



SMITH COLLEGE

2023 ANNUAL SECURITY AND FIRE SAFETY REPORT

PUBLISHED IN 2024

This annual report includes information for the 2023 Academic Year and contains crime statistics for 2021, 2022 and 2023.



Please see the [Campus Safety webpage](#) for up to date departmental and campus safety information.

PREPARED IN ACCORDANCE WITH THE JEANNE CLERY DISCLOSURE OF
CAMPUS SECURITY POLICY AND CAMPUS CRIMES STATISTICS ACT

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This report has been prepared to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This document is available on the [Smith College Campus Safety Records & Reports](#) page. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and non-campus property sites, the offices of the Dean of the College, Dean of Students, Student Affairs Office, Title IX, Residence Life, Student Programs, Schacht Center for Health and Wellness, and Department of Athletics, among others. Each entity provided updated information on their educational efforts and programs in finalizing this document.

For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all College Deans, Directors, and Department Heads.

Campus crime, arrest, and referral statistics include those reported to Campus Safety designated campus officials (including but not limited to directors, deans, department heads, etc.) and to local law enforcement agencies.

All of the statistics are gathered, compiled, and reported to the College community via this report, which is published by the Smith College Campus Safety Department. Campus Safety submits the annual crime statistics published in this report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

If you have any questions about anything contained in this report, please contact Smith College Campus Safety at 413-585-2490 from off campus or from on campus at ext. 2490.

About the College & Department

Statement of Non-Discrimination

Smith College is committed to maintaining a diverse community in an atmosphere of mutual respect and appreciation of differences. Smith College does not discriminate in its educational and employment policies on the basis of race, color, creed, religion, national/ethnic origin, sex, sexual orientation, gender identity and expression, genetic information, age, disability, or service in the military or other uniformed services. Smith's admission policies and practices are guided by the same principle, concerning applicants to the undergraduate program who identify as women, and all applicants to the graduate programs. For more information, please contact the Office for Equity and Inclusion located in 302 College Hall or email at oei@smith.edu or via phone at 413-585-2141.

Department Bias Based Profiling Policy

It is Smith College's policy that, except in "suspect-specific incidents," Campus Safety officers are prohibited from considering the race, gender, national or ethnic origin, sexual orientation, or disability of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action.

Campus Safety at a Glance

Smith College launched the Campus Safety Department on June 29, 2020. Our focus continues to build trust and community engagement.

Mission Statement

Through an equitable and inclusive model of service and outreach, the Smith College Campus Safety Department helps ensure that every member of the Smith community can safely learn, live and work on campus in an environment of mutual respect and support. The Smith College Campus Safety Department commits to ongoing training and education on a range of topics, such as de-escalation, anti-racism and community engagement, that are central to building trust and partnership with students, faculty and staff across campus. Our philosophy is that we strive to make every interaction a positive one.

Campus Safety Administrative Office Hours:

Monday – Friday 9 a.m. – 4 p.m.

Officers & Dispatchers are on duty 24 hours/day, 365 days/year

The Department's Enforcement Authority

Officers are sworn police officers who are authorized under Massachusetts General Law 22C, Section 63, to enforce federal and state laws and have the power to arrest, like any other police agency in Massachusetts. The Department enforces the Massachusetts General Laws and protects life and property on campus by providing law enforcement and security and by responding to emergencies. Officers additionally enforce violations of College rules and policy. Smith College sworn police officers have full law enforcement authority pursuant to M.G.L c.22C, s63 on all campus properties and on public streets that members of the campus community routinely use in order to directly reach property and facilities owned or occupied by Smith College.

Back-Up Aid & External Support

The Smith College Campus Safety Department maintains a strong working relationship with state and local police agencies, including the Massachusetts State Police and Northampton Police Department.

Smith College Campus Safety Department maintains a memorandum of understanding (MOU) with the City of Northampton and the Northampton Police Department. The MOU maintains concurrent jurisdiction for incidents that occur in or on the property owned by the college. The Northampton Police Department shall respond to all emergency situations involving the use of firearms or weapons, including active shooter incidents as the campus safety officers are sworn however unarmed. Smith College Campus Safety Department will investigate all criminal incidents with the exception of any unattended death including murder, that will be referred to Northampton Police Department and the Massachusetts State Police Detective Unit.

The Northampton Fire Department responds to fire and medical emergencies to supplement department services.

Crimes in or on Non-Campus Buildings/Property

Statistics reported in the “on-campus” category include those crimes occurring on property owned or controlled by the campus that is within the contiguous geographic area of the campus. The College does not recognize any student organizations with non-campus housing facilities.

Smith College does not have officially recognized student organizations that are owned or controlled housing facilities outside of the Smith College’s core campus. Therefore, local police departments are not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

Campus crime statistics include incidents that occurred at non-campus property. This property includes the Crew Team storage facility and the MacLeish Center for the Environment in the local area as well as property the college has control of in study abroad programs. The international properties are used for housing and are associated with study abroad programs.

Central Dispatch

Smith College Campus Safety has a dispatch center that operates 24 hours a day, 365 days per year. Dispatchers answer routine and emergency calls, as well as monitoring fire and intrusion alarms and monitor a number of security cameras. Dispatchers make notifications during emergencies, requesting fire, EMS and outside police assistance when indicated. Dispatchers also manage after-hours requests for urgent maintenance issues that cannot wait until the next business day. All dispatchers undergo an intensive field training program and receive standard training for emergencies. Our main dispatchers are certified by Power Phone as Public Safety Telecommunicators as well as certified in Emergency Medical Dispatch, Fire Service Dispatch and Law Enforcement Dispatch. The goal for 2023 was to have the security staff who assist with dispatching become certified as Public Safety Telecommunicators which was completed on 12/24/23.

Police Accreditation

The Smith College (Campus Safety) Police Department was awarded certification of accreditation, on October 4, 2023 by the Massachusetts Police Commission. This status assures that the Smith College Police Department have fully demonstrated its commitment to police excellence to our campus community by living up to a body of progressive standards to ensure that the delivery of police service within the Commonwealth at the highest level of professionalism and integrity and having reflected the best professional practices in each area of police management, administration, operations, and support services. This certification will expire on October of 2026.

How to Report a Crime or Emergency

The College strongly encourages every member of the community, faculty, staff, students, and visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned or controlled by Smith College. You can reach Campus Safety at 413-585-2490. Members of the community are encouraged to accurately and promptly report crime and emergencies to Campus Safety and other appropriate police agencies, including when the victim of crime elects to, or is unable to make such a report. Professionally trained officers are available for emergency response 24 hours a day, seven days a week, 365 days a year.

Smith College Campus Safety Department 413-585-2490

Northampton Police Department 413-587-1100

Northampton State Police 413-584-3000

Whatley Police Department 413-625-8200

Response to a Report

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, Campus Safety will take the required action, either dispatching an officer or asking the victim to file a report with the Campus Safety Department. All reported crimes will be investigated by the College and may become a matter of public record. Campus Safety communicates information concerning students who violate college policies or laws to the Dean of Students Office for review and referral to the Conduct Board for potential action, as appropriate. Campus Safety investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Conduct Board. If assistance is required from the Northampton Police Department or the Northampton Fire Department, Campus Safety will contact the appropriate unit. If a sexual assault or rape should occur, staff, including Campus Safety, will offer the victim a wide variety of services.

Call Campus Safety if you see...

- Suspicious behavior in or around a residence hall or other building – people looking in windows, trying to open windows, trying to access doors they do not have access to, etc.
- Anyone trying to open car doors or tampering with a motor vehicle.
- Vehicles parked with the motor running.
- Damaged doors or windows in residence halls or other buildings.
- Loiterers in dark or secluded areas.
- Someone peering into windows.
- Someone displaying a weapon.

Call Campus Safety if you hear...

- Someone screaming.
- Breaking glass.
- A stranger trying to enter your building.
- A call for police.
- A call for help.
- Loud or obscene shouting indicating a disturbance.
- An explosion or gunshots.

If you notify Campus Safety, the dispatcher will send officers (and ambulances, if necessary) to any section of the campus. Please try to have the following information for the dispatcher:

- What you see or hear.
- The address or location of the incident.
- The number of people involved.
- A description of the people involved.
- License plate numbers and descriptions of cars involved.
- The direction of fleeing suspects.
- Your name and address (if you wish to give it).

The behaviors listed above are non-exhaustive examples. Similarly, you do not have to have every piece of information listed above before contacting Campus Safety. All of the information in this section is designated to be a helpful guide but, when in doubt, please contact Campus Safety with your concerns.

Campus Security Authorities

The Smith College Campus Safety Department is the campus agency required to compile Clery Act crime statistics for incidents reported on campus. While the Department encourages victims to report crimes occurring on the campus directly to Campus Safety, we also collect crime data from other administrators on campus who are required to report crime statistics to the Campus Safety Department for inclusion in the Annual Security and Fire Safety Report as well as for the issuance of Safety Alerts (see below). Members of the community are helpful when they immediately report crimes or emergencies to the Campus Safety Department and/or to such designated “Campus Security Authorities.” Campus Safety Authorities are defined in the Clery Act as an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.” This includes, but is not limited to:

- The Dean of the College, College Hall, 413-585-4900
- Dean of Students, Clark Hall, 413-585-4940
- Director of Residence Life and residence life student staff, Clark Hall, 413-585-4940
- Title IX Coordinator, College Hall, 413-585-2141
- Deputy Title IX Coordinator for Human Resources, Belmont Ave, 413-585-2260
- Deputy Title IX Coordinator for Athletics, Ainsworth Gym, 413-585-2713
- Deputy Title IX Coordinator for Students, Clark Hall, 413-585-4940
- Deputy Title IX Coordinator for the campus school, Gill Hall, 413-585-3270
- Director of Athletics and Coaches, Ainsworth Gym, 413-585-2706
- Study Abroad, Wright Hall, 413-585-7598
- Director of the Schacht Center for Health and Wellness, Schacht Center, 413-585-2800

Responsibilities of Campus Security Authorities

Campus Security Authorities are required to inform the Campus Safety Department of any criminal incidents reported to them so that these incidents can be recorded as statistics by the department and, where appropriate, be included in the College’s Annual Security and Fire Safety Report.

Incidents that pose a threat to the community must be reported to Campus Safety immediately so a determination can be made as to whether or not an emergency notification must be made to the community.

Campus Security Authorities are required to inform the Campus Safety Department of all known incidents that are likely criminal so that such incidents can be recorded as statistics by the department and,

where appropriate, be included in the colleges, Annual Security and Fire Safety Report. Incidents that pose a threat to the community must be reported to Campus Safety immediately so a determination can be made as to whether or not an emergency notification must be made to the community.

Pastoral and Professional Counselors

Professional and Pastoral Counselors are explicitly not campus security authorities; which means they are exempt from the requirements to report crimes to Campus Safety when that information is received by them while they are acting in that pastoral or counseling role. They are listed as confidential and may not share your information without your expressed consent, unless there is imminent danger to you or to others or as otherwise required by law. These confidential resources are granted this privilege by Massachusetts law due to the nature of their position. Whether you were subjected to any sexual misconduct recently or in the past, you are encouraged to use all available support services.

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of their license or certification.

Campus Safety encourages pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to voluntarily report the incident to the Campus Safety Department on a confidential basis for inclusion of the annual disclosure of crime statistics.

Voluntary Confidential Reporting Policy

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Campus Safety officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the Campus Safety Department can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Campus Crime Statistics Reporting Policies

The Smith College Campus Safety Department documents reports of crimes that occur on campus according to the Federal Bureau of Investigation Uniform Crime Reporting (NIBRS edition) Hate Crime Data collection guidelines and standards in accordance with state and federal law. Additionally, the Department annually reports statistics in accordance with Clery Act provisions.

Each year the Campus Safety Department is responsible for preparing and posting an annual security report (this document) containing security policies and statistics. Annually, all enrolled students and current employees will receive a notice of the availability of the College's annual security report on the department's web site via the college's electronic announcements; paper notices are mailed to employees in departments not traditionally utilizing computers in their workspaces.

- This notice will include the exact web site address of the College’s Clery Law-compliant publication as well as information that additional copies can be requested from the Campus Safety Department during normal business hours.
- Notices are also provided to prospective students and staff through the Human Resources and Admissions offices.
- A copy of these statistics, which are contained in the annual security report, are available at the Campus Safety Department during normal business hours and anytime on the department’s website.
- The Department annually submits its Clery Crime data on the [Department of Education website](#). Data from our institution and others throughout the U.S. is available on this site

Programs on Crime Awareness & Safety Tools – General Crimes

Programs are offered occasionally in conjunction with other departments include the following, all of which are provided when requested and are voluntary, to new and continuing students and employees. For programming requests please call 413-585-2490.

