



Annual Security Report

and

Annual Fire Report

October 01, 2024

Included: Clery crime/fire data for calendar year 2023

Plymouth State University
 University Police Department
 17 High Street, MSC 12
 Plymouth, NH 03264
plymouth.edu/office/police

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Notice of Combined Annual Security Report and Annual Fire Report Availability

Plymouth State University's combined *Annual Security Report and Annual Fire Report* is required by federal law and contains policy statements and crime statistics for the University. The policy statements address University policies, procedures, and programs concerning safety and security (for example, policies for responding to emergency situations and sexual offenses). Three years' worth of statistics are included for certain types of crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the school and on public property within or immediately adjacent to the campus. This report is available at plymouth.edu/office/police. You may also request a paper copy from Plymouth State University Police Department (UPD) located at 2 High Street (Mailing address: MSC 12 17 High Street, Plymouth, NH 03264) or by calling (603) 535-2330.

Disclosure of Crime Statistics

The UPD prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. More information about the Clery Act can be found on our website at plymouth.edu/office/police/legal-links/clery-act.

This report is prepared with information from local law enforcement agencies surrounding our main campus and alternate sites. The report is prepared jointly with the Office of Student Conduct and Community Standards. Campus crime, arrests, and referral statistics include those reported to the UPD, Student Conduct, Title IX, designated campus officials (including but not limited to directors, deans, department heads, and athletic coaches), and local law enforcement agencies. Each year, an e-mail notification is made to all enrolled students that provides the website to access this report. Faculty and staff receive similar notification.

Non-identifiable information is solicited from confidential resources including the Counseling center, health services, clergy, and the area sexual violence crisis shelter.

Issuing Timely Warnings

In the event that a situation arises, either on or off campus, that in the judgment of the director of UPD constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued through University e-mail, text alert, and web systems to students, faculty, and staff. In all situations that could pose an immediate threat to the community and individuals, the timely warning will also be placed on the UPD website. A copy of the warning can be posted in each residential area. Anyone with information warranting a timely warning should report the circumstances to the UPD by phone: (603) 535-2330, or in person: 2 High Street, Plymouth, NH.

Emergency Notification Policy

When University officials are made aware that there is a significant emergency or dangerous situation involving the immediate threat to the health or safety of a student or employee, emergency personnel are immediately contacted and will respond to the location to evaluate the threat or emergency.

Emergency responders from UPD, Plymouth Police Department, and Plymouth Fire Department are available 24 hours a day to respond to these situations.

Emergency services can be contacted by calling 911, by activating one of the emergency blue phones located throughout the campus, or by calling the Police Emergency Communication Center at (603) 536-1626.

If the emergency responders determine that there is an immediate threat to the safety and/or health of students, faculty, or staff, emergency communications will be disseminated.

Plymouth State University maintains several emergency communications capabilities listed below:

- **RAVE Emergency Text Alert System:** The PSU emergency text system is the most immediate means of communication. Students, staff, and faculty must register for this in order to receive this service. Students may add a parent/guardian phone number as a secondary contact. This service is also available to the larger, local community.
- **University e-mail:** Plymouth State University will e-mail information about the event along with further instructions (simultaneously with text alerts).
- **University website:** Plymouth.edu will be updated with information about the event along with further instructions.
- **University Outdoor Alert Siren:** The outdoor alert is a siren that notifies the campus and surrounding community of imminent danger. The siren is centrally located on campus, on High Street between Hyde Hall, the HUB (student union), and Geneva Smith Hall. The siren is audible for approximately a one-mile radius. The University participates in announced testing twice a year (at noon on the third Wednesdays in September and February) and otherwise will sound the alarm only when there is threat of imminent danger to those in the campus community.

The threats of imminent danger may include, but are not limited to:

- tornado warning (not a watch),
- actively violent/armed individual,
- explosion/hazardous material release,
- suspected weapons of mass destruction.

In the event that the siren is activated, individuals on campus will be instructed to:

- assess the situation,
- take cover indoors immediately,
- check for text messages,
- check PSU's website,
- call the PSU Alert Line at (603) 535-3535 (on and off campus).

The University Outdoor Alert Siren can be activated from the Plymouth Police Department Communications Center. The Center is staffed 24 hours a day and all communications specialists are trained on activation procedures. All UPD officers are equipped with portable radios that can communicate with the Center to request siren activation. All police vehicles are also equipped with mobile radios that can communicate with the Center.

When faced with a significant emergency or dangerous situation involving the immediate threat to the health or safety of a student or employee, any emergency personnel can, without delay, contact the Plymouth Police Department Communications Center and initiate the outdoor alert siren.

How to Report Criminal Offenses

To report a crime: Contact UPD at (603) 535-2330 (non-emergencies), call 911 on your phone (emergencies only), or activate the blue telephones located in various areas on campus. By activating the 911 system, you will be connected with a State of NH public safety answering point who will send emergencies services to your location or connect you with police/fire or emergency medical services.

You may also use the red button on the blue telephones to call any campus extension.

It's important to know that the UPD non-emergency line (535-2330) goes directly to the UPD station located on campus at 2 High Street. After hours, these calls are answered by the Plymouth Police Department Communications Center, located off campus at 334 Main Street in Plymouth, NH. The Center is staffed 24 hours a day, seven days a week, 364 days of the year. The communications specialist who will receive your call after hours will radio dispatch UPD to your location and/or refer you to be contacted by a University police officer.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings, or around any residential facility should be reported to the police department. In addition, you may report a crime during normal business hours to the Frost House at (603) 535-2206.

University police, in conjunction with the Plymouth and Holderness police, have working relationships and use the same police communications system. Each department assists the other within their jurisdictions during mutual investigations, arrests, and calls for service. UPD personnel attend regular meetings and are members of many law enforcement organizations with local law enforcement agencies to exchange ideas and problems which may be of concern for the University community.

University Police	(603) 535-2330
Student Conduct	(603) 535-2206
Title IX Coordinator	(603) 535-2206
Student Affairs/Frost House	(603) 535-2206

Voluntary Confidential Reporting

If the victim of a crime does not want to pursue action within the University System or the criminal justice system, they may still want to consider making a confidential report. With their permission, the director of UPD, a designee of UPD, Title IX Coordinator, or the Student Conduct Office can file a report on the details of the incident without revealing their identity. The purpose of a confidential report is to comply with the wish of the reporting party to keep the matter confidential, while taking steps to ensure the future safety of the reporting party and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. You may also anonymously submit your report or a tip of a crime with the Silent Witness Reporting Form (plymouth.edu/office/police/student-services/reporting-a-crime) or by calling the Campus Tips line at (603) 535-8477. When calling this line, you do not need to leave your name. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Security and Access

Academic buildings are generally closed to the public except via one main door during normal business hours. All other access is by PSU ID card/access control system. The schedule of openings and closings vary depending on academic needs and the time of the year. Some of the academic building doors lock and unlock electronically on a schedule developed by the building users and input from facilities services. University Police do random door checks after hours.

