



## UNIVERSITY OF NEW HAMPSHIRE: College of Professional Studies

### 2023 ANNUAL SECURITY REPORT

**UNH** Division of Safety & Security  
The University of New Hampshire  
Manchester, NH  
Updated 9/26/23  
[www.unh.edu/upd](http://www.unh.edu/upd)

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## RESOURCES AT A GLANCE

**Safety and Security****College of Professional Studies Security Services**

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

**Manchester Police Department**

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

**Campus Service Officers- UNH-Manchester**

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

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

Emergency.....911

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

Emergency.....911

**Campus Offices**

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

**Office of Community Standards... ..(603)862-3377**  
 5 Quad Way Hitchcock Hall, Durham, NH 03824  
[www.community\\_standards@unh.edu](mailto:www.community_standards@unh.edu)

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

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

**Employee Assistance Program (EAP)**

Confidential resource available 24/7..... (800)424-1749  
[www.EAPhelpink.com](http://www.EAPhelpink.com)

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

Thompson Hall Rm G14, Durham NH 03824  
 Email: [affirmation.equity@unh.edu](mailto:affirmation.equity@unh.edu)

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

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

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

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

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

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

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

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

**Sexual Assault, Domestic Violence, Dating  
Violence and Stalking Resources:****YWCA New Hampshire Crisis Services 24/7**

72 Concord Street, Manchester, NH .....603-668-2299

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

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

**NH Coalition against Domestic Violence**

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

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

Email @ [unh.veterans@unh.edu](mailto:unh.veterans@unh.edu)

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

**Mental Health Resources**

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

**Mental Health Center of Greater Manchester**... (603)-668-4111 ext. 4140  
401 Cypress Street, Manchester, NH 03824

**Afterhours call:**..... **1-800-688-3544**

**Elliot Hospital Behavioral Health**

**Services**.....(603) 669-5300

1 Elliot Way, Manchester, NH 03103

Open 24 hours a day for mental health emergencies

**National Suicide Prevention Hotline**.....800-273-8255

Substance Abuse and Mental Health Services Administration.

[www.samhsa.gov](http://www.samhsa.gov)

**Veterans Crisis Line**.....800-273-8255

Or text 838255 for immediate help US Department of Veteran

Affairs: [www.veteranscrisisline.net](http://www.veteranscrisisline.net)

**Substance Abuse Resources**

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

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

401 Cypress Street, Manchester, NH 03824

**Afterhours call: 1-800-688-3544**

NH Addiction Crisis Line .....844-711-4357

**Substance Abuse and Mental Health Services**

**Administration (SAMHSA)**.....800-662-4357

[www.samhsa.gov](http://www.samhsa.gov).

**Legal Resources**

**Legal Advice and Referral Center**.....800-639-5290

**NH Legal Assistance**.....800-562-3174

**Lawline**.....800-868-1212

**Visa and Immigration Resources****Office of International Students & Scholars**

10 Library Way, Conant Hall Rm 315 Durham

..... (603)862-1288

Email: [oiss@unh.edu](mailto:oiss@unh.edu)

**Financial Aid Resources**

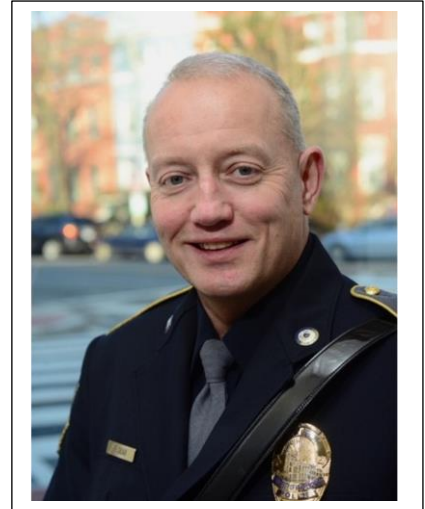
**Financial Aid Office**..... (603) 641-4189

Student Services Suite, 4<sup>th</sup> Floor,

Pandora Building, Manchester, NH 03101

Hours: M, W, TH, and F 8am-4:30pm T: 8am-3:30pm

## Chief's Welcome



Dear UNH Manchester Community,

Thank you for taking the time to read the 2023 Annual Security Report (ASR). The ASR, provided to you in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, is full of useful information about safety and security at the University of New Hampshire, College of Professional Studies (CPS), located in Manchester. Within this guide you will find crime statistics for the previous three calendar years, statistics for on-campus residential housing fires for the previous three calendar years, campus safety and disciplinary policies, alcohol and drug policies, and policies that specifically address prevention of and response to sexual assault, domestic violence, dating violence, and stalking.

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

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

Sincerely,

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

Paul H. Dean

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

## Compilation of the 2023 Annual Security Report for the University of New Hampshire – College of Professional Studies, Manchester Campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the distribution of an Annual Security Report to all current faculty, staff, and students and notice of its availability to prospective students, faculty, and staff. This document, referred to as the “Annual Security Report” or “ASR” is one of many mechanisms designed to inform current and potential UNH Manchester community members of crime, arrest and referral statistics, of current crime response, reporting, prevention and awareness policies, including policies regarding sexual assault, domestic violence, dating violence, and/or stalking, of campus disciplinary policies and relevant state laws, and of campus safety and security. This “ASR” includes crime, arrest and referral statistics for the previous three calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the UNH-Manchester Campus, and on public property within, or immediately adjacent to and accessible from, the campus. The fire report at the end of the document contains UNH Manchester Residential Housing fire statistics for the previous three calendar years. As of May 2023, UNH Manchester campus no longer offers on-campus residential housing.

On July 1, 2023 UNH merged Granite State College and UNH Manchester into the new UNH College of Professional Students (CPS). All Granite State College Students became UNH students with their first UNH classes this summer. By combining these schools it will allow UNH to expand their online class offerings.

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

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

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



## Campus Crime Statistics Charts

The following are the statistical charts for calendar years 2020, 2021, and 2022. Campus Crime Statistics Charts for the University of New Hampshire CPS at Manchester, are reported here. Differences in the statistics themselves reflect the number of crimes reported, not necessarily a difference in the rate of crime itself. The data does not reflect prosecution, convictions or the outcome of student disciplinary actions.

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

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

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

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

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

### Clery Definitions of crimes and categories in the chart:

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

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

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

**Aggravated Assault** is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravating bodily injury. This type of assault usually is accompanied by the use of a

weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

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

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

**Weapons Law Violations** are the violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. It includes the manufacture, sale, or possession of deadly weapons and silencers, carrying deadly weapons, concealed or openly displayed. It also includes furnishing deadly weapons to minors, and possession of deadly weapons by aliens. This type of violation also applies to weapons used in a deadly manner in violation of state and local laws.

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

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

**Sexual Assault** is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident- Based Reporting System user manual from the FBI UCR program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances, where the victim is incapable of giving consent."



**Rape** is the penetration, no matter how slight, of the vagina, or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. This definition includes any gender of victim or perpetrator.

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

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

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

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

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

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

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

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

- A. Course of conduct means two or more acts, including, but not limited to acts which the stalker directly, indirectly, or through third parties, by any action method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

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

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

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

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

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

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

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

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



### 2022 University of New Hampshire at Manchester Campus Crime Statistics

#### Notes on 2022 Statistics:

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

Year 2022	On Campus Property	On Campus Residential	Public Property	Non-Campus Property
<b>Arrests</b>				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA

Disciplinary Referrals				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA
Criminal Offenses				
Murder and Non-Negligent Manslaughter	0	0	0	NA
Manslaughter by Negligence	0	0	0	NA
Robbery	0	0	1	NA
Aggravated Assault	0	0	1	NA
Burglary	0	0	0	NA
Motor Vehicle Theft	1	1	0	NA
Arson	0	0	0	NA
Sexual Assault (Sex offenses)				
Rape	0	0	0	NA
Fondling	0	0	0	NA
Incest	0	0	0	NA
Statutory Rape	0	0	0	NA
VAWA Offenses				
Domestic Violence	0	0	7	NA
Dating Violence	0	0	0	NA
Stalking	0	0	1	NA
Hate Crimes				

In 2022, there were no hate crimes reported that qualified for inclusion in this report.

#### Unfounded Crimes

No reported crimes were unfounded in 2022.

#### 2021 University of New Hampshire at Manchester Campus Crime Statistics

Notes on 2020 Statistics

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

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

**Hate Crimes**

There were 0 reported crimes that qualified for inclusion in this report as a hate crime in 2021.

