives, double-edged knives, hunting (pocket-style) knives with a blade length of three inches or greater; swords; pointed metal darts; (unauthorized) pepper spray; or any other destructive device or instrument that may be used to do bodily injury or damage to property. In addition, items that may be used as weapons, whether or not they fit the definition above, will be subject to seizure.

Because these weapons may pose a clear risk to persons and property on the campus, violation of the regulations may result in administrative action from the school and/or prosecution under the appropriate state or federal laws.

*Drugs and Alcohol on Campus*

The school’s drug and alcohol policy is contained in the Use of Facilities section of the *Student Handbook*, in handouts distributed to students during application and enrollment, as well as in binders in the Administrative Director’s office. An explanation of policies is given at the beginning of the school year. The school’s drug and alcohol policy is also found in section II.C of the *Employee Handbook*.

**Fires and Fire Prevention**

<b>Fires and Other in 2017</b>	<b>Incidence (Conway Campus)</b>	<b>Incidence (Easthampton Campus)</b>
Fires	0	0
Weather Disasters	1 tornado	0

## *Appendix A. DEFINITIONS*

To aid in the understanding of the crimes reported in this document, we are providing the following definitions. These are based on Massachusetts law unless otherwise noted.

### **DEFINITIONS OF CLERY ACT CRIMES**

#### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

#### **Arson**

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

#### **Burglary**

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

#### **Consent**

In Massachusetts, it is illegal to have sex under any circumstances with someone who is incapable of giving consent due to incapacity or impairment; incapacity or impairment may be caused by intoxication or drugs, or because a victim is underage, mentally impaired, unconscious, or asleep. For purposes of this policy, consent is an explicitly communicated, reversible, mutual agreement to which all parties are capable of making a decision.

- Consent requires a "Yes" in response to requests for sexual acts.
- Silence is not consent.
- "No" is not consent.
- By law, a person is incapable of consent if he or she is unconscious, asleep or younger than 16 years old.
- A person may also be incapable of consent if he or she is intoxicated (i.e. drunk, high) or mentally incompetent.
- Submission is not necessarily consent. There is a fine line between persuasion and coercion. For example, having sex with someone who reasonably believes that there is a threat of force meets the legal definition of rape in Massachusetts.

#### **Destruction/Damage/Vandalism of Property**

To willfully or maliciously 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.

**Dating Violence (definition from the federal Violence Against Women Act, amended 2013; there is not a specific crime defined as “dating violence” in Massachusetts)**

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.
- For the purpose of this definition, dating violence –
  - o Includes, but is not limited to, sexual or physical abuse or the threat of such abuse
  - o Does not include acts covered under the definition of domestic violence

**Domestic Violence (from 2013 VAWA Act; the definition under Massachusetts law varies slightly)**

A felony or misdemeanor crime of violence committed—

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

**Forcible Fondling**

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

**Hate Crimes**

Hate crimes must also be reported by category of prejudice based on the following: Race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. For the purpose of reporting the statistics with respect to the crime statistics that must be compiled in accordance under the categories of: On campus, on non-campus building or property; public property; and dorms/residences. Reportable hate crimes include crimes in the Clery crime categories with a bias component, as well as bias-involved larcenies (thefts), simple assault, intimidation, vandalism, and any other crime involving personal injury.

**Incest**

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

**Intimidation**

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

**Larceny (theft)**

The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Counted only in bias statistics.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

**Murder and Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter**

The killing of another person through gross negligence.

**Rape (UCR definition)**

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 the rape of both males and females.

**Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Sex Offenses-Forcible**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Includes Rape & Forcible Fondling defined in this section.

**Sex Offenses-Non-forcible**

Unlawful, non-forcible sexual intercourse. Includes Incest & Statutory Rape defined in this section.

**Simple Assault**

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

**Stalking**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
  - o Fear for the person's safety or the safety of others, or
  - o Suffer substantial emotional distress

- For the purpose of this definition –
  - o Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly or 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
  - o Substantial emotional distress means significant suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling
  - o Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- One incident of stalking is recorded for each year in which a course of conduct involving the same perpetrator and victim, and is recorded at the first location of the incident series

### **Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent (16 in Massachusetts).

### **DEFINITIONS OF WEAPON LAW, DRUG ABUSE, & LIQUOR LAW VIOLATIONS**

#### ***(Only Arrests & Referrals are Reportable)***

The law also requires that colleges and universities provide statistics for the following categories of arrest or referrals for campus disciplinary action (if an arrest was not made): Liquor law violation, drug law violation, and illegal weapons possession.

#### ***Weapons Law Violations***

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

#### ***Drug Abuse Violations***

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use, including:

***Drug/Narcotic Violations***—the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

***Drug Equipment Violations***—the unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics.

#### ***Liquor Law Violations***

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

## **FIRE DEFINITIONS**

These definitions come from the Dept. of Education Handbook for Campus Safety and Security.

### ***Cause of fire***

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

### ***Fire***

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

### ***Fire drill***

A supervised practice of a mandatory evacuation of a building for a fire.

### ***Fire-related injury***

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of a fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.

### ***Fire-related death***

Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of a fire.

### ***Fire-safety system***

Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

### ***Value of property damage***

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.