Residential facilities are kept locked 24 hours a day, seven days a week, even in the summer. The exception to this is on move-in/move-out periods when doors are opened for the ease of moving. During these times, there is a heavy presence of University police and residential staff.

University police patrol the campus on foot and in vehicles and routinely enter residential areas to check in with the on-duty residential staff and assist them when needed.

Physical Plant staff members are available to respond 24 hours a day to safety-related maintenance issues and also to report these activities and findings to safety officials on campus. The University employs a locksmith who is available to respond to all safety-related issues of door or building access. Representatives from UPD and Residential Life keep in close communication regarding safety concern on campus, and a representative from the UPD holds a position on the University's Safety Committee.

Campus Law Enforcement Authority

The UPD provides policing services 24 hours a day, seven days a week. They are staffed with certified police officers authorized to provide services throughout both communities of Plymouth and Holderness. University police officers are trained NH law enforcement officers who are certified by NH Police Standards and Training Council. More information about NH certified police officers can be found at pstc.nh.gov.

By way of agreements with the towns of Plymouth and Holderness, the University police are the primary responders to criminal matters and security needs on the Plymouth and Holderness campuses. They are also responsible for the apprehension and prosecution of criminal offenders on the campus of Plymouth State University. University police have complete authority to arrest anyone involved in illegal acts on or off campus. When students are believed to be in violation of the University's Student Rights and Code of Conduct the UPD may refer the matter to Student Conduct, located in the Frost House. UPD personnel work closely with local state agencies and have direct radio communication with the Plymouth Police Department on the Plymouth Police Department Communications Center radio frequency.

By mutual agreement with state and federal agencies, The UPD have access to a National Law Enforcement Telecommunications System (NLETS) connection. Through this system, police personnel can access the National Crime Information Computer system. These computer databases are used for accessing criminal history data, nationwide police records, and driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

Policing needs that occur off campus are generally served by local police. The Plymouth Police Department provides police communications/dispatching for the UPD. All telephone calls to UPD are answered by the Plymouth Police Department after business hours. University police are able to communicate with state police and sheriff's department via police radio. The University also maintains a system of emergency blue phones throughout the campus. These phones are located on campus and will connect the caller, by the push of a button, to a 911 public safety answering point where police, medical services, or the fire department will be immediately dispatched to the emergency phone's location.

Campus Safety officers have no law enforcement authority but do assist the UPD with parking enforcement and door locks and unlocks, and generally assist with student safety concerns.

Accurate and Prompt Crime Reporting

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to the UPD in a timely manner. To report a crime or an emergency on campus, call (603) 535-2330 or 911. To report a non-emergency security or public safety-related matter, call UPD at (603) 535-2330. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, UPD will take the required action, dispatching an officer to the reporting party's location or requesting that the reporting party meet at UPD to file an incident report. Plymouth Police can be contacted at (603) 536-1626 or 911 in emergencies. More information about the Plymouth Police Department can be found at plymouthpd.org.

Counselors and Confidential Crime Reporting

Each year, the Director of Public Safety and Emergency Management communicates with the entire campus community, encouraging pastoral counselors and professional counselors, if appropriate, to inform the person they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. See Appendix B for copy of the communication.

Security Awareness Programs for Students and Employees

Before the University begins in the fall, the UPD meets with all residential hall directors. University Police also meet with students and the community and talk about safety matters, emergency protocols, and methods to contact emergency services. Students are encouraged to safeguard their property and to consider using the uSafeUS [app](#) to enable the app's Expect Me feature when walking alone at night. The UPD offers property registration and SafeWalk programs (plymouth.edu/office/police/student-services).

Students receive communications from the University Administration when popular professional athletic teams are competing in championship events. Students are encouraged to be proactive, positive bystanders and are warned of the dangers of being near outdoor celebrations or areas where injury could occur. University Police actively participate in Rape Aggression Defense (RAD) programming.

Plymouth State University and the New Hampshire Department of Homeland Security and Emergency Management offer a 2-hr training for *Civilian Response to Active Shooter Events*, also known as C.R.A.S.E, for the campus community.

Criminal Activity Off-Campus

When a university student is involved in an off-campus offense, University police officers may be asked to assist with the investigation in cooperation with local, state, or federal law enforcement. Plymouth and Holderness police routinely work and communicate with campus officers on any serious incidents occurring off campus or in the immediate neighborhood and business areas surrounding campus.

UPD and local police (Plymouth and Holderness) share the same police radio frequencies, and all three departments receive police radio/dispatch communications services from the Plymouth Police Communications Center. All police radio traffic and telephone calls to the Plymouth Police Department are recorded. UPD shares the same police reporting software with Plymouth Police and the same police log information as do the Plymouth and Holderness Police. University Police can monitor the police logs from Plymouth and Holderness Police at any time. Each week UPD forwards to the Frost House a complete list of those arrested on or off campus, and the Plymouth Police Department forwards to UPD and the Student Conduct Office a weekly activity report outlining arrests, investigative reports, and calls for service from the Plymouth Police Department that occur off campus. UPD forwards to the Student Conduct Office (in the form of electronic Maxient reports) any arrest information regarding students on or off campus, as well as reporting to Managing Director for Student Affairs matters in which students need service or are in dangerous situations.

University police regularly attend meetings with local officials known as the Campus Community Council (CCC) where off-campus concerns are addressed with university representatives, off-campus landlords, local police, local residents, elected officials, health officials, and fire and emergency medical services.

Plymouth State University operates no off-campus housing or off-campus student organization facilities. However, many graduate students and some undergraduate students live in the neighborhoods surrounding Plymouth State University. While Plymouth Police Department has primary jurisdiction in all areas off-campus, University officers can and do respond to student-related incidents, or when needed for other matters, that occur in close proximity to campus. Plymouth State University officers have direct radio communications with the Plymouth Police, Plymouth Fire and Rescue Department, and state and county Sheriff's Department to facilitate rapid response in any emergency situation.

Alcoholic Beverages

The possession, sale, or the furnishing of alcohol on the University campus is governed by Title XIII Chapter 179 of New Hampshire's Criminal code. The enforcement of alcohol laws on campus is the primary responsibility of the UPD. Only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the UPD. Violators are subject to university disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

Illegal Drug Possession

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the UPD. Violators are subject to university disciplinary action, criminal prosecution, fine, and imprisonment.

Substance Misuse Education

The University Counseling Center offers substance abuse education and counseling free of charge to any full-time student that seeks this service.