**Unfounded Crimes**

There were no reported crimes that were unfounded in 2021.





### 2020 University of New Hampshire at Manchester Campus Crime Statistics

#### Notes on 2020 Statistics:

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

Statistics 2020	On Campus Property	On Campus Residential	Public Property	Non-Campus Property
<b>Arrests</b>				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	1	NA
Weapon Law Violations	0	0	0	NA
<b>Disciplinary Referrals</b>				
Liquor Law Violations	0	0	0	NA
Drug Law Violations	0	0	0	NA
Weapon Law Violations	0	0	0	NA



Criminal Offenses	On Campus Property	On Campus Residential	Public Property	Non-Campus Property
Murder and Non-Negligent Manslaughter	0	0	0	NA
Manslaughter by Negligence	0	0	0	NA
Robbery	0	0	0	NA
Aggravated Assault	0	0	1	NA
Burglary	0	0	0	NA
Motor Vehicle Theft	0	0	0	NA
Arson	0	0	0	NA
<b>Sexual Assault (Sex offenses)</b>				
Rape	0	0	0	NA
Fondling	0	0	0	NA
Incest	0	0	0	NA
Statutory Rape	0	0	0	NA
<b>VAWA Offenses</b>				
Domestic Violence	0	0	0	NA
Dating Violence	0	0	0	NA
Stalking	0	0	0	NA

### Hate Crimes

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

### Unfounded Crimes

There were no reported crimes that were unfounded in 2020.

\*\* UNH Manchester began offering on campus housing to students in August 2018, however as of June 2023 they no longer offer on campus housing. Housing is provided by Southern NH University starting in the fall of 2023.

## Campus Safety

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

## SAFETY AND SECURITY ON CAMPUS: LAW ENFORCEMENT AND CRIME REPORTING

### University of New Hampshire Police Department Security Services Division

Security Services is a division of the University of New Hampshire Police Department. However, all public safety services are coordinated with other key University, State and local officials. UNH-M Campus Security Officers have jurisdiction for (responsibility) on campus property and parking lots. They had jurisdiction for the and the campus residential building located at 1000 Elm St until June 30, 2023. As of July 1, 2023 UNH will no longer be housing students at 1000 Elm St. They patrol the Manchester campus on a regular, daily basis. Security officers receive in-service training as well as training from the New Hampshire Campus Safety Academy.

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

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

### University of New Hampshire Police Department (UNHPD)

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

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

### Crime and Emergency Reporting

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

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

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

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

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

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

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

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

Crimes/violations of employment policies should be reported to University of New Hampshire's **Human Resources Department**. An anonymous reports can be filed by calling 1-800-592-8455 or by filing a complaint on line at: <https://secure.ethicspoint.com/domain/media/en/gui/48734/index.html>. If requested human resources will provide assistance in notifying law enforcement of sexual assault, domestic violence, dating violence, and/or stalking.

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

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

## Response to a Reported Crime

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

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

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

## Voluntary Confidential Reporting

The University of New Hampshire does not provide voluntary, confidential crime reporting for the purpose of including crime statistic disclosures in the ASR. As a matter of policy UNH-M directs people to report Clery Crimes to Campus Security Services for the purpose of including a statistic in UNH-M's Annual Security Report, (ASR); although people may report crimes to any Campus Security Authority. However, the University of New Hampshire may be obligated to investigate when there is a report of sexual assault, domestic violence, dating violence and/or stalking. The YWCA New Hampshire Crisis Services provides free and confidential reporting services. They can be reached 24/7 at 603-668-2299

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

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

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

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

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

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

## **Professional and Pastoral Counselors**

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

## **Off-Campus Safety and Security**

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

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

## **Clery Crime**

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

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

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

## **SAFETY AND SECURITY ON CAMPUS**

### **Emergency Response and Evacuation**

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

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

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

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

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



administrative staff from the president's office. Their primary responsibilities include setting policy and providing supports to the EOC and on-scene personnel.

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

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

The Emergency Management Division has primary responsibility for the development and facilitation of emergency exercises at UNH. An After Action Report- Improvement plan is written following each exercise that lists the scenario, participants, date, time, location, whether the test was announced or unannounced, areas of strengths, areas of improvement, and corrective actions. The campus is committed to evaluating response capabilities through the exercise and After Action Report process, with the goal of correcting areas of improvement identified during the exercise.

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

## **Emergency Evacuation**

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

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

### **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work/living area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation,

activate the alarm, evacuate to a safe location using the nearest exit, and dial **911**, or notify UNH Security Services (603) 641-4124, UNH Dispatch (603) 862-1212, or Manchester Fire Department **911**.

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

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

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

### **Basic “Shelter-in-place” guidance**

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

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

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

### **How to “Shelter-in-Place”**

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

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside, It should be:
  - a. An interior room
  - b. Above ground level; and

- c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- 3. Shut and lock all windows (tighter seal) and close exterior doors.
- 4. Turn off air conditioners, heaters, and fans.
- 5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible).
- 6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to UNH Dispatch at (603) 862-1212 so they know where you are sheltering. If only students are present, one of the students should call in the list.
- 7. Turn on a radio or TV and listen for further instructions.
- 8. Check the UNHPD website for updates and further instructions.
- 9. Make yourself comfortable.

## Blue Light Emergency Phones

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

## Security Escorts

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

## Behavioral Intervention Team

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

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

## International Safety and Security

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

## **SECURITY ON CAMPUS: ACCESS TO AND SECURITY OF UNIVERSITY BUILDINGS**

### **Academic & Administrative Building Security**

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

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

### **Residence Hall**

In July 2023 UNH stopped providing on-campus residential housing. As of July 2023, UNH has contracted with Southern New Hampshire University (SNHU), located at 2500 North River Rd in Manchester, NH, to provide residential housing to University of New Hampshire Manchester (UNH- M) students. Authorized access to residential area is restricted to residents, their approved guests, and other approved members of the UNH-M community. Residents gain entry by presenting the SNHU Student ID to the card access readers 24 hours a day. Individual rooms have regular key access or card access. Through signage and other forms of communication, all residents are cautioned against permitting strangers to enter the buildings and are urged to contact housing or the UNH-M Security if they encounter strangers attempting to enter the building or the residence portions of the hall. Campus service officers routinely patrol the residence hall.

SNHU Hall staff perform regular assigned building checks each evening in addition to SNHU campus service officers. Unscheduled patrols of the residence halls are conducted by security officers to help deter crime and detect damage to doors, windows and safety features. Any suspicious activity, suspicious person, or crimes in progress should be reported immediately to the Manchester Police Department at (603) 668-8711 or the SNHU security department at 603-645-9700.

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

### **Security and Maintenance of Campus Facilities**

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

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

For those students who are housing at SNHU the following security measures are in place to keep community members safe.

- There are over 400 security cameras located across SNHU campus.
- Emergency signage is posted in every building along with campus maps.
- Emergency phones are located throughout campus.
- Lighting surveys are done to ensure areas across campus remain safe.

## GENERAL CRIME PREVENTION TIPS

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

## COMMUNICATION ABOUT CAMPUS CRIMES AND SAFETY

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

## EMERGENCY NOTIFICATION PROCEDURES

### Rave Alerts

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



### ALERTS

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

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

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

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

Situations for sending a Rave Alert include, but are not limited to: active harmer, significant and serious hazardous materials spill, large fire on campus, significant disruption to campus infrastructure, multiple building closings, or a mass casualty disaster. All students and staff are automatically entered into UNH's Rave Emergency Alert System once they are assigned a UNH email address. Rave alerts are typically sent via email in an effort to notify the largest percentage of students and staff in the fastest way possible. Anyone with an email ending in unh.edu will automatically receive an email from Rave Alert in the event of an emergency. Rave alerts can also be sent via text message to those registered with the text system. In addition to, or in the event of an email or text system failure, UNH may use some or all of the following



systems to communicate an immediate threat to the community: by directed communication, UNH web page [www.manchester.unh.edu](http://www.manchester.unh.edu), UNH PD webpage [www.unh.edu/upd](http://www.unh.edu/upd), Facebook, Instagram, Twitter, To opt-in for emergency text and voice messaging, students, faculty, staff, and guests can register through [www.alert.unh.edu](http://www.alert.unh.edu), local area radio and television stations, fliers or face to face communications.