Crime Prevention and Security Awareness Programs. The Smith College Campus Safety Department is committed to pro-active approach; which enables us through education, community policing presence and community awareness to stop many potential incidents before they occur. It is with the cooperation of our community that strengthens the partnership between police and community members. This partnership enables us to unite our efforts and encourages each member of our community to take an active role in their own safety and the safety of others. Campus Safety conducts the following crime prevention and security awareness programs:

- New Employee Training was provided to all new employees for crime prevention, security awareness, as well as Environmental Health and Safety. In 2021 there were 346 classes taught, in 2022 there were 254 classes taught and in 2023 there were 186.
- Offer Basic, Advanced, and Keychain RAD (Rape Aggression Defense) classes to students, staff and faculty. This is the opportunity to gain empowerment and education as well as self-defense technique trainings, in 2022 there were (2) SAFE courses provided, one to the first-year class and then another to Cutter House students. In 2023 there were (4) SAFE courses provided.
- Staff information and resource tables at the Campus Center, where we provide safety and security information as well as promote our self-defense and alcohol awareness programs and activities during the benefits fair; which benefits our faculty and staff on campus. In addition, we have educational pamphlets in our foyer of the Campus Safety Department.
- Conduct public speaking and crime prevention programs at community forums about issues such as hate crimes, alcohol awareness, sexual assault, relationship violence, Run, Hide, Fight for active shooter scenarios.
- Are involved in meetings and task forces throughout the College and, Title IX, twice a year.
- Work with student organizations such as the Office of Equity and Inclusion to discuss issues which are particular concerns to these groups and to identify ways in which our department can provide the safest possible environment for every member of our community.
- Post notices and posters about fire safety, room security and local alcohol and noise ordinances which may affect our students.
- Conduct alcohol awareness training using the Fatal Vision Goggles program to raise awareness about alcohol and impairment. In 2023 there were 2 demonstrations at Resource Fairs and 4 on-campus trainings with first-year students.

- Make available to members of the college community Operation Identification engraving tools at no cost. Operation Identification allows members of the community to engrave numbers or owner recognized numbers on their computers, stereo equipment, bicycles or other valuables. (constant program)
- Officer bicycle registration that is highly publicized and enables students to have their bicycles documented at the parking office. Additional information about bicycle safety and security is also provided (constant program)
- Offer a laptop registration program (constant program)
- Maintain emergency telephones located throughout the campus and a list of these locations is provided in the campus directory as well as in this document (see campus map)
- Distribute pamphlets about all types of crime and crime prevention issues at outreach events and in our office area.
- Create and distribute Crime Alerts when a specific safety issue arises and requires public notification
- Will upon request of the individual departments, give specific crime prevention and safety talks to staff members in their facilities.
- Provide safety escorts to and from on campus locations
- Monitor the College's electronic access security system at the Art Museum, Parking Garage, Sabin Reed Hall, Neilson Library and Campus Safety.

Participants in these programs are asked to be alert, security-conscious and involved and advised to call Campus Safety to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at 413-585-2490. As part of the department's community-oriented policing philosophy, Campus Safety offers crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Topics of these presentations include personal safety awareness, Rape Aggression Defense (R.A.D.) and property protection strategies. Anyone interested in having a Campus Safety Officer speak to their classroom or group should contact them at 413-585-2490.

Sexual Assault, Domestic Violence, Dating Violence, & Stalking

The College prohibits the offenses of sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Smith College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official. For more information on other prohibited behavior, please refer to the 2023 [Sexual Misconduct Policy and Procedures](#).

Upon receipt of a report of sexual misconduct, the college will implement supportive measures, as may be reasonable and appropriate for the parties, others involved and for the larger college community. These measures may include remedial (i.e., designed to address safety and well-being and continued access to educational opportunities) or protective action.

Parties seeking supportive measures should contact the Title IX Coordinator, who will evaluate and coordinate such requests on behalf of the parties. Supportive remedial measures and campus resources are available to support a party regardless of the course of action chosen or their level of participation in college proceedings.

When implementing supportive measures, consistent with available information to support the reasonableness of the request, the college will seek to minimize the burden on the individuals seeking the intervention. These supportive measures may be kept in place until the end of any investigation and/or until further notice from the college. Even when a complainant or respondent does not specifically request a supportive measure, the college may choose to implement such an intervention at its discretion to ensure the safety of any individual or the college community. Supportive measures may be modified by the college as circumstances change or new information is available.

The college offers a range of supportive measures, including, but are not limited to, letters instructing the parties not to contact each other; academic accommodations or modifications, including access to tutoring, rescheduling of exams or assignments, the ability to drop a course without penalty; and assistance setting up initial appointments for counseling and/or medical services.

Smith College may impose the full range of disciplinary sanctions, see the **Sanctions** section of the [Sexual Misconduct Policy](#) up to and including expulsion, on students who are found responsible for infractions involving sexual harassment, sexual assault or other sex offenses. Students who are considering bringing such complaints should contact the Title IX Coordinator. As specified in the student handbook, in cases involving formal complaints of sexual misconduct, including sexual assault, as in all cases brought to a hearing board, both the complainant and the respondent are entitled to have the same opportunity to have an advisor in the process, including an attorney. If a party does not have an attorney advisor, the College will offer to provide one. The hearing board will consider relevant evidence, determine responsibility based on the preponderance of the evidence standard and determine appropriate sanctions, if any. Both the complainant and the respondent will be notified of the outcome of the proceeding contemporaneously after the results are final, any changes to the results before they are final, and the appeal procedures. Parties who request assistance in changing their academic or residence on campus after an incident of sexual assault will receive appropriate modifications if reasonably available. Parties seeking academic assistance or changes in their housing should contact the Title IX Coordinator, who will coordinate such requests on behalf of the student. Smith College will, upon written request, disclose the alleged victim of a crime of violence or a sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
 - i. A Felony or misdemeanor crime of violence committed—
 - A) By a current or former spouse or intimate partner of the victim;
 - B) By a person with whom the victim shares a child in common;
 - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - ii. For the purposes of this definition—
 - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - B) Dating violence does not include acts covered under the definition of domestic violence.
 - iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault** 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 defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
 - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - A) Fear for the person’s safety or the safety of others; or
 - B) Suffer substantial emotional distress.
 - ii. For the purposes of this definition—
 - A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

There are no crimes called “dating violence” or “domestic violence” in Massachusetts; however, there is a related crime of “abuse” that is defined in G.L. c. 209A § 1 as: “the occurrence of one or more of the following acts between family or household members:

- attempting to cause or causing physical harm;
- placing another in fear of imminent serious physical harm;
- causing another to engage involuntarily in sexual relations by force, threat or duress.

Family or household members are defined as: “persons who:

- are or were married to one another;
- are or were residing together in the same household
- are or were related by blood or marriage;
- having a child in common regardless of whether they have ever married or lived together; or
- are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate, or Hampshire County municipal courts consideration of the following factors:
 - the length of time of the relationship;
 - the type of relationship
 - the frequency of interaction between the parties; and
 - if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship”

Sexual Assault

There is no crime called “sexual assault” in Massachusetts; however, there are related crimes of “indecent assault and battery,” “rape,” and “assault with intent to commit rape.”

Indecent Assault and Battery is a crime under G.L. c. 265:

§ 13B (Indecent assault and battery on a child under the age of fourteen);

§ 13B1/2 (Commission of indecent assault and battery on a child under the age of fourteen during commission of certain other offenses or by mandated reporters);

§ 13B3/4 Commission of indecent assault and battery on a child under the age of fourteen by certain previously convicted offenders);

§ 13F (Indecent assault and battery on a person with an intellectual disability); and 13 H (Indecent assault and battery on a person fourteen or older).

The term “indecent assault and battery” is not defined by statute.

Rape is a crime under G.L. c. 265:

§ 22 (Rape, generally: “Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury...”);

§ 22A (Rape of a child: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury...”);

§ 22B (Rape of a child during commission of certain offenses or by use of force: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury and...”);

§ 22C (Rape of a child through use of force by certain previously convicted offenders: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury, and has been previously convicted of or adjudicated delinquent or as a youthful offender for...”);

§ 23 (Rape and abuse of child: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age...”);

§ 23A (Rape and abuse of child aggravated by age difference between defendant and victim or when committed by mandated reporters: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and...”); and

§ 23B (Rape and abuse of a child by certain previously convicted offenders: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and has been previously convicted of or adjudicated delinquent or as a youthful offender for...”).

Assault with intent to commit rape is a crime under G.L. c. 265, § 24. “Assault with intent to commit rape” is not defined by statute.

Stalking

Stalking is a crime under G.L. c. 265, § 43 (a), where it is described as follows:

“Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking . . . The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.”

Rape and Other Sexual Assault

It is crucial that individuals report incidences of rape and sexual assault so that offenders can be apprehended and kept from repeating their actions.

What is Sexual Assault?

Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person without the consent of the victim including instances where the victim is incapable of giving consent.

Rape: defined as the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: is defined as 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 their age or because of their temporary or permanent mental incapacity.

Incest: is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: is defined as a non-forcible sexual intercourse with a person who is under the statutory age of consent (Child under 16 (commonly known as statutory rape) MGL c.265 §23-23B).

Massachusetts’ Criminal Law also defines Sexual Assault under the statute contained in Ch. 265 § 22: Rape

Section 22. (a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter,

section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any terms of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

(b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years.

Whoever commits any offense described in this section while being armed with a firearm, rifle, shotgun, machine-gun or assault weapon, shall be punished by imprisonment in the state prison for not less than ten years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 15 years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

(c) A law enforcement officer who has sexual intercourse with a person in the custody or control of the law enforcement officer shall be found to be in violation of the subsection (b), provided, however, that for the purposes of this subsection, "sexual intercourse" shall include vaginal, oral or anal intercourse, including fellatio, cunnilingus or other intrusion of a part of a person's body or an object into the genital or anal opening of another person's body. In a prosecution commenced under this subsection, a person shall be deemed incapable of consent to sexual intercourse with such law enforcement officer. For the purposes of this subsection, "law enforcement officer" shall mean a police officer, an auxiliary, intermittent, special, part-time or reserve police officer, a police officer in the employ of a public institution of higher education medial technician, a deputy sheriff, a correction officer, a court officer, a probation officer, a parole officer, an officer of the department of youth services, a constable, a campus police officer who holds authority as a special state police officer or a person impersonating any of the foregoing.

We urge students, faculty, and staff to immediately report any incidents of this nature to Smith College Campus Safety at 413-585-2490, even if you do not wish to pursue the matter further. Please keep in mind that an assailant who is allowed to go un-pursued is a potential further risk and danger, not only to you but also to other members of our community.

****You may decline to notify local or college police. *****

If you experience a sexual assault, it is important that you seek medical attention. The medical exam serves two purposes; first, to treat the full extent of any injury of physical trauma and to consider the possibilities of sexually transmitted disease or pregnancy and second, to properly preserve evidence in case you decide to pursue criminal charges. **Do not bathe, douche, brush your teeth, drink or change your clothing, as you may be destroying evidence you will need if you decide to pursue criminal charges, and it may be helpful in obtaining a protection order.**

Smith College Campus Safety will maintain your privacy at all times during the process consistent with our interest in both individual and community safety, our commitment to providing an environment free from sex and gender discrimination, and as required by the General Laws of the Commonwealth of Massachusetts. If you wish to report information concerning a sexual assault anonymously, you may do so.

Community members that experience sexual assault may also make a report to Northampton Police Department. When you report a sexual assault, it will be your choice whether or not to file charges with the District Attorney. If you choose to file charges with the District Attorney, the Northampton Police Department will provide you support and assistance. You may contact the District Attorney's office at 413-586-9225. Acknowledging that every situation may be different, if you are faced with a threat, we encourage you to seek safety first. If you think you are being followed, you can call out for assistance of a passerby or flag down a passing vehicle, break a window in a residence hall or pull a fire alarm. Always remember, that an assailant may be someone you know. In dating and acquaintance situations, be very clear about your sexual limits. If you notice that your date or acquaintance is not respecting those limits, leave and call someone for assistance. Smith College Campus Safety will notify victims of sexual assault of their rights and provide them in writing an "Abused Person's Rights of Notice" form. When Campus Safety is requested we will provide a written notification of information regarding the College's policy and procedure on dating or domestic violence.

What is Consent?

Consent — Permission to engage in communication and/or a specific, mutually agreed upon sexual activity that is given freely, actively, and knowingly, using mutually understandable and unambiguous words or actions, or — in plain language — to agree to do the same thing, at the same time, in the same way, with each other.