All first-year students are provided alcohol and drug prevention education programming and sexual assault prevention programming in-person during new student orientation and prior to the first day of classes. All enrolled students are also provided online sexual harassment and sexual assault prevention education annually that includes information related to substance misuse.

Students found responsible for a violation of the University's alcohol, cannabis, or other drug policies are sanctioned to appropriately corresponding educational courses. The following is a list of courses that used during the reporting period:

- *Under the Influence*: an online course offered by 3rd Millennium Classrooms
- *THC 101*: an online course offered by 3rd Millennium Classrooms
- BASICS/CASICS survey followed by a meeting with a trained professional to review the survey results

Sex Offender Registration

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, University police provides a link to the New Hampshire State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement 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 each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. In the state of New Hampshire, convicted sex offenders must register with the state police. The New Hampshire State Police Department is responsible for maintaining this registry. Follow the link below to access the New Hampshire State Police website: business.nh.gov/nsor.

Missing Student Notification Policy and Procedures

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify UPD at (603) 535-2330. UPD, working with other law enforcement organizations, will generate a missing person report and initiate an investigation.

This policy and procedure applies only to Plymouth State University students who are confirmed and lawfully occupying University provided housing. Such housing may be in a residence hall located on campus or in any other facility that is rented or leased by the University for the purpose of providing residential housing to its students. This policy and procedure is required pursuant to applicable provisions of the Higher Education Opportunity Act that has been codified at Title 20 U.S.C. § 1092j.

A residential student will be considered to be missing if the following circumstances apply:

- The student is overdue in reaching a predetermined destination by more than 24 hours past their expected arrival time.
- After checking their University residence, evidence supports the view they are not present there, and preliminary efforts to contact the student fail.
- Additional factors may be used by University officials to determine if a student is missing, depending on circumstances.

If a residential student is deemed to be missing for more than 24 hours by the UPD, that department will:

- Notify the Managing Director for Student Affairs/Frost House that such student has been missing for more than 24 hours;
- Notify the student's contact information as rapidly as possible under the circumstances; and
- If the residential student is under 18 years of age, and not an emancipated individual, immediately contact the custodial parent or legal guardian of such student, as well as other emergency contacts so designated by the student.

In addition to making the notifications listed above, the UPD may also contact other law enforcement authorities as appropriate under the circumstances.

The UPD will conduct investigations of missing residential students on campus and may use any lawful methods to do so.

Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking

Note: in August 2024, Plymouth State University updated policies and procedures to align with changes to Title IX. The most current information is located in Title IX Policy Prohibiting Sex Discrimination, effective 8.1. 2024 on the PSU Title IX, Harassment, and Nondiscrimination web page: <https://campus.plymouth.edu/titleIX-sexual-assault/equal-opportunity-harassment-and-non-discrimination-policy-process/>

Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of New Hampshire regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Plymouth State University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex that constitutes one or more of the following:

Quid pro quo:

- Quid pro quo harassment: An employee, agent, or other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

Hostile environment sexual harassment:

- Hostile environment harassment: Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant's ability to access the University's education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about a party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in the University's education program or activity.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when: a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual Assault, defined as:

Sexual assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Specifically, this includes:

Non-Consensual Sexual Penetration —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 other party.

Fondling - Touching the private body parts of another person for the purpose of sexual gratification, without the consent of the other party, including instances where the other party is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Non-Consensual Sexual Contact- Intentionally touching the intimate body parts, such as breasts, buttocks, groin, genitals, or the clothing covering them, of another person, or forcing or coercing another person to touch your intimate body parts or themselves without consent.

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

Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent. In New Hampshire the age of consent is sixteen (16).

Dating Violence: violence committed by a person:

- • Who is or has been in a social relationship of a romantic or intimate nature with the other party; and • Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.

Domestic violence: felony or misdemeanor crimes of violence committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the University, or a person similarly situated to a spouse of the victim;
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Stalking:

- engaging in a course of conduct,
- on the basis of sex,
- 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.

Plymouth State University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include:

- i. Using any device for the purpose of observing, recording, or streaming of the intimate parts of a person or their sexual activity when there is a reasonable expectation of privacy without the other person's knowledge or consent.
- ii. Making, sharing, posting, streaming, or otherwise distributing images, photographs, video or audio of another person's sexual activity or intimate parts, if the individual distributing the content knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
- iii. Observing, spying on or listening to a person(s) involved in sexual activity or in any state of undress, in a place where that other person would have a reasonable expectation of privacy, without that person's consent. Voyeurism also occurs when an individual allows others to observe this behavior without the consent of all parties involved.
- iv. Knowingly transmitting a disease or infection to someone without their knowledge or consent by means of sexual contact.
- v. The prostituting of another person or the trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion.

- vi. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections.
- vii. Contact between the intimate body parts of a person and the sexual organ of another due to the purposeful removal of any prophylactic barrier without consent (e.g., nonconsensual dental dam or condom removal; 'stealthing').

CONFIDENTIAL SUPPORT AND SERVICES

Different people on campus have different reporting responsibilities, different abilities to resolve reports of sexual assault, and different abilities to maintain your confidentiality. If you want the details of the incident to be kept fully confidential, you should initially speak with one of the following:

- An advocate from [Voices Against Violence](#): VAV hotline: (877) 221-6176. Advocates are available 24 hours a day through the hotline number listed above and can support and guide victims with and through all their needs.
- A counselor from [Plymouth State University Counseling Center](#): (603) 535-2461
- A health service provider at our [Health Services](#) or any medical facility: (603) 535-2350

OFFICIAL REPORTING OPTIONS

All reports will be taken seriously and in good faith. The Title IX Coordinator will provide information and guidance regarding how to file a complaint with the University and/or local law enforcement, as well as information and options to address the complaint. Individuals may also directly contact the University Police Department, 603-535-2330, to file a report with law enforcement.

Employees, students, guests, or visitors who wish to report an incident of sexual misconduct to the University should promptly contact the Title IX Coordinator: Janette Wiggett Title IX Coordinator Frost House 201 janette.wiggett@plymouth.edu 603-535-2172. Individuals may also fill out an online reporting form: <https://www.plymouth.edu/frost-house/title-ix/reportingincident>.

The University encourages the prompt reporting of a complaint as the ability of the University to pursue the complaint to conclusion may be hindered by the passage of time. Every reasonable effort will be made to maintain the privacy of those making a report to the extent possible. When responding to reports, the University will consider the wishes of those identified to be impacted by prohibited conduct. In certain circumstances, the University may initiate an investigation or take other responsive actions to a report, even when the person identifying a concern chooses not to participate in a resolution process and/or requests that the University not initiate an investigation.