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

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

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

System to Use	Primary Message Creator	Backup message creator	Authority to approve & send msg.	Primary message sender or distributor.	Back up message sender or distributor
<b>PRIMARY</b> UNH Alert- Rave	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief
UNH Directed Communication	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief
UNH PD Website/ UNH Website	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNHPD Dispatchers	UNH PD Chief or Media Relations
<b>SECONDARY</b> Fliers	UNH PD Chief or designee	Media Relations	UNH PD Chief or designee	UNH PD Chief or designee	Residential Life and Building Managers

<b>Local Radio and TV</b>	UNH PD Chief or designee	Media Relations	UNH PD Chief or Designee	Media Relations	UNH PD Chief of Police or Designee
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## TIMELY WARNINGS- CRIME ALERTS

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

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

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

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

- Where the crime occurred
- The nature of the crime (serious/non-serious, violent/non-violent)
- The nature of the threat (general threat versus limited threat to a specific person)

- Whether or not there is a continuing danger to the community or continuing crime pattern.

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

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

- **UNH Alert (Rave):** a free service that automatically sends a brief text message alerting the community regarding an emergency on campus to email accounts or cell phones. UNH students, faculty, and staff, with UNH email are automatically enrolled others may sign up for alerts at <https://alert.unh.edu>.
- **Directed Communications/Blast email:** UNH email system alerting students, faculty, and staff.
- **Fliers:** posted on bulletin boards in academic buildings, residence halls, outdoor boards and kiosks and administrative buildings.
- **UNH Police Department website:** [www.unh.edu/upd](http://www.unh.edu/upd).
- **UNH website:** <https://manchester.unh.edu/>.
- **The New Hampshire:** student newspaper.
- Local area radio and television stations and print media.
- UNHPD electronic signboards.

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

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

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

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

- The Chief of Police or designee determined there is no serious or continuing threat to the safety of the UNH students, employees and community members.

- The subject(s) apprehended and the threat of imminent danger to the UNH community has been mitigated by the apprehension.
- A report was not filed with UNHPD or UNHPD was not notified of the crime in a manner that would allow the department to post a “timely” warning for the community (e.g. a report that was filed more than 5 days after the date of the alleged incident may not allow UNHPD to post a “timely” warning to the community). This type of situation will be evaluated on a case-by-case basis.

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

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

### **SAFETY ALERTS:**

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

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

### **STUDENT AND EMPLOYEE REGISTRATION FOR RAVE EMERGENCY ALERTS AND TIMELY WARNINGS**

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

#### **Rave Alerts and Timely Warning System Testing**

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

#### **uSafeUS APP**

The uSafeUS app can help protect you.

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

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

- It provides immediate access to help and support.

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

**uSafeUS is easy to get, and easy to use.**

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

## INFORMATION ABOUT SEX OFFENDERS

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

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



## CRIME PREVENTION AND SECURITY AWARENESS EDUCATION

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

### ACTIVE THREATS TRAINING

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

### STUDENT ORIENTATION

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

### RAPE AGGRESSION DEFENSE (RAD)

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

### ADDITIONAL CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

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

## Sexual Assault, Domestic Violence, Dating Violence & Stalking

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



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

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

### ***Sexual Assault***

- Sex offense: any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes both males and females.
- Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### ***Domestic Violence***

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

### ***Dating Violence***

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or threats of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identifies to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

### **Procedures for Reporting Sexual Misconduct at UNH (to include dating violence, domestic violence, stalking, sexual harassment and sexual assault)**

A student who has experienced sexual harassment or sexual violence is not required, but encouraged, to report the incident. Students who know about, or suspect, sexual harassment or sexual violence has occurred against another student are not required to report these incidents unless they are designated as a mandatory reporter.

**Definition of Mandatory Reporter at UNH:** A mandatory reporter refers to certain individuals at UNH who are required to report any information they receive indicating that a student has been subjected to sexual harassment or sexual violence to the Title IX Coordinator. UNH Mandatory Reporters include: UNH Staff, UNH Faculty, Coaches, Community Assistants (CA's), Resident Assistants (RA's), Teaching Assistants (TA's), Research Assistants, Connect Mentors, Graduate and Undergraduate Student Senate Executive Leaders (when conducting work for the Student Senate), Youth Camp Counselors working with minors, and Campus Safety Officers.

**REPORTING OPTIONS:**

1. One can directly file a report either in person or online to the Title IX office by calling (603) 862-2930 or by calling the UNH Police Department at (603) 862-1427 or 911. TTY use 7-1-1.
2. All instances of sexual violence must be reported at UNH, sexual violence includes sexual harassment, sexual assault, unwanted sexual contact, sexual misconduct, domestic violence, relationship abuse, dating violence and stalking (including cyber stalking).
3. All Mandatory reporters are required to report the incident to the Civil Rights & Equity Office at (603) 862-2930. The only exceptions to this rule are students who personally experience sexual violence but do not wish to report, privileged confidential support service providers and Employee Assistance Program.
4. If someone is in danger call 911 immediately. During business hours 8am-5pm Monday through Friday call the UNH Title IX Coordinator at (603) 862-2930 / TTY users 7-1-1. This should be reported immediately.
5. Those who wish to file an anonymous report of sexual violence or sexual harassment about themselves or others may do so in any one of the following ways:
  - a. The online [Incident Report Form](#) sends a report directly to the UNH Title IX Coordinator. (not monitored 24 hours a day).
  - b. Report anonymously to the UNH police department by downloading the Rave Guardian App.
  - c. Contact UNH Privileged Confidential Support Resources.

By reporting sexual violence anonymously it may limit UNH's ability to respond fully and effectively to sexual violence complaints, but it is an available option. Anonymous reporting is only available to UNH students who are not mandatory reporters.

6. **Privileged Confidential Support Services:** While we encourage students and others to report sexual violence incidents so that we can keep you, and the campus as a whole, safe, we understand the difficulties that such processes can entail. Therefore, UNH offers medical, counseling, and general advice about options through our Privileged Confidential Support Services. These services include SHARPP, Health & Wellness, Psychological Counseling Services (PACS), Employee Assistance Program (EAP), and professional staff in the Beauregard Center. Discussions with these offices will not trigger a police investigation, UNH investigation or student conduct proceeding unless you requires it.

## REPORTING PROCEDURES:

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

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

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

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

- The preservation of evidence may strengthen an investigation, which may result in a better chance of holding the accused party responsible or obtaining a restraining order. (Evidence may include the clothing worn at the time, a record of threatening text messages and e-mails, and bodily fluids). The local hospitals (WDH and Portsmouth) have SANE nurse examiners on staff that can provide no-cost forensic medical exams, even if a victim chooses not to report to law enforcement.
- Although not showering may provide a greater change of evidence being found, even if a victim has showered and changed clothes, a police report can be filed and/or medical exam can be obtained.

- Campus officials are required to provide information about options and assist in making contact with law enforcement personnel if requested.
- Filing a report will generally involve an interview with law enforcement officer or an investigating officer from the CREO office (or both, if you choose to report to both agencies).

### **CONFIDENTIALITY:**

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

SHARPP, Psychological and Counseling Services (PACS), Health & Wellness staff and ordained pastoral counselors operate under policies and procedures that comply with Federal and New Hampshire state laws regarding confidentiality. Please check with each of these offices to learn more about limits on confidentiality. In addition, victims are encouraged to speak with the CREO Director/Title IX Coordinator, UNH Police Chief and Director of Community Standards to discuss their guidelines on confidentiality.

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

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

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

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

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

**WRITTEN NOTIFICATION:**

The institution will provide students and employees who have experienced sexual or domestic violence with a written explanation of their rights and options, as outlined in this publication, regardless of whether the offense occurred on or off campus. These resources will be provided regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Such written information will include:

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

When the Civil Rights & Equity Office receives a report or disclosure that a student experienced sexual misconduct or sexual exploitation, a staff member from that office will offer information to the student about the student's rights, options, and resources available. UNH may provide support whether or not a Complainant chooses to file a Formal Complaint.

If the student wishes to meet with a staff member from the Civil Rights & Equity Office, the staff member will provide the student with written information about their rights, responsibilities, resources, and options.

UNH will provide reasonably available supportive measures to an impacted student and typically after a Formal Complaint, to a Respondent. Supportive measures are non-disciplinary, non-punitive, individualized support services that are offered as appropriate, as reasonably available, and without fee or charge to the parties when a report is received. Supportive measures are designed to restore or preserve equal access to UNH's education program or activities without unreasonably burdening the other party.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work schedules, class schedules, or co-curricular activities, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures. Supportive measures are available to both the Complainant and Respondent at any point after an incident of sexual misconduct or sexual exploitation is disclosed.