- Consent cannot be inferred by silence, passivity, or not resisting
- Consent cannot be implied by a current or previous dating or sexual relationship
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity; Consent is not indefinite; it is revocable and may be withdrawn at any time, using words or actions such that a reasonable person would understand a lack of continued consent
- Consent cannot be given by person who is asleep; incapacitated by drugs/alcohol; unconscious, mentally or physically incapacitated; or under duress, intimidation, threat, coercion, or forced.
- Consent cannot be given by a person under the age of 16

It is the responsibility of the person seeking to initiate the sexual activity or conduct to obtain consent, not the intended recipient of such conduct to deny such consent.

Definition of Consent in Sexual Misconduct Policy

Consent to sexual activity is defined as: clear, unambiguous, mutual, and voluntary agreement between the participants to engage in specific sexual acts. Consent must be expressed affirmatively, either by a

verbal statement (e.g., “yes”) or through mutually understandable conduct that plainly manifests affirmative consent (e.g., initiating contact, directing contact by hands or other body parts). Consent cannot be inferred from the absence of a “no.” Silence, passivity or lack of active resistance does not imply consent. When in doubt, ask. Any doubt about consent must be resolved before engaging in further sexual activity.

Consent must be clear, mutual and unambiguous for each participant throughout any sexual encounter. Consent to some types of sexual contact does not imply consent to others, nor does past consent to a given act imply ongoing or future consent. Consent is not to be inferred from an existing or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual consent to engage in sexual contact. Consent to engage in sexual contact with one person is not consent to sexual contact with any other person.

Consent can be withdrawn at any time through clear words or mutually understandable actions. Once consent is withdrawn, the sexual activity must stop immediately and all parties must obtain mutually expressed or clearly stated consent before continuing with further sexual activity.

Consent must be freely given. Consent cannot be obtained by intimidation, threat, coercion or force. Agreement given under intimidation, threat, force or coercion does not constitute consent.

Force is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion is the use of unreasonable pressure to compel another individual to initiate or continue sexual activity against an individual’s will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. Examples of coercion include, but are not limited to, threatening to “out” someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Consent cannot be gained by taking advantage of the incapacitation of another person, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. A person who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of this policy.

A person who is incapacitated cannot consent to sexual contact. A person is incapacitated if they are asleep, unconscious, intermittently conscious, unaware that sexual contact is occurring, or lack the physical and/or mental ability to make informed, rational judgments about whether or not to engage in sexual activity.

A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Where alcohol or drug use is involved, incapacitation is a state beyond intoxication, inebriation, impairment in judgment or “drunkenness.” Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore unable to give consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically or mentally incapable of:

- Making decisions about the potential consequences of sexual contact;
- Appraising the nature of one's own conduct;
- Communicating consent to sexual contact; or
- Communicating unwillingness to engage in sexual contact.

Where an individual's level of impairment does not rise to incapacitation, it is still necessary to evaluate the impact of intoxication on consent. In evaluating whether consent was sought or given, the following factors may be relevant:

- Intoxication may impact one's ability to give consent and may lead to incapacitation;
- A person's level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include slurred or incomprehensible speech; unsteady gait, difficulty walking or clumsiness; combativeness or emotional volatility; vomiting; incontinence, poor judgment and difficulty concentrating; and
- An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass and metabolism. No matter the level of an individual's intoxication, if that individual has not agreed to engage in sexual contact, there is no consent. Voluntary intoxication by a respondent does not diminish the responsibility to obtain valid consent. The respondent's knowledge will be viewed from the perspective of a sober, reasonable person under the same circumstances.
- **In the Commonwealth of Massachusetts, consent can never be given by minors under the age of 16.**

For more information on the college's policy on consent, please visit the [Student Handbook](#) or the [Sexual Misconduct Policy](#).

What Services does Campus Safety Provide to Survivors?

The Campus Safety Department has officers who have received specialized training in handling and investigating such offenses.

- Officers will assist victims and survivors to ensure preservation of evidence and contact with appropriate medical and counseling services provided by both Smith College Schacht Center for Health and Wellness (medical and counseling services); Cooley Dickinson Hospital; UMASS Center for Women and Community; or Safe Passage (outside domestic violence and sexual assault resources).
- Officers will assist survivors in notifying appropriate law enforcement authorities upon request.
- College staff will also advise survivors of their rights to counseling and other services offered by the College and the community.

Survivors are involved in all decisions about proceeding with criminal charges. If the survivor of a rape or sexual assault or a victim of domestic violence, dating violence, or stalking chooses to proceed in this manner, the Campus Safety Department will provide assistance and guidance and will serve as a liaison with the District Attorney's Office.

The Campus Safety Department has been designated to receive all reports of sexual assault and to report those centralized statistics to the community. Complaints regarding violations of rules of conduct by Smith College students may also be directed to the Dean of Students and processed in accordance with the College Conduct Board procedures.

Pursuant to Title IX, Smith College is committed to providing a campus environment free of sexual discrimination, sexual harassment, sexual assault and other forms of sexual misconduct. Sexual assault and other sex offenses are forms of sex discrimination that violates Title IX. Accordingly, anyone who has been assaulted may also contact the Title IX Coordinator at 413-585-2141. Campus Safety will inform the Title IX Coordinator of all sexual harassment and sex offenses reported.

Domestic & Dating Violence

Domestic and dating violence can happen to anyone at any time in any type of relationship. Campus Safety is available to assist victims of on- and off-campus domestic or dating violence. Officers are trained to respond to victims' needs, including by helping them obtain restraining orders from the courts to prevent further violence. The College can also provide individuals with no-contact orders that are enforceable on the College campus instead of, or in addition to, a court-ordered restraining order. If someone is harming you, call Campus Safety for help.

- Title IX Coordinator, Deans, Medical and Counseling Services, Safe Passage, and Victim Advocates at the Hampshire District Court are also resources.

Domestic, Dating, and Relationship Violence: Smith College may impose the full range of disciplinary sanctions, see the **Sanctions** section of the [Smith College Student Handbook](#), up to and including expulsion, on students who are found responsible for infractions involving dating or domestic violence. Students who are considering bringing such complaints should contact the Title IX Coordinator. As specified in the student handbook, in cases involving formal complaints of dating or domestic violence, as in all cases brought to a hearing before a hearing board, both the complainant and the respondent are entitled to have the same opportunity to have others present during the proceedings, including by an advisor, who may also attend other related meetings. The hearing board will determine responsibility based on the preponderance of the evidence standard. Both the complainant and the respondent will be notified of the outcome of the campus disciplinary proceeding contemporaneously after the results are final, any changes to the results before they are final, and the appeal procedures.

Students who request assistance in changing their academic or residence on campus after an incident of sexual assault will receive appropriate modifications if reasonably available. Students seeking academic assistance or changes in their housing should contact the Title IX Coordinator, who will coordinate such requests on behalf of the student.

Smith College will, upon written request, disclose to the alleged victim of a crime of violence or a sex offense, the results of any disciplinary proceedings conducted by the institution against a student who is the alleged perpetrator of such crime or offense.

We urge students, faculty, and staff to immediately report any incidents of this nature to Smith College Campus Safety at 413-585-2490, even if you do not wish to pursue the matter further. Please keep in mind that an assailant who is allowed to go un-pursued is a potential further risk and danger, not only to you but also to other members of our community.

*****You may decline to notify local and campus safety***.**

If you experience dating or domestic violence, it is important that you seek medical attention. The medical exam is to treat the full extent of any injury of physical trauma and preserve any evidence. It may be helpful in obtaining a protection order. Smith College Campus Safety will maintain your privacy at all times during the process consistent with our interest in both individual and

community safety, our commitment to providing an environment free from dating and domestic violence and is required by the General Laws of the Commonwealth of Massachusetts.

Community members that experience dating or domestic violence on or off campus may also make a report with the Northampton Police Department. When you report dating or domestic violence to Northampton Police Department or Smith College Campus Safety, it may not be your choice whether or not to file charges with the District Attorney. In cases of dating or domestic violence, police are mandated to arrest if there is probable cause that an assault occurred. If criminal charges are filed with the District Attorney, the Smith College Campus Safety Department will provide support and assistance. Acknowledging that every situation may be different, if you are faced with a threat, we encourage you to seek safety first. If you think you are being followed you can call out for assistance and run to a lighted business or residence; enlist the assistance of a passerby or flag down a passing vehicle, break a window in a residence or pull a fire alarm. Smith College Campus Safety officers will notify suspects and victims of dating or domestic violence of their rights under Massachusetts Law Ch209A, Sec 6 and provide them in writing an “Abused Person’s Right of Notice” form by the Detective assigned to the case. Upon request written notification of information regarding the College’s policy and procedures on dating and domestic violence will be provided.

What are Domestic Violence and Dating Violence?

Note that these definitions comply with the Violence Against Women Act. State crime definitions may vary.

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 of violence occurred;
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

Note: “Dating violence” is not a specifically-defined crime in Massachusetts, but is being used for the purposes of this report to meet federal Clery Act requirements. Statistics in this category are gathered from records for crimes which meet this Clery Act definition. However, other crimes may be involved, such as a sexual assault, assault or assault and battery, intimidation, harassment, etc.

The Smith College procedures related to the specific offenses of Sexual Assault, Dating Violence, Domestic Violence, and Stalking. The following procedures are conducted by campus officials who receive annual training on issues related to Domestic Violence, Dating Violence, Sexual Assault, and Stalking (including how to conduct a hearing process that protects victim safety and promotes accountability for students, faculty, and staff. Investigation and resolution will be conducted in a prompt, fair, and impartial manner. The following procedures are conducted by campus officials who

receive annual training on issues related to Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Including how to conduct a hearing process that protects victim's safety while ensuring accountability during investigations and resolutions.

Stalking & Cyber Stalking

Stalking and cyber stalking are behaviors prohibited by college policy and Massachusetts law. In Massachusetts such actions are felonies.

Stalking: Smith College may impose the full range of disciplinary sanctions, see the **Sanctions** section of the [Smith College Student Handbook](#), up to and including expulsion, on students who are found responsible for infractions involving stalking. Students who are considering bringing such complaints should contact the Title IX Coordinator. As specified in the student handbook, in cases involving formal complaints of stalking, as in all cases brought to a hearing before the hearing board, both the complainant and the respondent are entitled to have the same opportunity to have others present during the proceedings, including the opportunity to be accompanied to any related meeting by an advisor. The hearing board will determine responsibility based on the preponderance of the evidence standard. Both the complainant and the respondent are entitled to have the same opportunity to have others present during the proceedings, including the opportunity to be accompanied by an advisor, who may also attend related meetings. The hearing board will determine responsibility bases on the preponderance of the evidence standard. Both the complainant and the respondent will be notified of the outcome of the campus disciplinary proceeding contemporaneously after the results are final, any changes to the results before they are final, and the appeal procedures.

Students who request assistance in changing their academic or residence on campus after an incident of sexual assault will receive appropriate modifications if reasonably available. Students seeking academic assistance or changes in their housing should speak with the Title IX Coordinator, who will coordinate such requests on behalf of the student.

Smith College, will upon written request, disclose the alleged victim of a crime of violence of a sex offense, the results of any disciplinary proceedings conducted by the institution against a student who is the alleged perpetrator of such a crime or offense.

We urge students, faculty, and staff to immediately report any incidents of this nature to Smith College Campus Safety at 413-585-2490, even if you do not wish to pursue the matter further. Please keep in mind that an assailant who is allowed to go un-pursued is a potential further risk and danger, not only to you but also to other members of our community.
*****You may decline to notify local or campus safety.*****

If you experience stalking, it is important that you preserve any evidence. It may be helpful in obtaining a protection order. Smith College Campus Safety will maintain your privacy at all times during the process consistent with our interest in both individual and community safety, our commitment to providing an environment free from harassment, our commitment to providing an environment free from sex and gender discrimination and as required by the General Laws of the Commonwealth of Massachusetts. Community members that experience stalking may also make a report with the Northampton Police Department. When you report a stalking, it will be your choice whether or not to file charges with the District Attorney. If you choose to file criminal charges with the District Attorney, the Smith College Campus Safety Department will provide support and assistance. The College acknowledges that every situation may be different, if you are faced with a threat, we encourage you to seek safety first. If you think you are being followed, you can call out for assistance and run to a lighted business or residence; enlist the assistance of a passerby or flag down a passing vehicle, break a window in a residence or pull a

fire alarm. Please keep in mind that a stalker may be someone that you know. Campus Safety Officers will notify victims of their rights under Massachusetts Law Ch. 258 and provide them in writing of their “Abused Person’s Rights of Notice”. Upon request written notification regarding the College’s policy and procedure on stalking will be provided.