RESOLUTION PROCESSES AVAILABLE

There are multiple ways to resolve a complaint or report of sex discrimination. Whenever possible, the University will use the resolution method chosen by the complainant. During the resolution of a complaint, the Title IX Coordinator will determine whether to implement reasonable supportive measures designed to assist all parties and community members in maintaining access to and participation in University programs and activities.

Support-Based Resolution

A support-based resolution is an option for a complainant who does not wish for the University to take any further steps to address their concern and the Title IX Coordinator determines that another form of resolution, or further action, is not required.

Supports that may be appropriate include, but are not limited to:

- adjustments or changes to class schedules;
- moving from one residence hall room to another;
- adjusted deadlines for projects or assignments;
- adjustments to work schedule or arrangements;
- restrictions on contact applied to one or more parties;

- escorts to and around campus;
- counseling and support services referrals.

A support-based resolution does not preclude later use of another form of resolution. For example, if new information becomes available to the University and the Title IX Coordinator determines there is need for additional steps to be taken, or the complainant later decides to pursue an agreement-based resolution or investigation and decision-making process, the parties may seek another form of resolution.

Agreement-Based Resolution

An agreement-based resolution is a voluntary, structured arrangement between or among involved parties that integrates support and accountability. Agreement-based resolution is an alternative to the investigation and decision-making processes and can be accessed without first initiating those processes.

All parties must voluntarily consent to engage in the agreement-based resolution process and the Title IX Coordinator must approve of the use of this process and approve the final agreement between the parties. Plymouth State may never condition a party's enrollment, employment, or enjoyment of any other right or privilege upon participating in an agreement-based resolution.

Agreement-based resolution may be initiated at any time prior to the release of the final determination under other resolution pathways. Once initiated, the process is generally expected to be completed within thirty (30) days and may be extended by the Title IX Coordinator as appropriate. Parties will be notified, in writing, of any extension and the reason for the extension.

During an agreement-based resolution process, supportive measures will remain available to the parties. The Title IX Coordinator will also, to the extent necessary, take prompt and effective steps to ensure that sex discrimination, including sex-based harassment, does not continue or recur within University's education program or activity.

If an agreement cannot be reached, for any reason, the Title IX Coordinator may determine that the reported conduct will instead be addressed through the applicable investigation and decision-making process and will inform the parties.

Investigation and Decision-Making Resolution

The University strives to complete the investigation and decision-making process within ninety (90) days from the date of the Notice of Investigation in matters that do not include a hearing. In matters that include a hearing, the University strives to complete the investigation process and hearing within 120 days of the Notice of Investigation. The timeline for any part of the resolution process may be extended for good cause by the Title IX Coordinator. All parties shall be notified, in writing, of any extension to the timeline that is granted, the reason for the extension, and the newly anticipated date of conclusion of the investigation and/or hearing. Good cause reasons for extension may include ensuring availability of witnesses and other participants and ensuring participants have sufficient time to review materials.

The University has the duty of conducting an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred. This duty does not rest with either party. The standard of proof used in the investigation and decision-making process is the preponderance of the evidence standard, which means more likely than not.

The University will provide the parties written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time to prepare to participate.

Plymouth State will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and will not limit the choice or presence of the advisor in any meeting or proceeding.

The investigator will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions, including questions exploring credibility, and to request of the parties the names of relevant witnesses and relevant evidence. Only the investigator and the party or witness may attend each individual interview. A party's advisor may attend these meetings, subject to the rules described in

this policy. Additional attendees may be permitted at the discretion of the Title IX Coordinator, including individuals in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of the resolution process and may be subject to disciplinary action for failure to do so. The investigator will gather from parties, witnesses, and other sources, all relevant evidence. The investigator will determine whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to an interview. The investigator may conduct follow-up interviews as they deem appropriate.

The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. Character evidence that is not relevant will not be considered.

The investigator will prepare a written report summarizing all relevant evidence gathered and all steps taken during the investigative process. The Title IX Coordinator will provide each party with a period of ten (10) days to review the investigative report and provide a written response prior to delivering the report to the decision maker(s). The parties and their advisors of choice will also have an equal opportunity to access and review the underlying relevant and not otherwise impermissible evidence summarized in the investigative report upon the request of any party. When deemed appropriate by the investigator, the investigator shall then conduct any additional fact-gathering as may be necessary. If new, relevant evidence was submitted as part of evidence review, or is gathered during this second fact-gathering period, the new relevant evidence will be made available for review by the parties and their advisors. The parties shall have five (5) days to provide a response to the newly gathered evidence. No new evidence will be accepted as part of any response, except that the investigator shall have the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence. The investigator will consider the parties' written responses before finalizing the investigation report. Once the investigative report is final, the report shall be provided to each party and to their advisor, if any, in a secure manner.

Following conclusion of the investigation, each party shall be provided with a Notice of Hearing, which shall include information regarding the date of the hearing, the identity of the Hearing Panel/decision maker¹, the process to be used at the hearing, and names of witnesses. The hearing shall be scheduled no less than ten (10) days from the date of the Notice of Hearing. Within three (3) days of receipt of the Notice of Hearing, either party may object to a Hearing Panel/decision maker on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator shall remove the decision maker and appoint another.

The purpose of a hearing is for a decision maker(s) to determine whether the conduct occurred as alleged, and if so, whether that conduct violates this policy. The University expects that all individuals who participate in the hearing process do so truthfully and that all who have a responsibility for carrying out one or more aspects of the hearing process do so fairly and without prejudice or bias. Hearings may be conducted in person or via video conferencing. The Title IX Coordinator may determine that the hearing will continue in the absence of any party or any witness. The decision maker(s) shall have the authority to determine the relevance of evidence submitted, and of questions asked, to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. The decision maker(s) shall not draw an inference about the determination regarding responsibility based solely on a party's absence from the hearing or refusal to answer questions posed. The hearing shall be audio recorded by the University, and this recording will be considered the only official recording of the hearing. The recording is the property of the University and is available by contacting the Title IX Coordinator. The recording shall be available to the complainant, respondent, their respective advisors (for the purpose of their advising role), and appellate officer until the conclusion of the appeals process. Any other recording of the hearing is strictly prohibited.

Prior to the Hearing The parties and the decision maker(s) all have the right to call witnesses. Witnesses participating in the hearing must have information relevant to the allegations. Parties who wish to call witnesses must submit the name of the witness at least five (5) days in advance of the hearing. Only witnesses who participated in the investigation will be permitted to participate in the hearing, unless the witness was otherwise unknown or not known to have relevant information during the course of the investigation. If the witness did not participate in the investigation, the party must also provide the reason the witness was not interviewed by the investigator, and what information the witness has that is relevant to the allegations. The decision maker(s) will then determine whether the witness has relevant information and if there is sufficient justification for permitting the witness to participate. The decision maker(s) may instead send the case back to the investigator to interview the newly proffered witness prior to the hearing taking place. A list of witnesses approved by the decision maker(s) will be provided to the parties at least three (3) days prior to the hearing.