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

UNH works to ensure that disciplinary investigations and procedures are prompt, fair, and impartial. Student Disciplinary process time frames are listed in the Student Code of Conduct under Article VI, Sexual Misconduct and Sexual Exploitation. UNH works to limit delays. Such delays will be evaluated by UNH on a case-by-case basis, and both parties will receive updates throughout the process.

## Protection Order Chart

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



## DISCIPLINARY PROCEDURES FOR STUDENTS:

**Timeline:** Individuals are encouraged to report sexual misconduct and sexual exploitation as soon as possible after the incident occurs to maximize the University's ability to respond promptly and effectively. Prompt reporting allows the University to obtain the most reliable information, be able to contact relevant witnesses (if any) and provide reasonable assistance and supportive or interim measures for affected parties. The University does not limit the time for reporting these incidents or filing a complaint, however, and in all cases, a decision will be made on existing facts to determine if an investigation and conduct proceedings are necessary to comply with the law and to serve the university community. If the student accused of sexual misconduct or sexual exploitation is no longer a student at the time the complaint was received, either because the student graduated or left the University permanently, the University is unable to pursue resolution. The University will assess whether any remedial steps can be taken to address any prohibited conduct or its effects on the university community.

## TYPES OF DISCIPLINARY PROCEEDINGS:

UNH determines the type of disciplinary proceedings to use based on the status of the accused. Complaints against students for disciplinary code violations should be reported to CREO. When the accused person is a student, the student disciplinary process will be utilized. Complaints can be submitted via the following form: [Incident Report Form](#). You can also file a complaint, in person with the Director & Title IX Coordinator or at the Community Standards Office. Complaints against employees should be reported to CREO as well. When the accused person is an employee, the appropriate employee disciplinary process will be used based on the employee's category.

CREO Office	Thompson Hall Room 305	603-862-2930
Community Standards	Hitchcock Hall 5 Quad Way	603-862-3377

The University is committed to the timely and fair resolution of disciplinary matters involving students and organizations accused of violating the Code of Conduct, within the principles of due process that do not undermine the integrity of the conduct process. Generally, the more serious the possible deprivation, the greater due process protections owed. Although the Code of Conduct affords significant procedural protections in the conduct process to ensure the parties involved a meaningful resolution, this does not include the right to confront accusers in a manner inconsistent with this Code or be represented by counsel. As such, the Director may make reasonable alterations to any of these procedures in the spirit of a prompt conclusion depending on the context of the situation.

**Resolution Agreement.** When UNH provides notice of an allegation to a Respondent, the Respondent may elect to participate in an expedited process by resolution agreement upon timely response to the notice of allegations and in lieu of a live disciplinary proceeding. The Respondent accepts responsibility for all pending charges, admits to the relevant allegations, agrees to specific sanctions, and waives the right to an appeal. The Respondent will be provided information regarding a meeting to review the terms of the agreement and any conditions, sanctions, and remedies implemented. Resolution Agreements are final upon signatures of the Respondent and the Director or Conduct Officer.

1. When the potential sanctions, as set forth in Article IV, are not likely to rise above Disciplinary or University Housing Probation, the case is referred to a **Conduct Conference**. The following procedures apply to resolve the alleged prohibited conduct:
  - a. **Notice.** Respondents are notified through their UNH-issued email. The notice will include a summary of the allegations made against them, charges under consideration, proposed sanctions, and the resolution options available. The notice will also specify instructions on procedures for responding

and deadlines, and the date, time, and location of the meeting. Requests to reschedule conduct meetings are typically only granted when there is an academic conflict.

- i. **Conduct Conference.** The Respondent is denying responsibility for one or more of the charges under consideration and agrees to participate in a one-on-one fact-finding meeting with a Conduct Officer. This will allow for further exploration of other facts and circumstances of the alleged misconduct. The burden is on the respondent to prove that their position has merit. The Respondent will have an opportunity to share their perspective about the incident in question, clarify or correct any information submitted for review and answer questions specific to their alleged involvement.
  - b. **Decision.** Typically, the Conduct Officer will send the Respondent a written notice of the decision as to whether the charges have been substantiated or not, based upon preponderance as the standard of proof, the rationale for the determinations, and the assigned sanctions (if any) five (5) business days after the meeting or at the conclusion of the conduct process when such cases involve multiple respondents.
2. When the potential sanctions, as set forth in Article IV, either for a single incident of serious prohibited conduct or a persistent pattern of less severe prohibited conduct, could reasonably result in University Housing Removal (for a period of time or indefinitely), University Suspension, or University Dismissal, the case is referred to a **University Hearing**. The following procedures apply to resolve the alleged prohibited conduct:
1. **Notice.** Respondents, and Complainants when applicable, are notified through their UNH-issued email. The notice will include a detailed summary of the allegations made against the respondent, charges under consideration, and the resolution options available. The notice will also specify deadlines and instructions on procedures for responding, the date, time, and location of the preliminary meeting, and relevant links or attachments where the Code of Conduct is located and can be accessed.
  2. **Preliminary Meeting.** The preliminary meeting is likely to be the first time for the Respondent to review all relevant information that will be used to support the charges brought forth against them and to have the procedures to be followed at a live hearing explained. If the date, time, and location of the hearing have been confirmed and the names of the Panel or Hearing Officer are known, this information will also be shared at that time. Additionally, the Respondent should be prepared to identify the advisor (if any) that will support them for the duration of the conduct process, to discuss alternative resolutions of the matter without a hearing, and to resolve special considerations, answer other questions, and share information prior to the hearing. Requests to reschedule preliminary meetings are typically only granted when there is an academic conflict.
  3. **Additional Investigation.** If the Respondent does not accept responsibility for the charges and admit to the allegations, the Director may proceed with further investigation if necessary. The Respondent may provide a written response to the allegations within three (3) days of the preliminary meeting, with any relevant information, including supporting documentation, they want to be considered and the names and contact information for any witnesses they want to be interviewed. Reasonable attempts will be made to interview relevant witnesses and additional information, documentation, and witnesses from other sources may be explored. The Director will consider information that is relevant, material, and temporally proximate to the conduct at issue. As appropriate, the Director will provide both the Respondent (and any Complainants) with periodic status updates during the investigation.

Any additional investigation will be completed expeditiously with a timeline of twenty (20) days; however, the actual duration of each investigation may vary commensurate with its complexity, the severity, and extent of the allegations, the number of witnesses, the need for language assistance or accommodation of disabilities, and the possibility of interruption by break periods. If the duration of an investigation substantially exceeds these estimates, the Director will notify the parties, in writing, of any such delay.

4. **Options for Resolution.**
  1. **Administrative Hearing.** Respondents who accept responsibility for all charges but disagree with the proposed sanctions will have their case resolved by a single Hearing Officer. The Hearing Officer will not revisit the question of alleged prohibited conduct, but rather consider the Respondent's petition for a lesser consequence before imposing the appropriate sanction. The full range of sanctions is available for the Hearing Officer, including dismissal.
  2. **Panel Hearing.** Respondents who deny responsibility for one or more of the charges under consideration and contest the allegations will have their case adjudicated by a body of trained community members comprised of faculty, staff, and students.
5. **Pre-Hearing Submissions.** Community Standards reserves the right to verify the accuracy and authenticity of germane information shared prior to and during the hearing process, including witnesses, authors of letters or documentation submitted, and inspect documents in an effort to corroborate the account provided by the student. The Director, in consultation with the Chair, will establish a reasonable deadline for these submissions, typically no longer than five (5) business days.

Formal rules of evidence do not apply, and the Chair shall make all determinations regarding the admissibility, probative value, prejudicial effect, repetitiveness, redundancy, relevancy, etc., of evidence presented. Evidence that was excluded or redacted from the record as impermissible will not be admissible at the hearing. Hearsay is admissible if the Chair finds that it is generally reliable, but any party may present reasons that admitted hearsay evidence is or is not sufficiently reliable to be the basis for a finding of responsibility.