All incidents that are brought to the Title IX Coordinator is presented and decided upon within 30 days of each disciplinary proceeding. If the complaint pertains to faculty, and staff and outside investigator may be utilized for quicker resolution. Especially, if the complaint is from a student regarding a faculty, or staff member.

What is Stalking?

Stalking is defined as 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.

Anyone can be the victim of a stalker, including college students and employees from any economic, ethnic, or religious group. A few victims are picked at random by their stalker, but most stalking victims know their stalker, usually having had some type of present or past relationship. The perpetrator can be an intimate partner or former partner, classmate, roommate, or other acquaintance. A victim can be stalked for several days or for many years. The stalker’s actions can also affect family, friends, and coworkers. Stalking and criminal harassment can be difficult to distinguish.

- If you or someone you know is experiencing a similar situation, please get help by contacting any of the resources listed (below) for more information.
- If you feel frightened or uncomfortable about someone’s specific behavior, pay attention to your instincts! Seek help.
- If you are the victim of a stalker, in addition to getting help, let those close to you know about the situation; maintain logs of contacts received and retain any emails, letters, or communication; take basic steps for safety such as parking in well-lit areas, walking with a friend, etc.

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve strive to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The College will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the (CAMPUS SAFETY) or local law enforcement. Students and employees should contact the Title IX Coordinator at oei@smith.edu.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate
Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate

	<ol style="list-style-type: none"> 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Cooley Dickinson Hospital in Northampton which gives victims access to forensic nurse examiners/sexual assault nurse practitioners. When you report an incident to campus safety, you will be provided with immediate physical protection and transportation to a medical facility, if necessary. By contacting campus safety, you are not making a commitment to file charges or to testify in court. In (Massachusetts), evidence may be collected even if you chose not to make a report to law enforcement¹. It is not necessary for a victim to provide their name for evidence of a crime to be collected. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at

¹ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

College Judicial and Disciplinary Procedures for Criminal Acts

All criminal acts, including domestic violence, dating violence, sexual assaults, and stalking, as well as other crimes of violence, that occur on the Smith College campus will be investigated by Campus Safety; these crimes can also be reported to the Title IX Coordinator. In cases involving potential criminal conduct, college personnel will determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified. In these notifications, the identity of the victim will remain private unless the victim is interested in notifications, the identity of the victim will remain private unless the victim is interested in pursuing a criminal complaint. The campus grievance procedure is used to review violations of sexual misconduct. The process includes the investigation and resolution phases, is conducted promptly, fairly, and impartially. Persons wishing to file a grievance should do so as soon as possible to reduce the risk of evidence becoming stale or the memories of witnesses fading.

Informal Complaints

Complainants who are employees may choose to file an informal complaint with the employee's direct supervisor or Director of Human Resources or the Title IX Coordinator or electronically via Ethicspoint under the [Sexual Misconduct Policy for employees](#). The Ombudsperson is also a resource for informal complaints for employees. Students can file complaints with the Title IX Coordinator or Dean of Students or electronically via Ethicspoint. Complainants may opt to file an informal complaint to which the college will attempt to respond within 30 days; Formal complaints for students can be filed with the Title IX Coordinator or Dean of Students or via Ethicspoint. Employees and prospective employees can file a formal complaint with the Title IX Coordinator or Associate Vice President of Human Resources or electronically via Ethicspoint. The college will make every effort to conclude and respond to an informal complaint within 30 days. The College reserves the right to extend any of the above time-periods when circumstances so warrant in the sole judgement of the College. The information resolution process is aimed at determining the course of action that is most appropriate not only for the alleged victim and perpetrator, but also for the safety of the campus. For issues involving students, a formal grievance should be filed with the Title IX Coordinator. For issues involving employees, the incident should be filed with the Title IX Coordinator or Associate Vice President of Human Resources or via Ethicspoint.

Those overseeing and adjudicating disciplinary hearings receive, minimally, annual training on issues related to these crimes and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. **The annual training is taught by the Title IX Coordinator or their designee which includes in accordance with the Violence Against Women's Act in responding to Domestic Violence, Stalking, and Sexual Assaults. Smith College prohibits Dating Violence, Domestic Violence, Sexual Assault, and Stalking.**

- Sanctions are not intended to be punitive, but rather, to educate and restore the community. The College will make every effort to resolve a complaint within 30 days from receipt of a complaint. The College reserves the right to extend any of the above time-periods when circumstances so warrant in the sole judgement of the College.
- Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that such proceedings shall include a prompt, fair, and impartial investigation and/or hearing.

Warning Signs of Abusive Behavior

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

- Is checking your cell phone or email without permission
- Is constantly putting you down
- Is extremely jealous or insecure
- Has an explosive temper
- Is isolating you from family or friends
- Is making false accusations
- Has mood swings
- Is physically hurting you in any way
- Is possessive
- Is telling you what to do

Risk Reduction for Sexual Assault

Smith College has established a procedure to assist and support all campus community members who experience sexual assault, dating or domestic violence, and stalking. Smith College Campus Safety will assist victims of sexual assault, upon request, in obtaining medical treatment, counseling, support and police services (both local police and campus safety). The College, through its Title IX office, offers educational programs on sexual assault, to promote awareness of rape, and other sex offenses and sexual harassment. Smith College Campus Safety Department also receives training in accordance with the Violence Against Women's Act in responding to Domestic Violence, Dating Violence, Stalking, and Sexual Assaults. Smith College prohibits dating violence, domestic violence, sexual assault, and stalking on campus. Abused Persons' Rights of Notice is provided to those community members who are victims to Domestic Violence, Dating Violence, Stalking, and Sexual Assaults.

All members, of the campus community should be aware that sexual assault, including date or acquaintance rape, is prohibited by state law and College protocols, and will be viewed by Smith College as a serious matter. Smith College educates the student community about sexual assault through mandatory first-year student orientations each fall. The College communicates to the student community about sexual assault and date rape through educational awareness activities in orientation and residence hall programming. The Smith College Campus Safety Department offers sexual assault educational awareness activities in orientation and residence hall programming. The Smith College Campus Safety Department offers sexual assault education and information programs to College students and employees upon request. Literature on date rape education, risk reduction, and College response measures is available through the Dean of Students office, Residence Life, and the Counseling Center. If you are a victim of a sexual assault at Smith College, our first priority should be to get to a place of safety. You should then obtain necessary medical treatment. You should make every attempt to preserve physical evidence of the assault. This may include a voluntary medical exam, not showering, or disposing of any damaged clothing or other items that were present during and after the assault. The College strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for physical evidence collection and preservation. As soon as possible, the victim of a sexual assault should report the incident to a College official; which could include the Smith College Campus Safety Department, the Dean of Students office, the Counseling Center, the Health Center, a sexual assault response advocate, the local police (if off campus), or the Residential Life staff. Smith College will assist in reporting to outside agencies as appropriate.

***** Filing a police report with the Smith College Campus Safety Department will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from investigators.**

Filing a report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
- Provide the opportunity for collection of evidence helping in prosecution, which cannot be obtained later. (Ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam following the assault)
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention. When a sexual assault victim contacts the Smith College Campus Safety Department, victims are encouraged to access the Counseling Services offered through the Health Services Counseling Center, the Office of Spiritual Life, and the Employee Assistance Program. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system, or both. The Smith College Campus Safety Department, with the victim's consent, will immediately conduct a criminal investigation of on-campus sexual assault incidents. Completed investigations will be forwarded to the district attorney's office for review and possible prosecution. Disciplinary actions may be imposed on recognized individual students, student organizations, and/or College faculty and staff found to have violated the College's sexual misconduct policy. A student found guilty for violating the College sexual misconduct policy could be criminally prosecuted in the state courts, and may be suspended or expelled from the College for the first offense. The College's disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook and the College's Sexual Misconduct Policy. In the case of alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding brought alleging a sexual assault. The College will assist the victim in changing academic and living situations if so requested, and if such changes are reasonably available.

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

Smith College serves as a confidential resource for reporting domestic violence, dating violence, sexual assault, or stalking incidences 24 hours a day | dial x **5555** or 413-585-2490

Any of these offices listed below will offer/assist survivors/victims the ability to report the crime to the appropriate law enforcement agency (on/off campus), if the survivor/victim chooses to file a report. Filing a report does not mean the survivor/victim has to press charges, and survivors/victims may decline to notify law enforcement authorities.

Some survivors/victims may not feel comfortable reporting the situation to a Campus Safety officer and may report the incident to the following departments listed below. Any office listed below can also assist any victim with notifying law enforcement if the victim so desires:

- Title IX Coordinator (413) 585-2141
- Dean of Students (413) 585-4940
- Director of Residence Life (413) 585-4940
- Medical Services (413) 585-2800
- Counseling Services (413) 585-2840

When a student or employee reports to the college that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether on campus or off campus, they will be provided with a written explanation of their reporting options and available support measures.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, 302 College Hall, oei@smith.edu, 413-585-2141, by calling, writing or coming into the office to report in person and Campus Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the college will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their 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 protective measures; and
- an explanation of the procedures for institutional disciplinary action

College Support for survivors and victims

Safety Measures and campus court orders

- Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the College will provide written notification to and will work with the survivor/victim to put in place safety measures appropriate to the situation – including requesting changes to academic, living, transportation and working situations or protective measures - regardless of whether the crime was reported to campus or local police, and regardless of whether the crime occurred on or off campus. These may include, and will be provided when appropriate and reasonably available:
- The College will assist the survivor/victim with notifying campus or local police
- The College will facilitate changes in transportation, as necessary.
- The College will facilitate changes in working conditions, as necessary.

At the victim's request, and to the extent of the victim's cooperation and consent, college offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus safety or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Title IX coordinator at 413-585-2141. If the victim wishes to receive assistance in requesting these accommodations, they should contact the Dean of Students at 413-585-4940.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

- The College will issue campus No-Contact Directives, as requested.
- The College will issue Trespass Notices, as necessary
- The College will assist survivors in obtaining harassment prevention or domestic violence prevention order through the local court under Massachusetts General Laws ch. 258E or 209A.

The College complies with Massachusetts law in recognizing Abuse Prevention Orders (obtained pursuant to M.G.L. Chapter 209A) and other valid orders of protection from Massachusetts and any other state. Any Smith person who obtains an order of protection from domestic or dating abuse, harassment, stalking or sexual assault from any state in the country should provide a copy to campus safety and to the Title IX officer. Campus safety will discuss the variety of options victims have within the College community and with municipal resources. These options may range from a trespass order being issued where appropriate, through applying for the correct order in the courts. The officer will discuss the process with the victim and determine if an Emergency Order is appropriate, if so, a judge will be contacted. An officer cannot apply on behalf of someone else for an abuse prevention order, no contact order or for an abuse prevention order but will assist a person in obtaining such an order. Upon the approval of the order, the officer will attempt to serve the order on the respondent. When the court date for the hearing of the order occurs, the officer or designee may escort the victim to the court. Any person holding a protective order may meet with a campus safety officer to develop a safety action plan, the goal of which is to reduce risk of harm to the person while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) If an order is issued, a copy of the order is kept in the IMC system at the Campus Safety Department and will be recorded in the records management system.

The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Housing, Academic, and Other Campus Changes

The college will provide notice to and change, when requested, a survivor's/victims academic, living, transportation, or workplace situation after an alleged offense if the survivor/victim requests such assistance and if such changes are reasonably available.

- Requests for these changes for students are coordinated through the Title IX Coordinator and the Dean of Students; for employee situations, these will be coordinated through the Human Resources office, and for faculty issues, the Provost's Office.
- The college will maintain as confidential any accommodations or protective measures provided to a survivor/victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Confidentiality of Survivors/Victims

As stated under **Confidential Reporting**, the Department will not share the names of survivors/victims except as required by federal law, and only to those having a statutory requirement to receive identifying information in order to meet federal mandates to take specific actions to stop sexual harassment, sexual assault, and certain other crimes.

- The survivor's/victim's name in all reports of domestic violence, dating violence, sexual assault, and stalking is kept confidential and will not be released without their permission, except as required by law.
- All College officials, including deans and directors, will notify Campus Safety personnel promptly if they receive a report of domestic violence, dating violence, sexual assault, or stalking. The Campus Safety Department has been designated to receive all such reports and to report those centralized statistics to the community as well as to issue community notifications when these incidents cause a potential threat to the community or a portion thereof.