Three (3) days prior to the hearing, each party shall submit to the decision maker(s) a preliminary list of questions they wish to pose to the other party, or to a witness. If the decision maker determines that any questions are not relevant or seek otherwise impermissible evidence, the decision maker shall exclude the question and explain the reason for the exclusion of the question at the hearing. The decision maker(s) must give a party an opportunity to clarify or revise any question that has been determined is unclear or harassing and, if the party sufficiently clarifies or revises a question, and the question is relevant, the question will be asked.

Parties may also submit introductory and closing statements before the hearing but are not required to do so. Each party is entitled to be accompanied by one advisor at the hearing. The advisor's role is to help the party understand and navigate the proceedings. The advisor may not advocate for, respond for, or otherwise speak on behalf of a party during the hearing. If a party does not appear for the hearing, the advisor for that party may not participate in the hearing or submit questions to be asked on behalf of the party. Parties may select a support person of their choice to accompany them to any meetings, interviews, or hearings. A support person may provide emotional support during meetings. A support person cannot speak on behalf or otherwise represent a party during meetings. A party may choose to change a support person at any time or choose to proceed without one. The support person will not be included in communications from the University or Title IX Office.

Following a hearing, the decision maker(s), having reviewed the investigative report, information shared during the hearing, and all relevant evidence, shall render a determination whether Prohibited Conduct occurred and determine what, if any, discipline is appropriate.

The determination regarding responsibility becomes final either on the date that University provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

Programs to Address Culture and Climate on Campus

Incoming students in FA 2023 were provided with an in-person educational presentation entitled 'The 'C' Word' with an introduction to the Title IX Coordinator and a Voices Against Violence Confidential Advocate at the start of the program. Additionally, all incoming students were provided an online learning module entitled 'Consent and Respect' to complete in preparation for arrival to campus. This program addressed the following:

- Title IX overview including scope and purpose;
- Defining sexual misconduct at Plymouth State University (sexual harassment, non-consensual sexual contact, non-consensual sexual penetration, and sexual exploitation);
- Consent module;
- Domestic violence, dating and relationship violence, and stalking;
- Confidential resources including crisis advocates, counseling, health services, and clergy; and
- Reporting support including name and contact information of Title IX coordinator and all Title IX deputy coordinators.

New and returning faculty and staff are provided with Title IX overview and employee reporting training. Resource cards and information are provided for student referral. Human Resources provides annually to all staff and faculty online training related to identifying and preventing sexual harassment.

Safe and positive bystander intervention strategies were provided to all community advisor student staff during training for implementation in the on-campus residential community. Additionally, a student intern in the Title IX Office promoted campus adoption of the uSafeUS app, a free resource for students with prevention and response tools tailored specifically to the PSU campus and local community (usafeus.org)

Passive programming in Residential Communities included lobby area bulletin boards.

As part of an ongoing Memorandum of Understanding between the University and the local crisis services agency, Voices Against Violence, education and outreach programs for classes, student clubs, and athletic team were facilitated by the Voices education and outreach coordinator. Voices Against Violence also provides direct service to students by supporting them through the sexual misconduct and Title IX complaint resolution processes.

Policies on Portable Electric Appliances, Smoking, and Open Flames in a Student Housing Facility

The Office of Residential Life performs residence hall Health and Safety (H&S) inspections monthly with the guidance of the Physical Plant (Facilities) and the Office of Environmental, Health and Safety. Inspections are generally announced, and also occur unannounced as needed. The H&S inspections are primarily designed to find and eliminate safety violations. Students are required to read and comply with the Residential Life Housing Lease Agreement, which include the H&S inspections and all other rules and regulations for residential buildings. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers, and other life safety systems.

In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge-protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled with a locking device or confiscated and donated/discarded if found, without reimbursement.

Procedures for Student Housing Evacuation in the Case of a Fire

In the event of a fire, the Plymouth State University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the UPD. In the event a fire alarm sounds, University policy requires that all occupants must evacuate the building, closing doors as they leave. UPD, Plymouth Police, and Plymouth Fire Department officials regularly check residential spaces to ensure proper evacuation.

No training is provided to students or employees in firefighting or suppression activity, as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go, to contain the spread of flames and smoke, and to activate the alarm as they exit, if it not actively sounding. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Fire Safety Education and Training Programs Provided to Students and Employees

The Environmental Health and Safety (EHS) Office continues to work closely with the Residential Life staff to ensure that fire and life safety equipment and programs are maintained in the residence halls and in the student apartments. Regular inspections by Residential Life staff.

Fire drills are conducted each year in all residence halls and student apartments. The drills are conducted under the supervision of the Plymouth Fire Department. Evacuation route signs are provided on the back of each residence hall room or apartment door. Evacuation route signs are also displayed in public spaces. If a fire occurs, students are instructed to leave the building per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location until the fire department gives the all-clear to re-enter the building. When it is safe to do so, Residential Life staff station themselves near building entrances to assist in safe and orderly reentrance to the building.

A representative from the State Fire Marshall's Office also conduct annual inspections of most major buildings on campus, including the PE Center, Boyd Hall, Draper & Maynard, and the Silver Center for the Arts. The EHS office, or assigned designee, maintains copies of all of the fire department-issued occupancy and assembly permits. Original permits are also available for review in their respective buildings.

Reporting that a Fire Occurred

Per federal law, Plymouth State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on campus student housing. These are fires for which you are unsure whether the UPD and the Office of Environmental, Health & Safety may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following: UPD: (603) 535-2330, the Frost House: (603) 535-2206, or Residential Life: (603) 535-2260. When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

Future Improvements in Fire Safety

Plymouth State University has adopted the National Incident Management System (NIMS) for all of its emergency and non-emergency events and will have complete NIMS compliance in 2017. The adoption of NIMS will improve the University's response to emergencies and hazards, especially fires.

Appendix A

2022 Clery Act Statistics—Location Definitions

The statistical report for the last three calendar years is shown below. The following is a list of location definitions provided for better understanding of how statistics are counted and categorized:

On Campus: Any building or property owned or controlled by an institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution and controlled by another person, is frequently used by students, and supports institutional purposes (e.g., food or other retail vendors).

Residential Facilities: "Dormitories or other residential facilities for students on campus" is a subset of the on-campus category.