Witnesses presented on behalf of the parties must have factual first-hand knowledge of the incident in question. In cases requiring special expertise, the University may appoint individuals with similar expertise to serve as consultants to the hearing body. The consultant may be present and provide information as called upon during the hearing. Expert Witness testimony is admissible only when the Director determines that such testimony is potentially relevant to the investigation and where the investigator determines that the expert witness is qualified to provide such testimony. In order for expert witness testimony to be considered for purposes of adjudication, they must be available to attend the live hearing and must testify at the live hearing if called by the Panel. The expert witness must also submit to cross-examination. If an expert witness is not available to testify at the live hearing and/or does not testify when called at the live hearing, any prior statement, testimony, or written report submitted may not be considered to determine responsibility.

6. The parties may request extensions that may be granted, if reasonable, at the discretion of the Director. Extensions granted to one party will be granted to the other party. Delays simply to prolong the process will not be permitted, and failure to meet deadlines will generally result in forfeiture of a party's ability to participate in that aspect of the process. Subject to a demonstration of compelling circumstances, a party who declines or fails to participate in a meeting or interview, provide evidence, or suggest witnesses, waives their right to do so upon the issuance of the final report and/or record.
7. **Notice of Hearing.** Hearings are scheduled as timely as possible. All efforts will be made to provide notice of hearing no less than three (3) days or no more than ten (10) days after a notice of allegations has been issued. The Respondent may waive the three-day notice. Time limits for scheduling meetings and hearings may be extended at the discretion of the Director. If the notice does not include the names of the decision-maker(s) slated for adjudication, the parties will be notified, in writing, at a later time, prior to the hearing. Hearings may take place in person or via video conference or other remote technology.

In matters where there is more than one Respondent arising from the same incident, the Chair in consultation with the Director and the parties may order a consolidated or severed hearing. Respondents may request that hearings be conducted separately. In the case of a consolidated hearing, the Chair may reasonably adjust timelines and procedures if doing so is likely to result in reliable and more efficient outcomes without causing prejudice to the parties involved or confusion for the fact finders. When a hearing occurs at the end of an academic semester, including, but not limited to reading days and final exams, and during the summer and winter breaks, the Director may assign cases to a single Hearing Officer.

8. **Request to Delay.** The Respondent may request a postponement of no more than three (3) business days for reasonable cause. The Director will determine the validity of the request. Absent extenuating circumstances, a request for a postponement must be made in writing, include supporting rationale, and be received by the person sending the hearing notification at least two (2) business days before the scheduled hearing. The University reserves the right to reschedule a hearing for the first appropriate available date. Given the number of individuals involved in a hearing, and the attendant difficulty of scheduling and rescheduling them in a timely manner, it may not be possible to accommodate all scheduling requests. The Chair may postpone and reschedule a hearing, without a request by the parties, when the cause to do so arises.
9. **Challenge for Impartiality.** The Respondent and Complainant have the right to a hearing by an unbiased decision-making body, and the right to challenge the body that is serving in such capacity and the Chair, on the grounds of bias or conflict of interest. The Director will determine the validity of the objection but shall not impair the independence of designated hearing body, though they may provide procedural advice at all times and exercise best judgment to avoid acting in dual roles in the same conduct case.

The provisions about bias and conflict of interests shall not be construed so widely as to eliminate broad categories of panelists and no panel member will be excused solely on the basis of a protected characteristic in accordance with the University's Statement of Nondiscrimination. Mere knowledge of the events at issues shall not disqualify a panel member. Where actual bias or conflict of interest is established, the Respondent or Complainant may request that a panel member be excused because of a proven conflict of interest as provided in the foregoing provisions assuming they have not already recused themselves, to ensure that the process is managed by individuals that eliminates the identified bias or conflict.

Actual bias is an articulated prejudice in favor of or against one party or position; it is not a generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the decision-makers in the process. Panel members should be alert to potential personal, economic, or legal conflicts of interest between themselves and the persons bringing matters to the Panel or the student against whom a matter has been brought.

Panel members having past or present ties of kinship, marriage, or other very close personal relationship to any of the parties involved in the matter should notify the Chair that a conflict of interest exists and be automatically excused from participation; the nature of the relationship need not be disclosed to the Chair. Panel members having some form of close professional relationship with one or more of the parties involved in the matter (e.g., collaboration or cooperation in research, writing, or teaching with a colleague or service as an ongoing academic adviser, athletic coach, employed in the same department or unit or instructor to the student in class that is smaller in size) should notify the Chair that a potential conflict of interest exists.

A Panel member should inform the Chair that the nature of the matter creates an occasion for a conflict of interest and may request to be excused from participation. Similarly, all issues relating to conflict of interest should be raised by the student and settled before the Panel begins

consideration of the matter. Questions relating to conflict of interest may not be raised after the Panel has reached decisions, nor may they be grounds for appeal of the hearing results.

The foregoing provisions are intended not to be inclusive of all possible situations of conflict of interest, but rather to provide guidance. It is the intention of these provisions to enable the Panel to avoid both the appearance and the reality of conflict of interest so that the community will have confidence in the fairness of the proceedings. In case of doubt, the Chair and panel member should assume that a potential conflict of interest exists.

10. **Advisor Assistance.** As an alternative or in addition to utilizing a university-trained advisor, the Respondent and Complainant have the right to be assisted by an advisor of their choosing during the conduct process and at the hearing. The role of the advisor is to provide support and assistance in understanding and navigating this process. To protect the privacy of those involved, all advisors not trained by Community Standards are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the University's process.

The University's duty is to the student, not the advisor. All communication is made directly with the student. The process will not be unreasonably delayed to accommodate the schedule of the advisor. An advisor must familiarize themselves with university policy and may be provided with written expectations in advance of participation in university proceedings. The advisor may not testify in or obstruct an interview, author-written submissions, create a recording or transcription of the meeting, bring electronic devices into the meeting, or disrupt the process. The Director has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this policy.

11. **Reasonable Accommodation.** A qualifying Respondent or Complainant has the right to reasonable accommodations to ensure the opportunity to participate fully in the conduct process. Student Accessibility Services (SAS) is committed to and responsible for assuring students with disabilities receive equitable, effective, and meaningful access to all campus programs, resources, and services. The student who wishes to request accommodation should adhere to the procedures and documentation guidelines established by SAS. Students should advise Community Standards, in writing, of their intention to request accommodation no later than two (2) days prior to the scheduled hearing in order to permit sufficient time to make any necessary arrangements.
12. **Standard of Proof and Presumption of Non-Responsibility.** The University's prescribed standard of proof used to determine responsibility for policy violations is the preponderance of the evidence standard, when the information suggests that it is more likely than not that a violation occurred. Decision-making bodies shall make no assumptions or presumptions (including about the credibility or culpability of the parties to the proceeding or witnesses) and reach decisions as to whether the Respondent has violated university policy solely on the basis of the evidence and testimony presented to them.

In incidents where the University is the Complainant, the Respondent will be presumed not responsible until the appropriate disciplinary authority, using the preponderance of evidence standard, determines that a policy violation has occurred. When participating in any of the University's conduct processes, neither the Respondent nor Complainant bears the responsibility to prove or disprove allegations. It is the University's role to gather information and apply an unbiased and transparent process so that the appropriate decision-maker can determine the outcome.

13. **Decision.** Following the conclusion of the hearing, the Respondent will be notified in writing of the hearing results outlining the findings of fact, rationale any determination whether the student is responsible for violating the Code of Conduct and the sanctions, if any. If sanctions are imposed, they will be issued in consideration of the specific circumstances of the case, institutional precedent, disciplinary history, aggravating and mitigating circumstances, and community impact. If

the hearing results involve outcomes of Disciplinary Probation, University Housing Removal, University Suspension, or University Dismissal, a summary of the appeal procedures will be included.

14. **Disciplinary Proceedings Held in Absentia.** Students have a duty to cooperate with the university's conduct system and an obligation to provide truthful information. Because the most accurate and fair review and understanding of the facts of the incident at issue can best be accomplished when all parties are present, refusal to respond or participate will be considered a forfeiture of the party's right to address the allegations and denies the decision-making body from learning important information that could influence the outcome of the proceeding.

Although no inference or adverse action may be drawn against a student for failing to participate in a Conduct Conference or University Hearing, the University reserves the right to proceed with the conduct process to its conclusion in the student's absence except when there are exigent circumstances. Any findings of responsibility or non-responsibility will be based on the information available, sanctions issued, and related deadlines will be documented in an outcome letter and sent to the applicable parties.