Victims may request that directory information on file with the College be withheld by request by contacting the Registrar's Office.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Assistance in Connecting with External Resources

Smith College Campus Safety as well as the Title IX Coordinator, Dean of Students, Provost, and Office of Residence Life will assist survivors/victims (students, staff, and employees) in notifying and connecting with external resources, including the local police department, state police department, or personnel from the District Attorney's Office, including SafePlan and victim/witness staff only if the victim wishes to utilize those services. The survivor/victim has the right to decline notifying law enforcement. A decision to utilize law enforcement or to decline to utilize law enforcement will not impact the College's obligations under the Campus Safety and Security Act, under Title IX, and under its own policies.

Confidential, sensitive care, examination, and treatment are available for students at Medical and Counseling Services*; students, faculty, and staff can receive 24-hour care at local hospitals or other medical facilities. The Campus Safety dispatcher can assist a survivor/victim or friend in determining current hours and other options (including off-campus services such as Safe Passage and the UMASS Center for Women and Community by dialing ext. 2490 (ext. 5555 from a campus phone for emergencies.)

* SANE exams can be provided at Cooley Dickinson Hospital, UMASS infirmary, and at Baystate Medical Center.

Preservation of Evidence in Cases of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Smith College Campus Safety can provide and/or arrange for investigation and preservation of evidence for a survivor/victim, provide treatment of any injuries, arrange for any further medical treatment, and can assist a survivor/victim with legal remedies to assist the survivor/victim. Other agencies can provide support and assist the survivor/victim with campus assistance when needed.

- Northampton Police Department (413) 587-1100
- Whatley Police Department (413) 625-8200
- State Police Department (413) 584-3000

An important part of the criminal investigation is the collection of physical evidence to prove an incident occurred or as support for a protection order.

- Survivors of sexual assault should go to the Cooley Dickinson Hospital as soon as possible after the incident (without showering, douching, or changing first, although they should bring a change of clothes if possible). Specially-trained Sexual Assault Nurse Examiners will provide treatment and collect evidence that can be used later. If you choose to go forward with charges in the future, the hospital can then, with your permission, share your name with law enforcement.
- Victims of domestic violence, dating violence, or stalking should seek treatment through Health and Counseling Services or a local hospital. Medical staff will document injuries as part of the exam.
- Smith College Campus Safety officers can assist with triage, documentation of injuries, and can request transportation to on- or off-campus health resources.
- Any evidence collected by police or SANE nurses will be used *only if the survivor chooses to prosecute*.
- Similarly, Smith College Campus Safety investigators can collect evidence for victims of other domestic violence, dating violence, and stalking – along with other crimes - which will only be utilized if the victim chooses to pursue criminal charges.
- Preserve any text messages or other electronic or voice evidence. Provide investigators with any photos, items sent by the perpetrator, etc.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

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

- A. 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
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Massachusetts;
- D. The institution's definition of consent AND the purposes for which that definition is used.
- E. A description of safe and positive options for bystander intervention. 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;

- F. Information on risk reduction. 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.
- G. Information regarding:
- a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
 - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
 - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

Primary Prevention and Awareness Programs

- Smith College provides asynchronous interactive educational materials on-line for students to undertake on their own schedule. The materials provide safety education and harm reduction education around alcohol, cannabis, and consent. Smith College Athletics per the NCAA mandates all coaches, staff and student-athletes sexual misconduct and hazing training.
- Smith College provides on-line and zoom education to all staff annually. This educational training provides awareness in substance use and abuse, discrimination, harassment, sexual misconduct, along with bias training.

Ongoing Prevention and Awareness Campaigns

Smith College engages students in comprehensive, intentional, and integrated programming, initiatives, strategies and educational campaigns intended to end drug and alcohol use/abuse, end dating violence, domestic violence, sexual assault, stalking and hazing. This education will increase the knowledge and awareness levels inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed that is assessed for value and effectiveness. A common theme of all the awareness prevention programs is to encourage student to be aware of their own safety and how to find resources.

The async courses required for **primary prevention and awareness programs for all new Smith College students** in 2023:

These programs include

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered
SMART Course	August	Online	Alcohol Safety, Cannabis Safety, Drug, Bystander Education, Alcohol Harm Reduction and Consent
Student Athlete, Title IX	Fall/Spring	In-Person/Online	Sexual Misconduct Training
Hazing	Fall/Spring	In-Person/Online	Hazing

The online courses offered the following **primary prevention and awareness programs for all new Smith College employees** in 2023:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered
New Employee Orientation	Ongoing	Online-Zoom	Substance Use & Abuse
New Employee Gender-Based Sexual Misconduct Training	Ongoing	Online-Zoom	Discrimination and Harassment in the workplace including Sexual Harassment
Incident Bias Training	Ongoing	Online-Zoom	Diversity Principles

Programs on Crime Awareness & Safety Tools – Sexual Misconduct and Gender-Based Crimes

The Campus Safety Department, in cooperation with the Office of Residence Life, The Office for Equity and Inclusion makes sexual assault awareness programs available to all students. The Office for Equity and Inclusion mandates that students are required to complete an on-line training about sexual misconduct at Smith. The on-line training provides critical information about consent, bystander intervention, sexual assault, dating and domestic violence, and stalking. The training is accompanied by handouts and link to the Sexual Misconduct Policy and information about Title IX. A knowledge test completes the education and is filed with the Office for Equity and Inclusion.

The following courses are offered on campus:

- Orientation programs on sex offenses and Title IX (with other departments; sessions are mandatory for new students)
- Training for residential staff
- Title IX and crime prevention house presentations as requested
- Sexual assault, domestic violence, dating violence, and stalking awareness information is included as part of first-year orientation and throughout the year
- Sexual Violence Prevention and Consent training
- Sexual Violence online training for new employees
- Bystander Intervention Training
- Rape Aggression Defense (RAD) (voluntary; offered as requested)
- Gender-based and sexual misconduct training available for employees and managers
- Online training for School for Social Work adjuncts
- Department training on sexual misconduct

Adjudication of Violations

The college's disciplinary process includes a prompt, fair, and impartial initial investigation and final resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Training includes a review of law, institutional process, bias and impartial engagement and best practices for asking questions and evaluating evidence. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;

The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. If a party does not have an adviser present at the live hearing, the college will provide one without fee or charge to that party, an adviser of the college's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Role of Advisor includes accompanying the party to meetings with investigators; reviewing evidence and investigation reports; and asking relevant questions (as determined by the Hearing Board) in cross examination during live hearing.

4. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
5. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the college² or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

College Conduct and Disciplinary Procedures

All criminal acts, including domestic violence, dating violence, sexual assaults, and stalking, as well as other crimes of violence or sexual harassment, that occur on the Smith campus will be investigated by Campus Safety. When such crimes are of a sexual nature or otherwise violate the College's sexual misconduct policy, they can also be reported directly to the Title IX Coordinator. Note that reports made to Campus Safety must be provided to the Title IX Coordinator. This document includes procedures for conduct hearings on sexual assaults, domestic violence, dating violence, and stalking. Other procedures may apply for other crimes or violations of campus policy. Refer to the College's Student Conduct webpage or the Employee Handbook for more information. The college's [policy on sexual misconduct is also online](#). Every report received by a responsible employee of the college will be referred to the Title IX Coordinator, who will conduct an initial assessment. Following the initial assessment, the college may seek Voluntary Informal Resolution of the report or pursue steps to investigate or otherwise determine what occurred. Employee complaints fall under the Gender-Based and Sexual Misconduct Policy for matters involving employees only. Matters involving student complainant are under the purview of the College's Sexual Misconduct Policy. Both processes are aimed determining the course of action that is most appropriate not only for the parties, but also for the safety of the campus.

1. How to File a Disciplinary Complaint Under this Policy

Complaints of sexual misconduct may be filed in-person at the Office of Equity and Inclusion, 302 College Hall; or via email at titleixcoordinator@smith.edu; or [via Ethicspoint](#). The full [Sexual Misconduct Policy is available online](#).

The Title IX Coordinator conducts an initial assessment to determine if the conduct presented, if established by a preponderance of the evidence, to have occurred, violates one of these policies. If the conduct would rise to a policy violation, both voluntary informal resolution and formal investigation processes can be considered. In the case of a formal investigation, The Title IX Coordinator will determine the most effective method of investigating the report of a violation of this Policy. The Title IX Coordinator may investigate reports of Prohibited Conduct or designate an investigator of the Title IX Coordinator's choosing to conduct a prompt, thorough, fair and impartial investigation. Any investigator used by the college, whether internal or external, will be impartial, free from any conflict of interest, and have received annual and specific training on investigating Prohibited Conduct.

² Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "College" may assume the role of the complainant.

Those overseeing and adjudicating disciplinary hearings receive, minimally, annual training on issues related to these crimes and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Sanctions are not intended to be punitive, but rather, to educate and restore the community.

The college will provide the student or employee a written explanation of the student's or employee's rights and options. Upon receipt of a report, the College will strive to complete the investigation and disciplinary process within sixty (60) calendar days. The time for any appeal is not included in the sixty (60) days. Findings of responsibility will be made by the preponderance of the evidence standard.

Hearing Board

The hearing board will convene to entertain additional relevant information, in addition to the investigation report, for the purpose of making a finding of responsibility of non-responsibility.

If either or both the complainant or respondent appeal the Hearing Board's findings. Either party may submit a written appeal within seven (7) calendar days of receiving notice of the determination from the dean of students, or designee. The written statement in support of, or challenging, the outcome must explain the grounds for the appeal. If either the respondent or complainant appeals, the dean of students will notify the other party in writing that an appeal has been submitted, and the other party will have three (3) work days to submit a response in writing if they choose to do so.

Sexual Misconduct Policy for Employees:

Smith College is committed to maintaining a diverse community in an atmosphere of mutual respect and appreciation of differences. The college does not discriminate in its educational and employment practices on the basis of race, color, creed, religion, national/ethnic origin, sex, sexual orientation, age, genetics, or with regard to the bases outlined in the Veterans Readjustment Act and the Americans with Disabilities Act. The Policies and Procedures for addressing and resolving allegations of sex-based harassment and sex-based discrimination are in compliance with Title IX of the Education Amendments of 1972. Sexual harassment and sexual violence along with dating violence, domestic violence and stalking are prohibited. Reports of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking alleged to have occurred will be investigated and addressed. **This policy applies to all members of the Smith College community.** Smith College issues this statement to inform the community of our comprehensive policy on addressing sexual misconduct, educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking.

Rights of Accuser & Accused

- During a College on-campus disciplinary case, the accuser and the accused are entitled to the same opportunities to have others present to serve as advisors during the disciplinary hearing. The advisor may be any individual selected by the complainant or respondent, including an attorney. If a party does not have an adviser present at the live hearing, the college will provide one without fee or charge to that party, an adviser of the college's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
- At the live hearing, the Hearing Board will permit each party's adviser to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- Cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's adviser of choice and never by a party personally, notwithstanding the discretion of the college to otherwise restrict the extent to which advisers may participate in the proceedings.

- Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Board must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- Both the accuser and accused will be notified in writing simultaneously about the outcomes of the hearing and any sanctions imposed. The dean of students, or designee, will simultaneously send the respondent and the complainant a written Notice of Determination and, if appropriate, sanction(s) within three (3) work days from the date the Hearing Board notifies the dean of students that it has concluded its deliberations, absent extenuating circumstances.
- A written determination notice by the dean of students, which will identify the allegations potentially constituting sexual harassment; a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- The written determination will also include conclusions regarding the application of the application of the Sexual Misconduct policy, as well as a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; any disciplinary sanctions the board imposes on the respondent; and whether remedies designed to restore or preserve equal access to the college's education program or activity will be provided by the college to the complainant.
- The college's procedures and permissible bases for the complainant and respondent to appeal.
- The college will entertain support interim measures for the parties once the college is made aware of sexual harassment, including a sexual assault, occurring on campus to include:

Mutual no contact letters, academic accommodations, modifications to living situations, assistance setting up initial appointing for counseling and/or medical services; providing an escort; and other interventions tailored to the involved parties.

Title IX Investigations and Police Investigations

The college will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its Title IX investigation and, if needed, will take immediate steps to protect the student in the educational setting. Cooperation with law enforcement agencies may require the College to temporarily suspend its own investigation while the law enforcement agency gathers evidence. The College will promptly resume its own investigation as soon as it is notified that the law enforcement agency has completed its evidence gathering process. If the survivor or the district attorney chooses to pursue criminal charges based on the complaint of harassment or assault, the college may need to delay the fact-finding portion of a Title IX investigation while police are gathering evidence.

Crimes Allegedly Committed by Students

Criminal acts including domestic violence, dating violence, sexual assault, and stalking allegedly committed by a Smith student can be reported to and adjudicated as described earlier in this section.

- Incidents reported to college officials and alleged to have been committed by a Smith student will be referred to the college student conduct system and considered for resolution under Title IX policies and procedures.