A Non-campus Building or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

2023 Clery Data

Criminal Offenses:

Criminal Offenses: On Campus

Criminal Offense	2021	2022	2023
Murder/Non-Negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex Offenses: Forcible			
Rape	7	2	5
Fondling	1	1	3
Sex offense: Non – Forcible			
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	1	0
Motor Vehicle theft	0	0	0
Arson	0	0	0

Criminal Offenses: On- Campus Student Housing Facilities

Criminal Offense	2021	2022	2023
Murder/Non-Negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex Offenses: Forcible	0	0	0
Rape	7	2	5
Fondling	1	1	3
Sex offense: Non – Forcible			
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0

Criminal Offenses: Public Property

Criminal Offense	2021	2022	2023
Murder/Non-Negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex Offenses: Forcible	0		
Rape	0	0	0
Fondling	0	0	0
Sex offense: Non – Forcible	0		
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0

Arrests

Arrests: On Campus

		Number of Arrests	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	13	10	13

Arrests: On Campus Student Housing Facilities

		Number of Arrests	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	10	0	6

Arrests: Public Property

		Number of Arrests	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

Fires: Summary

Name of Facility	2021			2022			2023		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Mary Lyon Hall	0	0	0	0	0	0	0	0	0
Smith Hall	1	0	0	1	0	0	0	0	0
Univ. Apartments	0	0	0	0	0	0	1	0	0
Eco House	0	0	0	0	0	0	0	0	0
Belknap	0	0	0	0	0	0	0	0	0
Blair Hall	0	0	0	1	0	0	0	0	0
Grafton Hall	0	0	0	0	0	0	0	0	0
Langdon Woods	0	0	0	1	0	0	0	0	0
Pemi Hall	0	0	0	0	0	0	0	0	0
Total	1	0	0	2	0	0	0	0	0

Location	Category Fire	Cause of Fire	Fire-related injuries	Fire-related deaths	Property damage	Year
Smith Hall	Unintentional	Electrical	0	0	\$100-\$999	2021
Langdon Woods	Unintentional	Trash Can	0	0	\$100-\$999	2022
Blair Hall	Unintentional	Cooking	0	0	\$100-\$999	2022
WMAC	Unintentional	Trash Can	0	0	\$1,000-\$9,999	2023

Disciplinary Actions

Disciplinary Actions: On Campus

		Number of persons referred for disciplinary actions	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	1	1
Drug Abuse violations	3	1	0
Liquor law violations	254	284	547

Disciplinary Actions: On-Campus Student Housing Facilities (These numbers are counted as part of the total above.)

		Number of persons referred for disciplinary actions	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	1	1
Drug Abuse violations	3	1	0
Liquor law violations	250	283	547

Disciplinary Actions: Public Property

		Number of persons referred for disciplinary actions	
Crime	2021	2022	2023
Weapons, carrying, possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

Unfounded Crimes

		Number	
	2021	2022	2023
Total Unfounded Crimes	0	0	0

VAWA Offenses

*VAWA Offenses On – Campus

		Total Occurrences on Campus	
Crime	2021	2022	2023
Domestic Violence	0	0	0
Dating Violence	8	3	6
Stalking	4	1	1

*VAWA Offenses: On-Campus Student Housing Facilities

		Total Occurrences on Campus	
Crime	2021	2022	2023
Domestic Violence	0	0	0
Dating Violence	6	2	6
Stalking	1	0	1

*VAWA Offenses: Non – Campus

		Total Occurrences on Campus	
Crime	2021	2022	2023
Domestic Violence	0	0	0
Dating Violence	0	0	0

Stalking	0	0	0
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*VAWA Offenses: Public Property

		Total Occurrences on Campus	
Crime	2021	2022	2023
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Hate Crimes

Hate Crimes: On campus

Criminal offense	Total 2023	Occurrences of hate crimes on campus							
		Category of bias for crimes reported in 2023							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter		0	0	0	0	0	0	0	0
Rape		0	0	0	0	0	0	0	0
Fondling		0	0	0	0	0	0	0	0
Incest		0	0	0	0	0	0	0	0
Statutory rape		0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0
Aggravated assault		0	0	0	0	0	0	0	0
Burglary		0	0	0	0	0	0	0	0
Motor vehicle theft		0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0
Simple assault		0	0	0	0	0	0	0	0
Larceny-theft		0	0	0	0	0	0	0	0
Intimidation		0	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property		1	0	0	0	0	0	0	0

Criminal offense	Total 2022	Occurrences of hate crimes on campus					
		Category of bias for crimes reported in 2022					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Sex offenses: forcible	0	0	0	0	0	0	0
Sex offenses: non- forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0	0
Destruction/damage/ vandalism of property	1	1	1	0	0	0	0

Criminal offense	Total 2021	Occurrences of hate crimes on campus					
		Category of bias for crimes reported in 2021					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Sex offenses: forcible	0	0	0	0	0	0	0
Sex offenses: non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	2	2	0	0	0	0	0
Destruction/damage/ vandalism of property	4	3	1	0	0	0	0

Hate Crimes: On-campus Student Housing Facilities (These numbers are counted as part of the total above.)

Criminal offense	Total 2023	Occurrences of hate crimes on-campus student housing facilities							
		Category of bias for crimes reported in 2023							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter		0	0	0	0	0	0	0	0
Rape		0	0	0	0	0	0	0	0
Fondling		0	0	0	0	0	0	0	0
Incest		0	0	0	0	0	0	0	0
Statutory rape		0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0
Aggravated assault		0	0	0	0	0	0	0	0
Burglary		0	0	0	0	0	0	0	0
Motor vehicle theft		0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0
Simple assault		0	0	0	0	0	0	0	0
Larceny-theft		0	0	0	0	0	0	0	0
Intimidation		0	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property		1	0	0	0	0	0	0	0

Criminal offense	Total	Occurrences of hate crimes on-campus student housing facilities					
	2022	Category of bias for crimes reported in 2022					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter		0	0	0	0	0	0
Sex offenses: forcible		0	0	0	0	0	0
Sex offenses: non-forcible		0	0	0	0	0	0
Incest		0	0	0	0	0	0
Statutory rape		0	0	0	0	0	0
Robbery		0	0	0	0	0	0
Aggravated assault		0	0	0	0	0	0
Burglary		0	0	0	0	0	0
Motor vehicle theft		0	0	0	0	0	0
Arson		0	0	0	0	0	0
Simple assault		0	0	0	0	0	0
Larceny-theft		0	0	0	0	0	0
Intimidation		1	0	0	0	0	0
Destruction/damage/vandalism of property		1	1	1	0	0	0

Criminal offense	Total	Occurrences of hate crimes on-campus student housing facilities					
	2021	Category of bias for crimes reported in 2021					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Sex offenses: forcible	0	0	0	0	0	0	0
Sex offenses: non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	1	1	0	0	0	0	0
Destruction/damage/vandalism of property	2	2	0	0	0	0	0

Criminal offense	Total 2022	Occurrences of hate crimes on public property					
		Category of bias for crimes reported in 2022					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Sex offenses: forcible	0	0	0	0	0	0	0
Sex offenses: non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Criminal offense	Total	Occurrences of hate crimes on public property					
	2021	Category of bias for crimes reported in 2021					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Sex offenses: forcible	0	0	0	0	0	0	0
Sex offenses: non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Appendix B

Conduct Rules and Regulations

The University Student Code shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives. Each student shall be responsible for their conduct from the time of enrollment through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Student Conduct Code Procedures:

1. Acts of dishonesty, including but not limited to the following:

- Cheating, plagiarism, or other forms of academic dishonesty (matters involving [academic integrity](#) are referred to and addressed by Academic Affairs).
- Furnishing false information or withholding pertinent information to any University official, faculty member, or office.
- Forgery, alteration, or misuse of any University document, record, or instrument of identification.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or of other authorized non- University activities when the conduct occurs on University premises.