#### **NOTIFICATION: (NOTICE TO ACCUSER AND ACCUSED)**

UNH will simultaneously notify, in writing, both the accuser and accused of:

- a. The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking.
- b. The institution's procedures for the accused and the victim to appeal the result of UNH's disciplinary proceeding, if such procedures are available
- c. Notification of any change to the results
- d. Notification of when the results become final.

#### **TYPES OF SANCTIONS:**

The aim of sanctioning are to protect the University community, deter future misconduct, promote individual accountability, and enhance ethical development. Sanctions should be commensurate with the violations found to have occurred. Where appropriate, the sanction shall include the period of duration, any conditions to be observed during that period, and the conditions for termination of the sanction. Any one or more of the following can be issued to the respondent.

The types of sanctions that can be imposed for violations of sexual and domestic violence include the following:

- a. Formal Warning
- b. Disciplinary Probation
- c. University Housing Probation
- d. University Housing Suspension
- e. University Housing Dismissal
- f. University Suspension
- g. University Dismissal
- h. Discretionary Assignment or Activities
- i. Loss of Privileges.



## DISCIPLINARY PROCEDURES FOR EMPLOYEES:

It is the policy of the University of New Hampshire to uphold the constitutional rights of all members of the University community and abide by all United States and New Hampshire State Laws and University System of NH, and University of NH policies applicable to discrimination and harassment. No member of UNH may engage in discriminatory or harassing behavior within the jurisdiction of the University that unjustly interferes with any individual's required tasks, career opportunities, learning, or participation in university life.

The Director of the Civil Rights and Equity Office is responsible for the monitoring of the policy, and has oversight of all processes that are covered by the policy (including the process for student misconduct involving discriminatory harassment). The Director is the Title IX Coordinator, and has special responsibility for actions regarding sex discrimination and sexual harassment in an institution of higher learning; pursuant to this Policy and in accordance with UNH Student Rights, Rules and Responsibilities, the Director has designated the Director of the UNH Community Standards Office to conduct specified functions of the Title IX Coordinator in addressing allegations of sexual harassment between UNH students. The Director of the Civil Rights and Equity Office (Title IX Coordinator) may also designate other appropriate administrators to perform duties that are described in this policy as responsibilities of the Title IX Coordinator. In addition, there are state legal requirements that any instance of sexual harassment of a student by an employee (faculty, administrator or staff) that comes to the attention of another employee must be reported; at UNH, reporting will be to the Director of the Civil Rights and Equity Office. The ADA Compliance Officer, whose position is located in the Civil Rights and Equity Office, is directly responsible for disability compliance, and monitors all such complaints and issues.

## SUPPORT AND RESOURCES:

Members of the UNH community who believe they are being subjected to discriminatory practices or discriminatory harassment may want to seek advice and support from certain on-campus resources. These individuals/departments can provide complainants with information on the many options available. UNH may provide information and support whether or not a complainant chooses to seek formal or informal resolution. Any University community member, whether student, faculty, or staff, may always contact the Director of the Civil Rights and Equity Office with a discrimination or harassment complaint, including sexual harassment. The Sexual Harassment and Rape Prevention Program ([SHARPP](#)) offers assistance and confidential support 24 hours a day. Complainants are encouraged to seek support where they feel most comfortable. Other resources include:

- [Academic Department Chair, or any College/School Dean or Associate Dean](#)
- [Chief Diversity Officer/Community, Equity, Diversity](#)
- [Community Standards Office](#)
- Directors of Academic Counseling
  - [UNH Durham](#)
  - [UNH Manchester](#)
  - [UNH Franklin Pierce School of Law](#)
- [Human Resources](#)
- [International Students and Scholars Office](#)
- [Psychological and Counseling Services \(PACS\)](#)
- [Student Accessibility Services \(support services for students with disabilities\)](#)
- [The Beauregard Center \(working closely with underrepresented and ally students\)](#)
- [University Police](#)

The Director of the Civil Rights and Equity Office will offer supportive measures to both complainants and respondents. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint<sup>3</sup> or Title IX Formal Complaint or where no formal complaint or Title IX Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university's educational environment, or deter discriminatory harassment.

## **FILING COMPLAINTS:**

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

## **SUPPORTIVE SERVICES:**

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

## **COMPLAINT: FORMAL**

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

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

## **NOTICE OF ALLEGATIONS:**

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

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

### **INVESTIGATION:**

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

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

### **HEARING:**

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

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

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

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

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

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

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

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

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

#### **APPEAL:**

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

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

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

#### **RESOLUTIONS:**

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

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

#### **TIME FRAME FOR RESOLUTION:**

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

## **SEXUAL HARRASSMENT AND RAPE PREVENTION PROGRAM (SHARPP)**

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

### **PREVENTION, AWARENESS & BYSTANDER INTERVENTION**

#### **PRIMARY PREVENTION AND ONGOING AWARENESS PROGRAMS**

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

SHARPP strives to target individual, interpersonal, organizational, institutional, and systemic strategies for change also known as the socio-ecological perspective.

In the fall of 2023, all new, incoming students and employees will receive training and be informed about primary prevention and awareness programs and learn that UNH prohibits domestic violence, dating violence, sexual assault and stalking or any other form of sexual violence. All freshmen and transfer students will complete the online training "Get Inclusive" which covers topics such as bystander intervention, healthy relationships, consent and rape culture. This training will also be delivered to new students and transfer students in August 2023. The definitions of these violations are covered earlier in this chapter. Last year, 2022, The Civil Rights & Equity Office provided SUNY's SPARC Sexual & Interpersonal Violence Prevention and Response training to students. They had contact with over 4613 people.

In 2022 SHARPP provided 226 prevention programs to students, faculty and staff including bystander intervention, healthy relationships, street harassment, and Wildcats get consent among many others. They had contact with over 8,960 people.

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

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



## UNDERGRADUATE ORIENTATION

At orientation, both new and undergraduate students and parents are provided with information about diversity, campus safety, sexual assault, healthy relationships, and wellness. They also receive information on finances, student employment opportunities, and student activities.

Parents and guests of new students are provided with a half-hour presentation about student health and wellness led by the Health & Wellness department.

## RESOURCE FAIR

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

## HEALTHY RELATIONSHIPS

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

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

## YOU CAN HELP!

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

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

## SEXUAL HARASSMENT

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

This program clarifies the concept of sexual harassment as a type of behavior and a legal standard.

Utilizing discussion, lecture, and multimedia elements, we explore relevant power dynamics, flirting vs. hurting, and varying types of harassment. Participants also discuss appropriate professional, educational, and social boundaries.

## STRANGER DANGER

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

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

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

### **INCOMING GRADUATE AND UNDERGRADUATE STUDENTS**

All incoming and returning graduate and undergraduate students receive a link twice a year, once in January and again in August for an online training called “Get Inclusive”.

### **INCOMING RETURNING STUDENTS**

All incoming and returning grad and undergrad students receive a link twice a year, once in January and again in August for an online training called “Get Inclusive”.

### **EMPLOYEES**

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

The other two programs offered are Conflict of Interest and Creating a Respectful Workplace and both of these courses are voluntary. Contract Human Resources for more information.

At faculty orientation the CREO Director & Title IX Coordinator talks to all faculty about sexual harassment and preventing violence in the workplace.

## **GENERAL TRAINING SERVICES**

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

The CREO Director/Title IX Coordinator can provide training upon request about institutional reporting requirements and resources/rights for victims of sexual assault, dating violence, domestic violence, stalking, and/or sexual harassment. Additionally, the CREO Director & Title IX Coordinator will provide

focused trainings in areas where patterns or systematic problems arise. For more information contact the CREO Director & Title IX coordinator at: [bodhan.zarycky@unh.edu](mailto:bodhan.zarycky@unh.edu).

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

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

## BYSTANDER INTERVENTION PROGRAMS AND RISK REDUCTION

### YOU CAN HELP: Wildcats are Active Bystanders

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

You can help being an active bystander.

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

### BYSTANDER INTERVENTION TIPS

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

#### The 5 D's of Bystander Intervention

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

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

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

**Document** – Create a record of the incident or situation

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

#### Protective Behaviors and Risk Reduction: What everyone can do!

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. It is possible to follow all of these tips and still be the target of someone

else's harmful behavior. No matter what choices you make, you deserve to be safe and respected, and experiencing violence is never your fault.