Potential Sanctions - Students

The following are potential outcomes for those found to have violated the College's sexual misconduct policy, including by engaging in sexual assault, domestic violence, dating violence, and stalking: The following are the range of sanctions, with more severe conduct typically receiving more severe sanctions.

- **Formal Reprimand:** A formal written censure that the student has violated College policy and that future violations of College policy may result in further disciplinary action, up to, and including, suspension or expulsion from the College.
- **Disciplinary Probation:** This sanction will be in effect for a specified period of time determined by the Hearing Board. Should a student be found responsible for another violation of this Policy or of the Code of Student Conduct during the probationary period, the Hearing Panel will be made aware of the student's standing on disciplinary probation and may impose additional sanctions to reflect a repeated offense. A student's status on disciplinary probation may have an impact on their ability to participate in certain activities connected with or related to the College both on and off campus.
- **Apology:** Letters of apology to individuals, houses, and/or the entire Smith community designed to help the respondent assess the effects of their policy violation(s). These letters will be maintained as part of the respondent's disciplinary record for as long as the record is maintained.
- **Loss of authority:** Removal from appointed or elected office or position of authority.
- **Restriction from employment at the College:** Prohibition of, or limitation of College employment.
- **Restorative Project:** A project specifically designed to lead the Respondent to understand the harm done to the complainant and the community, to accept the responsibility for that harm, and to repair that harm, if possible.
- **College House Transfer or College House Removal:** Placement in another room or College house, or removal from a College house. Housing transfers or removals may be temporary or permanent depending on the circumstances.
- **Professional Assessment:** Completion of a professional assessment that could help the student or the College ascertain the student's ongoing supervision or support needed to successfully participate in the College community. The cost of professional assessment will be paid by the respondent.
- **Removal from specific courses or activities:** Suspension or transfer from courses or activities sponsored by or affiliated with the College for a specified period of time.
- **Removal or non-renewal of College sponsored academic scholarship.**
- **No Contact Directive:** Restriction from entering specific College areas and/or from all forms of contact with certain person(s).
- **Suspension:** The rights and privileges of being a student at the College are suspended for a specified period of time. The individual may not participate in academic or extracurricular activities, is required to leave Smith's campus, and restricted from College property. As part of the suspension, a respondent who later seeks re-admittance to the College may be required to complete a project specifically designed to help the respondent assess the violation(s) of College policy, and to prevent recurrence of the behavior.
- **Dismissal:** The respondent is no longer a student at Smith College and must leave the campus. An individual who has been dismissed from the College may be eligible to apply for readmission, but should not expect the application to be considered for a minimum of one full semester after

dismissal. The individual seeking readmission may be required to provide supporting documentation sufficient to satisfactorily demonstrate to the College readiness to resume the college career and fulfill standards of responsible conduct and citizenship at Smith. The College may deny any application for readmission in its discretion.

- Permanent separation: The respondent is no longer a student at Smith College and must leave the campus. The student is not eligible for readmission.

A disciplinary outcome letter is placed in the student's educational file in instances where the student is found responsible for the alleged violation. The release of conduct information is subject to the requirements of the Family Educational Rights and Privacy Act (FERPA), will be accessible to future employers, graduate schools, etc. when a student requests that information be provided them. [Student Handbook]

Crimes Allegedly Committed by College Employees

Violations of the College's Sexual Misconduct Policy allegedly committed by a Smith faculty or staff member against another Smith employee can be reviewed under that policy, found in the Employee Handbook. In cases involving student complainants and employee respondents will be resolved under the college's Sexual Misconduct Policy. In cases of a concurrent criminal prosecution, the College reserves the right to initiate a separate Title IX investigation. Although the criminal case will lead to a conclusion, the College may take disciplinary action to protect the College community regardless of the outcome. Sanctions arising out of an employee disciplinary proceeding alleging a criminal act include but are not limited to termination of employment

Potential Sanctions – Employees

If it is determined that an employee has engaged in sexual harassment or other inappropriate conduct, the college will take action appropriate under the circumstances. Such action may include written warnings, required counseling, probation, suspension, or termination, and it may include such other forms of disciplinary action, as the college deems appropriate. Likewise, if it is determined that a complainant invoked the investigatory process in bad faith or knowingly presented false or misleading information, appropriate disciplinary action may be taken.

College-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.³ Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Smith College. To request Protective Measures contact the Title IX Coordinator at oei@smith.edu or 413-585-2141

³ Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

Resources for Survivors & Victims

The college will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. Some of these resources are listed below.

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve strive to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The College will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the (CAMPUS SAFETY) or local law enforcement. Students and employees should contact the Title IX Coordinator at oei@smith.edu.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Cooley Dickinson Hospital in Northampton which gives victims access to forensic nurse examiners/sexual assault nurse practitioners. When you report an incident to campus safety, you will be provided with immediate physical protection and transportation to a medical facility, if necessary. By contacting campus safety, you are not making a commitment to file charges or to testify in court. In (Massachusetts), evidence may be collected even if you chose not to make a report to law enforcement⁴. It is not necessary for a victim to provide their name for evidence of a crime to be collected. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they

⁴ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

On Campus

On Campus	Type of Service Available	Service Provider	Contact Information
Residence Life	Support with on-campus residential living	Office of Residence Life	(413) 585-4940
Spiritual Life	Support with religious and spiritual life	Center for Religious and Spiritual Life	(413) 585-2750
Class Dean	Academic Support	Office of the Class Deans	(413) 585-4915

- [Campus Safety Department](#) | x2490 or x5555 for emergencies (413) 585-2490 from a cell phone)
- [Title IX Coordinator](#) | x2141
- [Office of the Dean of the College](#) | x4900
- [Office of Student Affairs](#) | x4940
- [Human Resources](#) | x2260
- [Medical Services](#) | x2800; after hours x1260
- [Counseling Services](#) | x2840
- [Visa/Immigration](#) | x4944
- [Student Financial Services](#) | x2530
- <https://www.smith.edu/your-campus/offices-services/international-students-scholars>
- <https://www.smith.edu/admission-aid/aidcurrent-students>
- [Student Handbook](#)
- [Staff Handbook](#)
- [Faculty Codes](#)

Off Campus

- [Northampton Police Department](#) | 413-587-1100
- [Whatley Police Department](#) | (413) 625-8200
- [Cooley Dickinson Hospital](#) | 413-582-2000
- [Holyoke Medical Center](#) | 413-534-2500
- [Northwest District Attorney Victim/Witness Advocates](#) (assistance in obtaining protective orders, assistance in preparing for court, referrals to mental health resources, etc.) | 413-586-5780
- [Safe Passage](#) (Support for victims of domestic violence) | (888) 345-5282
- [SAFE Plan](#) (District Court Advocates) | 413-586-4545
- [Victim Rights Law Center](#) | (617) 399-6720 in Massachusetts (general legal assistance including visa and immigration assistance and financial stability)

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office for Civil Rights

Being an Active Bystander

Regardless of how close to the situation they are, bystanders have the power to help stop relationship and sexual violence, insensitivity, and oppression from occurring and to get help for people who have been affected.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”⁵ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list⁶ of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Understand, we are not advocating that people risk their own safety in order to be an active bystander; we believe that the creation of the inclusive campus we want takes all members of the community to be involved in the work of change. Remember, there is a range of actions that are appropriate, depending on the situation.

What can I do if I Believe Someone is in an Unsafe Situation?

- First, assess the situation to determine what kind of action, if any, might be appropriate and safe.
- Second, evaluate options and choose strategies for responding either at the time or later.
- Whether or how an Active Bystander takes action will depend on the situation. Such actions may include:
 - Explain to the victim that you are concerned for their safety and why – they may not recognize it, or may not realize they can get help.
 - Interrupt the behavior – if it is safe for the bystander, tell the victim that you have an important call for them, or that it is time for “that meeting”.
 - Calling for help when needed – Campus Safety, residence life staff, and Deans are all available to help a victim identify and eliminate a dangerous situation. For immediate help, call Campus Safety.
 - Support the victim – offer to accompany them to report the situation.
 - If the person is not willing to accept help, you can talk to the Title IX Coordinator, Dean of Students, or Campus Safety for more strategies and how to support to help the victim, keeping in mind that all of these individuals are responsible employees who may need to respond to the information you share to ensure a safe campus.

⁵ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

⁶ Bystander intervention strategies adapted from Stanford College’s Office of Sexual Assault & Relationship Abuse

Important Cautions:

- **Do not** engage a violent person and endanger your safety; step back and call Campus Safety to respond
- For **immediate help** from Campus Safety **dial x5555** from a campus phone or 413-585-2490 from a cell phone, or 911 to reach the Northampton Police Department.

See also the college's [Sexual Misconduct Policy](#).

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from [Rape, Abuse, & Incest National Network](#))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself**. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your

- friends or family can then come to get you or make up an excuse for you to leave.
- d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
 17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Massachusetts Sex Offender Registry Board

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

National Sex Offender Registry

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

Five College Emergency Resources

If you are taking a course at, or are visiting one of the Five College institutions, their campus police departments are willing to help you if there is an emergency on their campus. The Five College campus police departments work cooperatively to support the students of our member institutions as they travel among the colleges.

Campus Police Departments

Amherst College Campus Police	413-542-2291
Hampshire College Campus Safety and Security	413-559-5424
Mount Holyoke College Campus Public Safety	413-538-2304
Smith College Campus Safety	413-585-2490
UMASS Campus Police	413-545-2121

Municipal Police Departments

Amherst Police	413-259-3000
Hadley Police	413-584-0883
Northampton Police	413-587-1100
South Hadley Police	413-538-8231
Whatley Police	413-625-8200

Smith College Clery Act Crimes 2021 – 2023

These statistics are compiled from all incidents reported to Campus Police, as well as any third-party reports forwarded by other campus officials, as well as any reported to police departments with concurrent jurisdiction over on campus and non-campus College property. They are compiled by the Campus Police Department. **NOTE: Residential statistics are a subset of all on-campus property statistics**

Crime Statistics	On-Campus			Non-Campus			Public Property			Residential Only		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	1	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	1	1	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	1	0	0	0	0
Arson	0	1	0	0	0	0	0	0	0	0	1	0
Burglary	0	1	3	1	0	0	0	0	0	0	1	3
Sex Offenses ⁽¹⁾												
Rape	1	3	2	0	1	0	0	0	0	1	3	2
Fondling	2	1	1	0	1	0	0	0	0	2	1	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses												
Domestic Violence	0	1	1	0	0	0	0	2	3	0	1	1
Dating Violence	2	5	0	0	0	0	0	0	0	2	5	0
Stalking	2	6	0	0	0	0	0	0	0	0	6	0
Arrests & Disciplinary Actions												
Liquor Law Arrests	0	0	11	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	13	6	0	0	0	0	0	0	0	0	6	10
Drug Law Arrests	0	0	5	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	3	6	0	0	0	0	0	0	0	0	6	5
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions Referred for Disciplinary Action	0	3	0	0	0	0	0	0	0	0	3	0

Notes:

- Non-campus includes: any college-owned or controlled property not within the direct jurisdiction of the campus property.
- Public Property is the area immediately surrounding the campus, including the sidewalk on the campus side, the road, and the sidewalk on the non-campus side of the road.

Unfounded Crimes

There were no unfounded crimes from 2021–2023.

2021: 0 Unfounded Crimes

2022: 0 Unfounded Crimes

2023: 0 Unfounded Crimes

Hate Crimes

Colleges are required to report any crimes in the categories above that included any bias toward the victim’s race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability, as well as for the following additional crimes if they have a bias component: larceny (theft), simple assault, intimidation, vandalism and other crimes involving bodily injury.

Year	Number & Location		Category of Bias	Type of Crime
2021	On Campus	0		
	In a Residence	0		
	Non-Campus	0		
	Public Property	0		
2022	On Campus	0		
	In a Residence	0		
	Non-Campus	0		
	Public Property	0		
2023	On Campus	0		
	In a Residence	0		
	Non-Campus	0		
	Public Property	0		

Campus Emergencies

Emergency Response

Smith College maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

College units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans. Any emergency should be promptly reported to Campus Safety by dialing **5555 from a campus phone**, or by **cell phone dialing 413-585-2490**. Inform Campus Safety on the nature and location of the emergency and follow instructions provided.

Should a campus emergency exist, Campus Safety will activate the Emergency Response Team. The college has a comprehensive emergency response plan that is activated any time an emergency occurs that will require emergency response team oversight to provide guidance for the College's response.