3. Discriminatory Harassment–Discriminatory Harassment is (1) a pattern of targeted, unwelcome conduct (2) directed at an individual (3) that is discriminatory on the basis of race, color, religion, national origin, sex, gender, sexual orientation, gender identity or expression, age, veteran's status, or disability and (4) that a reasonable person would determine is so severe, pervasive or objectively offensive that it effectively denies a person equal access to the University's educational programs or activities. See the [PSU Equal Opportunity, Harassment and Nondiscrimination Policy](#).

4. Sexual Misconduct–Sexual misconduct includes behaviors that have been determined to constitute discrimination under Title IX of the Education Amendments of 1972.

- Sexual Harassment
- Quid pro quo sexual harassment
- Hostile environment sexual harassment
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking
- Sexual Exploitation

See [PSU Equal Opportunity, Harassment and Nondiscrimination Policy](#)

5. Acts of a threatening or harmful nature, including but not limited to the following:

- Physical abuse, verbal abuse, threats, intimidation, harassment, self-harm, and/or any other conduct which threatens or endangers health, safety, or privacy of any person
- Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on University premises, or use of any such items, even if legally possessed, in a manner that harms, threatens or causes fear to others

- Obstruction of the free flow of pedestrians or vehicular traffic
- Creation or publication of an audio or video recording without the subject's consent if that person has a reasonable expectation of privacy or if the recording is prohibited by state law.
- Throwing or dropping objects from or at University property

6. Knowingly giving a false report of a crime or emergency or deliberately setting off a false fire alarm.

7. Attempted or actual theft of, vandalism, and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.

8. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations.

9. Failure to comply with directions of University officials or law enforcement officers acting in the good faith performance of their duties and/or failure to identify oneself to these persons when requested to do so.

10. Unauthorized possession, duplication or use of keys/ID to any University premises or unauthorized entry to or use of University premises.

11. Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website (including but not limited to; Fire Safety policy and Residential Life Housing Lease and Dining Agreement, PSU Equal Opportunity, Harassment and Nondiscrimination Policy, Information Technology Acceptable Use Policy, and/or any public health/environmental health and safety protocols, bulletins or communications).

12. Violation of any federal, state or local law.

13. Possession, use, or evidence of use, manufacturing, or distribution of cannabis, heroin, narcotics or other controlled substances except as expressly permitted by law. See the University's complete policy on Cannabis and Other Drugs.

14. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by University regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. See the University's complete policy on Alcohol.

15. Initiating, attempting to initiate, or participating in a riot activity is not permitted. This is an activity where multiple persons act together and engage in aggressive or violent conduct that causes or has the potential to cause a threat or danger to a community. Some behaviors that may be considered riotous/group behavior (this list is not all inclusive) are setting fires, major disturbances of the peace, throwing bottles or other objects, damaging, destroying or defacing property, or obstructing, interfering with or disrupting university officials or law enforcement agents in performing their duties.

16. Theft or other abuse of computer facilities and resources, or any violation of the University Technology Policy. See the complete [Technology Policy](#).

17. Abuse of the Student Conduct System, including but not limited to:

- Falsification, distortion, misrepresentation, or withholding of pertinent information during a Student Conduct proceeding.
- Disruption or interference with the orderly conduct of a Student Conduct Board proceeding.
- A false allegation resulting in the institution of a student conduct proceeding in bad faith.
- Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- Attempting to influence the impartiality of a member of a Student Conduct Board prior to, and/or during the course of, the Student Conduct Board proceeding.

- Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Board prior to, during, and/or after a student conduct proceeding.
- Failure to comply with the sanction(s) imposed under the Student Code.
- Influencing or attempting to influence another person to commit an abuse of the student conduct code system.
- Student conduct proceeding participants are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the University.

Violation of Law and University Student Conduct

University student conduct proceedings may be instituted against a student for conduct that potentially violates both the criminal law and the Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under the Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Managing Director for Student Affairs/Title IX Coordinator. Determinations made or sanctions imposed under the Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code of Conduct, the University may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Conduct Code Procedures

Alleged Policy Violation and Student Conduct Board Hearings

1. Any member of the University community may submit a report against another student for an alleged violation of the Student Code to the Student Conduct Office. For assistance with the reporting process any member of the University community may schedule a time to meet with the Student Conduct Office. Any alleged violation should be submitted as soon as possible after the event takes place.
2. Depending on the alleged violation the Student may be required to meet with the Student Conduct Board to discuss the situation, meet for an informal hearing, participate in a restorative resolution, or participate in a formal hearing.
3. The Student has the opportunity to participate in a fair hearing.
4. All alleged violations shall be presented to the Student in written form, generally electronic correspondence. A time shall be set for a Student Conduct Board Hearing and the student will be notified.
5. Student Conduct Board Hearings shall be conducted by a Student Conduct Board according to the following guidelines (except extenuating circumstances as outlined in number 7):
 - Student Conduct Board Hearings normally shall be conducted in private.
 - Both Reporting and Responding parties and their advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board Hearing at which information is received (excluding deliberations). Admission of any

other person to the Student Conduct Board Hearing shall be at the discretion of the Student Conduct Board and/or its Student Conduct Administrator.