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

## REPORTING AND RESOURCES

Students and employees who experience sexual assault, domestic violence, dating violence, and/or stalking have many options and services available to them on and off campus, including mental health counseling, victim advocacy, off-campus legal assistance, employee assistance and access to the criminal and campus disciplinary systems. Many services are available to victims regardless of their choice to report the incident to law enforcement, and several are available at no charge.

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

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



## PROCEDURES FOR REPORTING

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

**TO REPORT TO LAW ENFORCEMENT**

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

**UNH-M Security Services**

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

**UNH Police Department**

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

**Manchester Police Department**

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

**For everyone:**

Civil Rights & Equity Office  
 Title IX Coordinator **Bohdan Zaryckyj**  
 Thompson Hall Rm 305  
 105 Main St. Durham, NH 03824  
 603-862-2930

[University System of New Hampshire | Incident Report Form \(ethicspointvp.com\)](https://ethicspointvp.com)

**TO REPORT TO UNH**

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

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

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

UNH provides training and information to many staff members to respond to and support victims, however, many victims do not feel comfortable talking to law enforcement, campus administrators, professors or advisors. Healing can look different for everyone. Additional services available to victims of crime occurring



both on and off campus are listed in this chapter, including confidential options that will not result in criminal or university investigation.

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

- The preservation of evidence may strengthen a investigation, which may result in a better chance of holding the accused responsible or obtaining a restraining order. (Evidence may include the clothing worn at the time, a record of threatening text messages and e-mails, and bodily fluids). The local hospitals (Elliot Hospital and Catholic Medical Center) have SANE nurse examiners on staff that can provide no-cost forensic medical exams, even if a victim chooses not to report to law enforcement.
- Although it is best not to shower, even if a victim has showered and changed clothes, a police report can be filed and/or medical exam can be obtained.
- Campus officials are required to provide information about options and assist in making contact with law enforcement personnel if requested.
- Filing a report will generally involve an interview with law enforcement officer or an investigating officer from the CREO Office (or both, if you choose to report to both agencies).
- A student disclosing sexual assault, dating violence, domestic violence, and/or stalking victimization to a UNH-M staff member with confidential status will be provided with appropriate support resources and referrals, including but not limited to: information about counseling, medical care, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community; information about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. They are given an explanation of the student or employee's rights and options for reporting. Privileged and confidential staff members will explain their confidential role and that the disclosure has not triggered reporting except for statistical purposes.

### **Assistance for Victims: Rights & Options**

The institution will provide students and employees who have experienced interpersonal violence with a written explanation of their rights and options, as outlined in this publication, regardless of whether the offense occurred on or off campus. Such written information will include:

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

- An explanation of the procedures for institutional disciplinary action.

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

SHARPP, Psychological and Counseling Services (PACS), Mental Health Center of Greater Manchester employees, Health & Medical staff and ordained pastoral counselors operate under policies and procedures that comply with Federal and New Hampshire state laws regarding confidentiality. Please check with each of these offices to learn more about limits on confidentiality. In addition, victims are encouraged to speak with the CREO Director & Title IX Coordinator, UNH Police Chief and Director or Community Standards to discuss their guidelines on confidentiality.

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



## NOTICE OF SUPPORTIVE MEASURES AND CONFIDENTIAL RESOURCES

When the Civil Rights & Equity Office receives a report or disclosure that a student experienced sexual misconduct or sexual exploitation, a staff member from that office will offer information to the student about the student's rights, options, and resources available. UNH may provide support whether or not a Complainant chooses to file a Formal Complaint.

If a student wishes to meet with a staff member from Civil Rights & Equity Office, the staff member will provide the student with information about their rights, responsibilities, resources, and options.

UNH will provide reasonably available supportive measures to an impacted student and typically after a Formal Complaint, to a Respondent. Supportive measures are non-disciplinary, non-punitive, individualized support services that are offered as appropriate, as reasonable available, and without fee or charge to the parties when a report is received. Supportive measures are designed to restore or preserve equal access to UNH's education program or activities without unreasonably burdening the other party.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work schedules, class schedules, or co-curricular activities, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures. Supportive measures are available to both the Complainant and Respondent at any point after an incident of sexual misconduct or sexual exploitation is disclosed.

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

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

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

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

2 Pettee Brook Lane Durham, NH 03824 603-862-3494	Manchester, NH 03103 603-668-8711	131 Main St. Durham, NH 03824 603-862-0501
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## CONFIDENTIAL RESOURCES

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

### On-Campus Confidential Resources

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

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

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

**PSYCHOLOGICAL & COUNSELING SERVICES (PACS)** provides mental health counseling services including individual, group, and psychiatric services

**For Appointments call 603-862-2090**

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

**UNH CHAPLAINS ASSOCIATION** provides confidential counseling

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

### EMPLOYEES

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

**1-800-424-1749 available 24/7**

### Off-Campus Confidential Resources

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

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

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

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

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

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



## **UNH and Protecting Victim Confidentiality**

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

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

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

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

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

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





UNH's Appledore Island (isle of shoals classroom)

## STATE OF NH CRIME DEFINITIONS AND STATUTES

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

### Domestic Violence:

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

- (a) Purposely or knowingly causes bodily injury or unprivileged physical contact against another by use of physical force;
- (b) Recklessly causes bodily injury to another person by use of physical force;
- (c) Negligently causes bodily injury to another by means of a deadly weapon;
- (d) Uses or attempts to use physical force, or by physical conduct threatens to use a deadly weapon for the purpose of placing another in fear of imminent bodily injury;

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

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

### **Dating Violence:**

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

### **Sexual Assault:**

The State of New Hampshire defines sexual assault as follows:

### **Aggravated Felonious Sexual Assault:**

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

- (a) When the actor overcomes the victim through the actual application of physical force, physical violence or superior physical strength;
- (b) When the victim is physically helpless to resist;
- (c) When the actor coerces the victim to submit by threatening to use physical violence or superior physical strength on the victim, and the victim believes that the actor has the present ability to execute these threats;
- (d) When the actor coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim believes that the actor has the ability to execute these threats in the future;

- (e) When the victim submits under circumstances involving false imprisonment, kidnapping, or extortion;
- (f) When the actor, without the prior knowledge or consent of the victim, administers or has knowledge of another person administering to the victim any intoxicating substance which mentally incapacitates the victim;
- (g) When the actor provides therapy, medical treatment or examination of the victim and in the course of that therapeutic or treating relationship or within one year of termination of that therapeutic or treating relationship;
  - (1) Acts in a manner or for purposes which are not professionally recognized as ethical or acceptable; or
  - (2) Uses this position as such provider to coerce the victim to submit;
- (h) When, except as between legally married spouses, the victim has a disability that renders him or her incapable of freely arriving at an independent choice as to whether or not to engage in sexual conduct, and the actor knows or has reason to know that the victim has such a disability;
- (i) When the actor through concealment or by the element of surprise is able to cause sexual penetration with the victim before the victim has an adequate chance to flee or resist;
- (j) When, except as between legally married spouses, the victim is 13 years of age or older and under 16 years of age and;
  - (1) The actor is a member of the same household as the victim; or
  - (2) The actor is related by blood or affinity to the victim.
- (k) When, except as between legally married spouses, the victim is 13 years of age or older and under 18 years of age and the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit.;
- (l) When the victim is less than 13 years of age;
- (m) When at the time of the sexual assault, the victim indicates by speech or conduct that there is not freely given consent to performance of the sexual act.
- (n) When the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit under any of the following circumstances;
  - (1) when the actor has direct supervisory, disciplinary, or other authority authorized by law over, or direct responsibility for maintaining detention of, the victim by virtue of the victim being detained or incarcerated in a correctional institution, this secure psychiatric unit, a juvenile detention facility, or any other setting in which the victim is not free to leave; or
  - (2) When the actor is a probation or parole officer or a juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation. Consent of the victim under any of the circumstances set forth in sub paragraph (n) shall not be considered a defense.

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

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

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

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

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

### **Felonious Sexual Assault;**

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

I. subjects a person to sexual contact and causes serious personal injury to the victim under any of the circumstances named in RSA 632-A; 2, or

II. Engages in sexual penetration with a person, other than his legal spouse, who is 13 years of age or older and under 16 years of age with an age difference between the actor and the other person is four years or more; or

III. Engages in sexual contact with a person other than his legal spouse who is under 13 years of age.

IV.