The College's Emergency Response Team assures appropriate response to any campus emergency. This team is made up of members of Campus Safety, Facilities Management, Student Services, and other vital departments and meets regularly to plan campus emergency response, to conduct table-top and live drills to prepare for a variety of campus emergencies, assess and evaluate emergency plans and capabilities, and to debrief after any campus emergency. The Emergency Response Team also works with town police, fire and ambulance personnel to coordinate response efforts and to conduct joint drills.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Campus Safety does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Campus Safety staff on the scene will communicate information to students 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 Smith College 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 the sound of the fire alarm.

Building Evacuation

Every person in a building where the fire alarm is sounding or when directed to do so by emergency officials, regardless of known or suspected cause, is required to evacuate immediately, including employees, students, visitors, and contractors. Persons evacuating must leave via the closest exit. Any equipment that could cause a fire should be turned off before exiting if it can be done quickly and safely. Exits are posted throughout each building.

Elevators: Elevators cannot be used by any person as a means of emergency evacuation. Elevators in most buildings are pre-set to return automatically to the bottom floor. Use of an elevator can result in opening on the fire floor, exposure to life-threatening levels of fire or gases, and being trapped in a malfunctioning elevator.

Assembly: Once outside the building, all occupants should proceed to the designated assembly areas for a roll call.

- Each organization is responsible for determining the assembly areas for all buildings that their participants and staff may be using, especially the housing areas.
- These areas should be at least 25 feet away from the building and should leave access for emergency personnel to enter the building.
- The building liaison and/or faculty/instructor will take the roll call and report back to the emergency coordinator.
- The roll call is an important function as town emergency personnel responding to the incident need to determine if anyone is missing and may be in the building.
- If students or employees are missing, **do not re-enter the building!** Notify emergency response personnel and/or the emergency coordinator and inform them of the missing person's name and last known location.
- Re-entry into the area will be made only after clearance is given by the emergency coordinator or their designee.

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 belonging (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 College building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, Campus Safety, Housing Staff members, other [College] employees, Local PD, or other authorities utilizing the College’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:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe 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. College 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 Campus Safety 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. Make yourself comfortable.

Persons with Different Abilities

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

Evacuation for the Mobility and Visually Impaired: Persons with mobility impairment may be allowed to "defend in place" and not be required to evacuate if they are: (1) located above or below the level of building exit, and (2) physically cannot exit without assistance.

Definition of Mobility Impaired: Persons who use a wheelchair, crutches, canes, walkers, etc. Persons who are able to walk should exit if possible, but need to decide if they can safely descend the stairs. Those with emphysema, asthma, heart disease, and arthritis, depending on the situation, may also follow the guidelines for defending in place.

Visually Impaired: Persons who are visually impaired should, with the assistance of others, evacuate the building using the stairs, if they are familiar with their immediate surroundings and frequently traveled routes. If visually impaired persons are unfamiliar with the emergency evacuation route and assistance is not available, they should defend in place. To assist visually impaired persons:

- Announce the type of emergency.
- Offer your arm for guidance.
- Tell the person where you are going, obstacles you encounter.
- When you reach safety, ask if further help is needed.

Hearing Impaired: To alert people with hearing limitations:

- Turn lights on/off to gain the person's attention, or
- Indicate directions with gestures, or
- Write a note with evacuation directions.

Emergency Response and Notification

Smith College has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire. In the event of an emergency, Smith College will initiate and provide, without delay, immediate notifications to the appropriate segment (s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees and visitors.

Individuals can report emergencies occurring at Smith College Campus Safety by calling 413-585-5555 or 413-585-2490. Upon the confirmation of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of students, employees or visitors, the

College will take into account the safety of the campus community determine the content of the notification and initiate the notification system.

The notification will be made unless doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency. In cases of isolated emergencies that do not have the potential to affect a large portion of the campus, the Emergency Response Team may elect to limit the distribution of notifications to specific segments of the campus community. The Emergency Response Team will determine what information is appropriate to disseminate at different points in time and to which segments of the community.

Notification will be made by using some or all of the following methods depending on the type of emergency: RAVE Alert System (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person communication. If any these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

System to Use	Primary Message Creator	Backup Message Creator	Authority for approving & Sending Messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY					
Network E-mails	Police Command Staff	Police Command Staff	Chief/Designee Police Command Staff	Chief/Designee Police Command Staff	Chief/Designee Police Command Staff
RAVE Alert System	Police Command Staff	Dispatcher Police Command Staff	Dispatcher Police Command Staff	Dispatcher	Dispatcher
SECONDARY					
Fire Alarm Systems	EH&S Electrical Department	EH&S Electrical Department	Police Command Staff	Dispatcher	EH&S Electrical Department
Phone Contact	Police Department Staff	Police Department Staff	Chief/Designee Police Command Staff	Dispatcher Police	Department Managers Building Managers

Depending upon the situation, alerts may also be sent to the parent/guardian contacts within the emergency notification system as registered by students. The larger community can view information posted on the college website or provided to the media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. Emergency notifications can be simultaneously broadcast in multiple formats depending on the type of incident, such as:

- Voice messages to cell, office, and home phones
- Text messages to mobile devices capable of receiving text messages

- E-mails to all campus email addresses and an alternate provided by individuals

Process TO Confirm that there is a Significant Emergency and Notification

The senior patrol person on duty determines the alert level required (emergency notification, timely warning, other)

- Should the emergency pose an imminent danger to the community, or a segment of the community, the senior patrol staff member will, without delay, and based on the situation requiring the use of the notification system, determine the content of an alert and initiate the college's emergency notification system.
- Notification may only be delayed when, based on the professional judgment of responsible authorities, it would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. In such cases, notification will be sent out as soon as immediate response and evaluation needs are met so members of the community receive the information promptly.
- Notifications will be worded with clear, concise instructions as to what actions members of the community should take to remain safe in the event of an emergency and may be crafted based on pre-set templates or crafted to meet the specific needs of the emergency.
- Plan activation begins at the determination of the Chief/Director of Campus Safety or their designee upon receipt of information of an emergency event or threat of an emergency.
- Based on confirmation from Campus Safety and information obtained from local first responders and/or the National Weather Service, the Chief of Campus Safety or their designee will assess the emergency and activate the emergency management plan to the extent necessary to control the situation.
- Notifications for some incidents may be limited to those affected by the emergency, for example loss of power in a specific building.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm) listed above to notify the Smith College community of any follow-up information. Every student and staff member are responsible for providing and maintaining their up-to-date emergency contact information by logging in to the [Smith Portal](#) using your network username and password. When the portal page opens, then open the Personal Information tab and complete the Emergency Information and Update screen. This allows you to be included most efficiently in emergency broadcasts via the emergency notification system. Full-scale tests of system are conducted and publicized at least annually. More information about Smith's [Emergency Notification System](#) can be found online.

Timely Warning Policy

In the event that a crime is reported that creates a serious or continuing threat, that in the judgement of the Director/Chief of Campus Safety, or designee, within Smith College's Clery geography (on campus, public property and non-campus property), a campus wide "Campus Safety Alert" (timely warning) may be distributed by the Campus Safety Director or their designee.

Decisions to issue a warning are made on a case-by-case basis considering the nature and circumstances of the crime and the danger posed to the community. Community members receiving reports of crimes or incidents requiring the issuance of a Timely Warning shall report such incidents to Campus Safety.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Smith community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by Campus Safety, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Campus Safety Director/Chief, or their designee in their absence.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the discretion of the Campus Safety Department.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically written and distributed by the Director of Campus Safety, or their designee.

The Campus Safety Department will post a campus-wide Timely Warning alert especially in all situations that could pose an immediate, serious, or continuing threat to the students, faculty, staff, and individuals in the community and is reported to a Campus Safety Authority or the Campus Safety Department. Or local police agency (i.e. Northampton Police Department).

Examples of incidents that may prompt a timely warning include, but are not limited to:

- criminal offenses – criminal homicide (murder and negligent and manslaughter by negligence); sex offenses, robbery; weapons violence; active shooter; aggravated assault; burglary; motor vehicle theft; and arson;
- dating violence, domestic violence, and stalking;
- hate crimes – Any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault; intimidation; or destruction, damage, or vandalism of property, that were motivated by unlawful bias;
- arrests and referrals for disciplinary action for weapons, including, but not limited to, carrying or possessing, drug abuse violations, and liquor law violations.

Campus Safety will issue timely warnings. When circumstances necessitate (i.e., the ability to coordinate the issuance with campus safety has been compromised), warnings may also be issued by the Dean of the College or, for warnings arising from crimes not involving students, the Vice President for Finance and

Administration. The Dean of the College, Provost, and the Vice President for Finance and Administration shall consult to the extent possible with Campus Safety or local law enforcement (i.e., Northampton Police Department). The Vice President for College Relations, the Vice President for Equity and Inclusion, or their designee are also authorized to distribute timely warning notices, at the discretion of the chief of campus safety or designee.

Timely Warning Notices will be issued to the campus community via email blast to all Smith College assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or emails sent through the College's RAVE ALERT system, or building postings by Building Administrators.

When it is determined that a Timely Warning alert will be issued, the substance of the alert Timely Warning is carefully determined. The Warning will be published via bulletin boards, emails, texts, or on the college's website to inform the college community of the known facts of an incident or to publicize patterns of criminal activity in order to assist members of the campus community in preventing further incidents.

The warning will include:

- Nature of incident
- Location, date and time of incident
- Description of suspect(s) A broadcast of suspect descriptions will be determined on a case by case basis based on relevant information.
- Action recommended for community members
- Crime prevention information
- Contact number for the Vice President for Finance and Administration, the Associate Vice President for Facilities, the Dean of Students, Campus Safety and others, as deemed relevant.
- Campus Safety Alerts also include reminders of services available, such as walking or vehicle escorts, emergency phones, counseling services and other resources. It is irrelevant whether the victims or perpetrators of a crime are members of the campus community.
- When issuing a Timely Warning, the names of the victims remain confidential. If information is known, and if the inclusion of such information would not compromise law enforcement efforts, Timely Warnings include a description of the crime, its location, and injuries, if any, to victim(s).

If the matter involves an issue over which the Office for Equity and Inclusion has dual jurisdiction with Campus Safety, the Vice President for Equity and Inclusion or the Director of Equal Opportunity and Compliance will be consulted in crafting the warning if time permits. The college will provide follow-up information to the college community as needed to protect the safety of its members by the use of email, RAVE Alert System (which contains email, cell phone text, voice message alert) or building postings by Building Administrators.

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

Testing of the Emergency Mass Notification System

The notification system will be tested at least once year.

In conjunction with other emergency agencies, the College 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 may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Campus Safety maintains a record of all tests conducted including date, time, description of the test (exercise and drill), and whether it was announced or unannounced. At least once a year, the college will publicize its online procedures in conjunction with one of these tests (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Residence hall evacuation drills are documented by Residence Life. Additional testing may be conducted as part of drills and exercises, or as necessary. Find more [information about Smith's Emergency Notification System on the website](#).

Emergency Contact Information

Emergency contact information is collected from each student and employee. To receive emergency messages through your cell phone, via text or voice, update your emergency contact information by logging on to Banner Web; alternatively, update information through the [Smith Portal](#). (Log in with network username and password.)

Daily Crime & Fire Incident Logs

Daily logs are posted on the [Campus Safety Web site](#). Campus Safety crime logs for the most recent 60 days are available for public inspection via the department's web site. Older logs will be made available within two business days of a request for inspection.

- The daily Campus Safety logs detail incident and arrest reports (including nature of the incidents, incident and reporting dates, times, general locations, and dispositions, if known) that occur on campus or within the patrol jurisdiction of the Campus Safety Department that are reported to Campus Safety.
- In instances where the release of information would result in an adverse effect—such as jeopardize an ongoing criminal investigation or the safety of an individual, affect an individual's right to privacy, cause a suspect to flee or evade detection, or result in the destruction of evidence—information will not be released. However, once the adverse effect is no longer likely to occur, information will be released in the daily log consistent with existing state and federal laws.
- The information listed on the crime log will not jeopardize the prompt
- confidentiality of victims/survivors.
- When changes in incident case statuses are known, the log will reflect such changes within two business days.

The crime and fire log is published on the [Campus Safety website](#), and the log is also available for inspection at the Campus Safety office at 126 West Street during normal business hours.

Annual Clery Act Report

Each year the Campus Safety Department is responsible for preparing and posting a report containing security policies and statistics. Statistics are gathered from Campus Safety reports, campus security authorities, and from local police departments. Policy statements are gathered from responsible offices.

- Annually all enrolled students and current employees will receive a notice of the availability of the College's annual security report on the department's web site via campus email.
- This notice will include the exact web site address of the College's Clery Law-compliant publication as well as information that additional copies can be requested from the Campus Safety Department during normal business hours.
- Notices are also provided to prospective students and staff through the Human Resources and Admissions offices.
- Hard copies can be requested by contacting Campus Safety at 413-585-2490.