- In Student Conduct Board Hearings involving more than one Responding Party, the Student Conduct Administrator, in their discretion, may permit the Student Conduct Board Hearings concerning each student to be conducted either separately or jointly.
- The Reporting Party and the Responding Party have the opportunity to have an advisor present during the hearing. The Student Conduct Board for the particular case should be notified, as soon as possible of the name and contact information of the advisor.
- The Reporting Party, the Responding Party and the Student Conduct Board may arrange for witnesses to speak at the hearing (if several witnesses will state the same information the number of witnesses may be limited). Witnesses must have relevant knowledge of the incident in question. The Student Conduct Board for the particular case must be notified, 48 hours prior to the hearing, of the names and contact information of witnesses (with the exception of new evidence that is directly relevant). The Reporting and Responding Party shall be notified of the witnesses that may be present at the Student Conduct Board Hearing. It is the involved Parties responsibility to obtain their witnesses and communicate the time and location of the hearing to them.
- If a student is engaged in the legal system for the same alleged violation they may have their attorney for that case present at the hearing to act as an advisor to the student. The schedules of lawyers will not be taken into consideration in determining the timeline of the University's Student Conduct process. In order to maintain fairness towards all parties involved in the hearing process, if an attorney is allowed to attend they are only allowed to speak to their client, not on behalf of their client.
- Pertinent records, supporting documentation, and written statements may be accepted as information for consideration by a Student Conduct Board at the discretion of the chairperson. The Reporting Party and Responding Party have the opportunity to view the documented evidence prior to the Student Conduct Board Hearing (Victim Impact Statement may be submitted for consideration after a finding has been reached, prior to sanctioning).
- All procedural questions are subject to the final decision of the Managing Director for Student Affairs.
- After the portion of the Student Conduct Board Hearing concludes in which all pertinent information has been received, the Student Conduct Board shall determine (by majority vote if the Student Conduct Board consists of more than one person) whether the Responding Party has violated each section of the Student Code which the student is alleged to have violated.

6. Preponderance of evidence standard; The Student Conduct Board's determination shall be made on the basis of whether it is more likely than not that the Responding Party violated the Student Code. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings. If a Responding Party, with notice, does not appear before a Student Conduct Board Hearing, the information in support of the alleged violation shall be presented and considered even in their absence.

7. The Student Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation between Parties, and/or other witness during the hearing. In as such, by providing separate facilities, and/or by permitting remote participation as necessary under the determination of the Managing Director for Student Affairs.

Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code:

- Warning—A notice in writing to the student that the student is violating or has violated University policy.

- Probation—A written reprimand for violation of the Student Code of Conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate policy during the probationary period.
- Loss of Privileges—Denial of specified privileges for a designated period of time.
- Financial charges—previously established and published charges may be imposed.
- Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- Discretionary Sanctions—Work assignments, essays, service to the University, or other related discretionary assignments.
- Alcohol and Other Drug Sanctions (AOD)—Educational sanctions related to alcohol and/or drug use. A fee will be billed to your student account for enrollment in AOD educational sanctions as follows; one hundred and fifty dollars for the first AOD violation, three hundred dollars for a second or any subsequent AOD violation.
- Residence Hall Suspension—Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who are suspended from residential life due to a conduct matter are not eligible for a housing or dining refund.
- Residence Hall Expulsion—Permanent separation of the student from the residence halls. Students who are expelled from residential life due to a conduct matter are not eligible for a housing or dining refund.
- University Suspension—Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who are suspended from the University due to conduct matters are not eligible for any refunds including but not limited to housing, tuition, dining and fees. Students who are suspended are not eligible to be on campus for any reason during the duration of the suspension. Students suspended from the University are not eligible to enroll at any other USNH institution during their suspension period.
- University Expulsion—Permanent separation of the student from the University. Students who are expelled from the University due to conduct matters are not eligible for any refunds including but not limited to housing, tuition, dining and fees. Students who are expelled from the University are not eligible to be on campus for any reason. Students who are expelled from the University are not eligible to enroll at another USNH institution for a period of two years from the time of expulsion.
- Revocation of Admission and/or Degree—Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Withholding Degree—The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Conduct Code, including the completion of all sanctions imposed, if any.

2. More than one of the sanctions listed above may be imposed for any single violation.

3. Other than University expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, University probation, University suspension, University expulsion, or revocation or withholding of a degree, upon application to Student Conduct. In situations involving both a Responding Party (or group or organization) and

a Reporting Party, the records of the process and of the sanctions imposed, if any, shall be considered the education records the Responding Party.

4. The following sanctions may be imposed upon groups or organizations:

- Any sanction listed above.
- Loss of selected rights and privileges for a specified period of time.
- Deactivation. Loss of all privileges, including University recognition, for a specified period of time.

5. In each case in which a Student Conduct Board determines that a student and/or group or organization has violated the Student Code, the sanction(s) shall be determined and imposed by the Student Conduct Administrator. In cases in which persons other than, or in addition to, the Student Conduct Administrator have been authorized to serve as the Student Conduct Board, the recommendation of the Student Conduct Board shall be considered by the Student Conduct Administrator in determining and imposing sanctions. The Student Conduct Administrator is not limited to sanctions recommended by members of the Student Conduct Board. Following the Student Conduct Board Hearing, the Student Conduct Board and the Student Conduct Administrator shall advise the Accused Student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.

Major Violations

The following acts will likely result in suspension and may result in expulsion (This is not an all-inclusive list). In addition, immediate interim suspension may be imposed:

- Sexual assault or attempted sexual assault.
- Physical assault.
- Sale, distribution or evidence of intent to sell or distribute illegal drugs.
- Possession or evidence of use of illegal drugs, other than marijuana.
- Multiple violations of the alcohol and marijuana policies.
- Arson or attempted arson.
- The commission and conspiracy to commit hate crime related activities.
- Instigating or attempting to instigate a riot, including kindling a fire without a permit.
- Intentional damage or destruction of university property.
- Throwing or dropping potentially dangerous objects from or at university property.
- Maliciously causing a false fire alarm.
- Disabling of fire safety equipment.

Interim Suspension

In certain circumstances, the Student Conduct Office, or a designee, may impose a University or residence hall suspension prior to the Student Conduct Board Hearing before a Student Conduct Board.

1. Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

2. During the interim suspension, a student may be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Managing Director for Student Affairs or the Student Conduct Administrator may determine to be appropriate.
3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.

Appeals

1. A decision reached by the Student Conduct Board or a sanction imposed by the Student Conduct Administrator may be appealed by the Accused Student(s) or Complainant(s) to an Appellate Board within four (4) business days (by 4:30 pm) of the decision. Such appeals shall be in writing and submitted electronically via the [Appeal form](#).
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the information of the Student Conduct Board Hearing and supporting documents for one or more of the following purposes:
 - Hearing was not fair or due process was not followed. (Degree of due process varies with the significance of the potential outcome).
 - Sanction is not appropriate for the violation. (May not be applicable for standard sanctions).
 - There is new evidence that was not available at the time of the hearing. (Evidence must be substantial enough to change the outcome).

Submitting a Petition for an Appeal does not guarantee that an appeal will occur. The petition provides information to the Appellate Board to determine whether or not there is a basis for an appeal.

3. If an appeal is granted the decision and/or sanctions may be upheld, amended (increased or decreased), or overturned.