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

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

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

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

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

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

### **Sexual Assault:**

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

- (a) When the actor subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in RSA 632-A: 2.
  - (b) When the actor subjects another person, other than the actors legal spouse, who is 13 years of age or older and under 16 years of age to sexual contact where the age difference between the actor and the other person is 5 years or more.
  - (c) In the absence of any of the circumstances set forth in RSA 632-A: 2 when the actor engages in sexual penetration with a person, other than the actors legal spouse, who is 13 years of age or older and under 16 years of age where the age difference between the actor and other person is 4 years or less.
- II. A person found guilty under sub paragraph I(c) of this section shall not be required to register as a sexual offender under RSA 651-B.
- III.
  - (a) a person is guilty of a misdemeanor if such person engages in sexual contact or sexual penetration with another person, or causes the person to engage in sexual contact on himself or herself in the presence of the actor, when the actor is in a position of authority over the person under any of the following circumstances:
    - (1) When the actor has direct supervisory or disciplinary authority over the victim by virtue of the victim being incarcerated in a correctional institution, the secure psychiatric unit, or juvenile detention facility where the actor is employed; or
    - (2) When the actor is a probation or parole officer or juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation.
  - (b) Consent of the victim under any of the circumstances set forth in this paragraph shall not be considered a defense.
  - (c) for the purpose of this paragraph, "sexual contact" means the intentional touching of the persons sexual or intimate parts, including genitalia, anus, breasts, and buttocks, where such contact, or the causing of such contact, can reasonably be construed as being for the purpose of sexual arousal or gratification of the person in the position of authority, or the humiliation of the person being touched.
- IV.
  - (a) Upon proof that the victim and defendant were intimate partners or family or household members, as those terms are defined in RSA 631:2-B, III, a conviction under this section shall be recorded as "sexual assault-domestic violence."

### **Stalking:**

The state of (NH) defines stalking as follows:

- I. A person commits the offense of stalking if such person:
  - (a) Purposely, knowingly, or recklessly engages in a course of conduct targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person's immediate family, and the person is actually placed in such fear.
  - (b) Purposely or knowingly engages in a course of conduct targeted at a specific individual, which the actor knows will place that individual in fear for his or her personal safety or the safety of a member of that individual's immediate family; or
  - (c) After being served with, or otherwise provided notice of, a protective order pursuant to RSA 173-B, RSA 458:16, or paragraph III-a of this section, or an order pursuant to RSA 597:2 that



prohibits contact with a specific individual, purposely, knowingly, or recklessly engages in a single act or conduct that both violates the provisions of the order and is listed in paragraph II (a).

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

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

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

**Consent:** A voluntary, informed and freely given agreement, through words and/or actions, to participate in mutually agreed-upon acts and the communication between the parties would be interpreted by a reasonable person, as a willingness to engage in a particular act. Consent may be withdrawn at any time and the withdrawal must be communicated in mutually understandable words and/or actions; if so, the particular act must cease immediately.

Consent cannot be obtained through the presence of any force, threat of force, threats, or coercion. A person cannot consent to sexual activity if that person is unable to understand the nature, fact, or extent of the activity or giving knowing consent if the person is incapacitated due to the consumption of alcohol or drugs, the person is asleep, or unconscious, the person is under the legal age to provide consent, or the person has a disability that prevents such person from having the ability or capacity to give consent.

## Sexual Harassment

Sexual Harassment is prohibited by University of New Hampshire Policy. For more information about sexual harassment, including reporting options and resources please visit: [UNH Policy on discrimination and discriminatory harassment, including sexual harassment](#).

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

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

The University of New Hampshire Policy on Discrimination and Discriminatory Harassment covers all members of the UNH community, faculty, staff and students. It applies to applicants for employment and admission. Regardless of the process used to investigate and adjudicate complaints, any complaint may be



filed with the Affirmative Action and Equity Office, and in many cases, complaints must be monitored by that office.

### ***Reporting Sexual Harassment to UNH***

You may report sexual harassment to the following offices:

#### **Civil Rights & Equity Office**

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

#### **Human Resources**

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

The following offices provide confidential support services:

#### **SHARPP Office**

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

#### **UNH Employee Assistance Office**

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



## UNH Alcohol & Drug Resource Information, Policy, and Laws

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

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

### UNH ALCOHOL AND DRUG POLICY

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

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

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

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

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

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

## **Federal Drug Laws:**

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

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

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

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

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

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

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

### **Federal Drug Possession Penalties:**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000.

## State of New Hampshire Liquor Laws

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

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

**Penalty:** fine and/or jail sentence

It is illegal for anyone to:

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

**Penalty:** fine and/or jail sentence

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

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

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

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

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

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

### 265-A: 3 Aggravated Driving While Intoxicated.

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

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

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

(d) Carries as a passenger a person under the age of 16;

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

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

(d) Carries as a passenger a person under the age of 16; or

III. While having an alcohol concentration of 0.16 or more.

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

I. Except as otherwise provided in this section:

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

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

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

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

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

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

(1) Guilty of a class A misdemeanor;

(2) Fined not less than \$750;

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

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

(5) Subject to the following:

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

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

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

(1) Guilty of a class B felony;

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

(3) Sentenced to a mandatory sentence of not less than 35 consecutive days in the county correctional facility, of which 21 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 14 days in the county correctional facility, the person shall schedule a substance use disorder



evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

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

(5) Subject to the following:

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

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

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

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

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

(a) For a second offense:

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

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

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

facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

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

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

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

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

(2) The person shall be sentenced to a mandatory sentence of not less than 180 consecutive days of which 150 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period. The remainder of the sentence may be deferred for a period of up to 2 years. The court may, at the satisfactory completion of any required treatment, suspend any remaining deferred sentence.

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

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

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

VI. For the purposes of this section:

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

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

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

VII. No portion of the minimum mandatory sentence of imprisonment and no portion of the mandatory sentence of the period of revocation and no portion of any fine imposed under this section shall be suspended or reduced by the court. No case brought to enforce this section shall be continued for sentencing for longer than 35 days. No person serving the minimum mandatory sentence under this section shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by RSA title LXII or any other provision of law.

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

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

X. When any provision of this section requires a person to schedule, submit to, or complete an alcohol and drug abuse screening or substance use disorder evaluation within a specified number of days, or makes

such a condition of eligibility for suspension of a period of license revocation or other sentence, a person may comply with the requirement within the time period specified or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow.

### **179:10 Unlawful Possession and Intoxication**

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

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

### **Keg Registration Law**

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

### **State of New Hampshire Uniform Controlled Drug Act:**

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

## **USNH Policy Governing Alcohol and Controlled Substance**

### **Use of Alcohol and Controlled Substances during Work Hours**

Drug Free Workplace.

Goal. USNH views alcoholism and drug addiction as highly complex diseases that, once they have been diagnosed, can be addressed by appropriate treatment, and require the same consideration given to employees in cases of other illnesses. Because USNH values its employees, its only purpose in involving itself in the complex areas of alcoholism and drug addiction is to assist the employee in seeking treatment

and returning to a state of effectiveness and productivity. The Employee Assistance Program (EAP) is available to assist with such illnesses. Every case is handled with the utmost confidentiality.

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

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

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

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

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

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

USNH institutions may establish an ongoing drug/alcohol free awareness that informs employees of:  
The dangers of drug/alcohol abuse and the health risks associated with that abuse,  
The policy of maintaining a drug/alcohol free workplace,  
Any available drug counseling, rehabilitation program or an EAP, and  
The penalties that may be imposed upon employees for violation of this policy.

**RESIDENTIAL HOUSING AT UNH-MANCHESTER- 1000 ELM ST.**

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

As of July 1, 2023 UNH no longer has on-campus residential housing. Instead they have contracted with Southern New Hampshire University where students from UNH-Manchester will be housed in Hampton Hall on the first floor. There are currently 14 students who are using the housing offered by Southern New Hampshire University. Student also have access to the dining hall on SNHU campus.

The following are the statistics for the past three years ending in May 2022.

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



## Statistics and Related Information Regarding Fires in Residential Facility for 2022

<b>Residential Facility</b>		<b>Total Number of fires in each building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of injuries that required treatment at a medical facility</b>	<b>Number of deaths related to fire</b>	<b>Value of property damage caused by fire</b>
Downtown Commons 1000 Elm St	2022	0	0	N/A	N/A	N/A	N/A
Downtown Commons 1000 Elm St	2021	0	0	N/A	N/A	N/A	N/A
Downtown Commons 1000 Elm St	2020	0	0	N/A	N/A	N/A	N/A