Access to Campus Buildings and Grounds

The College has the right to restrict access to campus grounds, academic and administrative buildings, and campus houses, which are open to faculty, staff, students, and invited guests.

- Building hours are generally business days during class hours, and unauthorized individuals may be asked to leave.
- Campus Safety has the authority to issue trespass notices to unauthorized people, which is usually done upon receipt of a complaint, and to arrest anyone returning to campus after receiving such a notice. Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.
- Most academic buildings are secured and closed between 11:00 pm and 7:00 am. Campus Safety checks that only people with authorization are in buildings after hours.
- Some academic buildings have nonpublic hours for members of the community.
- When a building has nonpublic hours, the outside doors are secured and members of the community (who have been authorized) can use their key to enter the building until closing time.
- Visitors and others may be asked to leave College buildings during nonpublic hours.
- During College recesses (low occupancy periods, holidays, etc.), all building hours are subject to change.
- Both academic and administrative buildings are generally secured at 6:00 pm on weekdays and closed on weekends and holidays during recesses. The card access privileges are limited in campus houses that are closed during recesses.
- Campus house student room doors and windows are provided with locking devices.
- During low-occupancy periods, Residence Life distributes to students who remain on campus information about safety protocols and specific emergency procedures.

Access to Campus Houses

The Smith College campus is an open campus. However, the campus facilities and residences are restricted to students, faculty members, alumni, trustees, guests, and invitees of the college; except when all or part of the campus is open to the general public for a designated purpose and time. Buildings on the Smith College campus remain open only through the completion of the last scheduled events of those buildings. All buildings are secured at designated times by Facilities Management and/or Campus Safety staff. Only employees with offices in, or responsibilities for, those buildings have access after buildings are locked.

- Guests who do not identify themselves and are not in compliance with College rules or regulations may be asked to leave campus or be trespassed.
- Campus house doors are always locked. Guests are allowed access by their student host.
- All guests must be escorted by their hosts. Guests must abide by the regulations of the campus house and the larger campus community while they are on campus.
- People who are not registered Smith College students are welcome as short-term guests of a registered student in accordance with the policy of the campus house or Residence Life.
- All non-Smith guests need to be escorted through-out the house during campus house parties.
- Each campus house will be given the responsibility to develop policy modifications per campus house floor or spontaneous events or special weekends as members of the community deem

appropriate.. Policy modifications must confirm with campus policies and be discussed with the area director who has the final decision.

- Housing staff and Campus Safety officers monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Access to Campus Programs

Smith College is a member of the Five College Consortium (Amherst, Mount Holyoke, and Hampshire Colleges, and the University of Massachusetts) that shares some faculty, programs, and services. Students from the Five Colleges regularly attend member institution programs, classes, events, etc. Additionally, the campus welcomes visitors and guests to many programs and events.

Security Considerations in the Maintenance of Facilities

Security is very important in the maintenance of campus facilities. The College's Department of Facilities Management processes repair orders on a priority system that places safety and security items as most important. Trees are cut back from lights, outdoor lighting is periodically, and shrubs are cut back from building entrances and paths on a regular basis. These items are also reviewed biannually during the campus lighting walk. Students are invited to join the Chief of Campus Safety, the Dean of Student Life, and members of Facilities Management as they walk the campus reviewing lighting, blue-light phone needs, and other security considerations. Other members of the College community are helpful when they report equipment problems to the Campus Safety Department or to Facilities Management.

Off-Campus Property & Student Organizations

Reported crime statistics include incidents that occurred at non-campus property (property owned or operated by the college but not within the main campus's contiguous borders) including the MacLeish Field Station.

Smith College does not have any recognized off-campus student organizations (such as social sororities) or student organizations with off-campus housing facilities.

Firearms and Other Weapons on Campus

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

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

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

Personal Safety

Make it a habit to be cautious around campus, in buildings, and in transit. Campus Safety hopes you will make the following steps part of your daily routine.

Around campus

- **Walk safely.** Don't walk alone at night, especially in dark, vacant areas. Avoid shortcuts. If you must walk alone, proceed directly to your destination on well-lit paths. Look alert; be aware of your surroundings. Leave buildings on the hour or the half-hour, when most people are walking. Ask a friend to walk with you.
- **Help others walk safely.** Team up with another person walking alone at night.
- **Don't jog alone** in remote areas during the day and never jog alone at night.
- **Carry a whistle** or other device that makes noise and keep it ready to use.
- **Don't hitchhike.** Ask a friend for a ride or use the Five College bus.
- **Report suspicious behavior** or circumstances to Campus Safety.
- **Don't sunbathe in remote areas.**
- **Carry your cell phone.** Pre-program the Campus Safety phone number 413-585-2490.

In transit

- Watch for strangers around your car before entering your vehicle. Look around the vehicle from the ground up and front to back. Use caution when your vehicle is parked next to other cars or vans. Look inside your car before getting in.
- Play it safe on the road. While driving, keep doors locked and windows up. Do not pick up hitchhikers.
- If another driver harasses you, blow your horn continuously to attract attention and discourage the other driver. Don't make eye contact with the other driver. Drive to a police station or Campus Safety if necessary.
- Park in a lighted area.
- Wear your seatbelt. Massachusetts has enacted a mandatory seatbelt law; failure to use your seatbelt could result in a fine.
- Keep your vehicle in good running condition, gas tank full, and make sure your vehicle has good tires.

Safety on Campus

Protection of property

- Take steps to protect your belongings. Most theft on campus is opportunistic—someone sees an unlocked room or vehicle and takes advantage. A surprising amount of theft takes place while the victim is on the floor but has just stepped out for a minute.

In an emergency

- Rehearse in your mind how you would react in an emergency so your response will be automatic if something should happen. Consider enrolling in a self-defense class offered by the Campus Safety Department.

If you are followed...

- Remain calm.
- Cross the street and/or change direction
- Walk in lighted areas.
- Enter an open, lighted building.
- Use a blue light phone or dial 5555 on campus, 911 when off campus. Cell phone users should dial 413-585-2490 to contact Campus Safety.
- Know where emergency phones are on campus. Blue light emergency telephones are strategically placed in 92 locations on campus, including near the campus houses as well as the Lamont Bridge, the riding ring, Indoor Track and Tennis Facility parking lot and Ainsworth Gym lot.
- Go to the Campus Safety office or the police station. If you do not know where a police station is located, go to a busy area, fire station, or hospital. Find a place where you can get help.

If you are attacked...

- Don't be passive; most attackers expect a passive victim.
- Do or say whatever you can to throw the assailant off guard—be creative.
- Attract attention—scream, break a window.
- Disarm the attacker—bite, punch, kick; grind a pen, keys, lighted cigarette, or knuckles into the top of the attacker's hand.
- Do whatever you can to break the hold, then run and scream.
- Use a blue light phone or dial 5555 on campus or dial 413-585-2490 from a cell phone.

CRIME PREVENTION TIPS		
	Don't	Do
In Buildings	<ul style="list-style-type: none"> • Leave valuables visible in a room • Leave valuables unattended in an unlocked area, even briefly • Let strangers into a building • Prop open outside doors to any building 	<ul style="list-style-type: none"> • Lock your door • Keep your keys and access card on you at all times • If your access card is stolen, report it immediately • Participate in Operation Identification; we can help you engrave electronics and valuables. Call us for more information • Report strangers in your residence hall • Keep windows locked, particularly if you are on a ground level or your window opens to a fire escape • Report burned-out lights to Facilities Management (after hours to Campus Safety)
Automobiles	<ul style="list-style-type: none"> • Leave valuables visible in your car – take them with you; if you cannot take them with you, lock them in your trunk • Leave GPS units OR their mounts in your car 	<ul style="list-style-type: none"> • Register your car with Campus Safety • Park in well-lit areas • Remove keys and lock doors • Install anti-theft devices (locks, alarms) for ignition, steering wheel, and brake and clutch pedals. • Record serial numbers of mp3 players, cellular phones, GPS devices, satellite radios, and other easily removable accessories. Engrave valuables with your driver's license number. Call Campus Safety for assistance. • Report suspicious activity to Campus Safety such as people looking into or trying to get into cars.
Bicycles	<ul style="list-style-type: none"> • Leave your bicycle unlocked. • Use a hardened steel lock; lock the entire bicycle to a bike rack, including quick-release wheels 	<ul style="list-style-type: none"> • Register your bicycle with Campus Safety; affix the issued decal to your bike. Unregistered bicycles are periodically removed from campus. • Notify Campus Safety immediately if your bicycle is stolen

Active Threat Procedures

RUN—HIDE—FIGHT

Quickly determine the most reasonable way to protect your own safety. Students and visitors are likely to follow the lead of faculty and staff during an active shooter situation. Always flee first and hide second when possible.

1. Evacuate
 - a. Have an escape route and plan in mind
 - b. Keep your hands in plain sight
2. Hide out
 - a. Hide in an area out of the shooter's view
 - b. Lock the doors-most classrooms and lecture halls can be locked. All offices and residence hall rooms can be locked.
 - c. Blockade doors
3. Fight back
 - a. As a last resort and only when your life is in danger
 - b. Attempt to incapacitate the shooter

Call law enforcement when you safely may do so.

Campus Safety 413-585-2490 or ext. 5555 from a campus phone

Northampton Police 413-587-1100 or 9-1-1

Massachusetts State Police 413-585-3000 or 9-1-1

What to do when law enforcement arrives:

- Remain calm and follow officers' instructions
- Immediately raise hands and spread fingers wide
- Keep hands visible at all times
- Avoid making sudden movements towards police or grabbing them
- Do not stop officers to ask for assistance or directions in evacuating; just proceed to the area from which officers are entering
- If possible, provide law enforcement with the location, number, and description of the shooters

Make Campus Safety a speed dial function on your cell phone.

Seconds count in emergencies

Smith College Policy on Substance Abuse

In order to promote an environment free of substance abuse, the college supports an active program of community awareness and education. This program extends to the misuse or abuse of controlled substances including prescription drugs, alcohol and other harmful substances. The college also offers assistance with confidential counseling. Students, faculty and staff are encouraged to refer individuals who appear to be troubled by drug or alcohol use to one of these resources. For students, such counseling is available through the Counseling Service (extension 2840). Students who are concerned about their own or others' use of such substances may seek advice and counsel from appropriate college resources without fear of breach of normal rules of confidentiality or fear of punishment. The Employee Assistance Program (EAP) offers confidential counseling for employees confronting substance abuse. Employees or supervisors can contact the EAP at 1-800-828-6025. The Office of Human Resources (extension 2270) may be contacted for information on the EAP program.

In addition to the confidential counseling services mentioned above, several national hotlines can provide information and referral:

Information on Local 12-Step Programs (24 hour)

Alcoholics Anonymous: 413-532-2111*

Al-Anon and Ala-teen: 413-782-3406

(Al-Anon is open to anyone whose life has been affected by another person's drinking)

Narcotics Anonymous: 800-481-6871

* local call from Northampton

National Alcohol Abuse and Drug 24-Hour Helpline: 800-252-6465

Drugs and Alcohol on Campus

Smith College follows the Federal Drug-Free Schools and Communities Act of 1986 and the Drug-Free Workplace Act of 1988, as amended, and complies with all current laws regarding the sale, use, and possession of illegal narcotics and alcohol. Smith College policies attempt to provide a healthy environment by preventing the use of illegal drugs or abuse of alcohol within the College community and in response to the federal drug-free legislation.

The Smith College Police have the primary responsibility for the enforcement of State underage drinking as well as the enforcement of Federal and State drug laws. Smith College prohibits the unlawful manufacture, distribution, dispensation, possession, sale or use of controlled substances and alcohol by any member of the faculty, staff, or student body on College property or at any College-sponsored function, whether on or off the campus, and requires the cooperation of the entire campus community in its pursuit to maintain a drug-free environment in all phases of campus life.

Statement of Police regarding the Possession, Use and Sales of Alcoholic Beverages

Various statutes of the Commonwealth of Massachusetts and regulations of the Alcoholic Beverage Control Commission govern the sale, acquisition, possession, transportation and consumption of alcoholic beverages. In general, some of the pertinent statutes provide that:

- No person or group shall sell, deliver, purchase or otherwise procure alcoholic beverages for consumption by a person who is under 21 years of age. Violators are subject to arrest, criminal charges, fines and imprisonment.

- No person shall operate a motor vehicle while under the influence of alcoholic beverages. Violators are subject to arrest, fines, mandatory court education programs, loss of license and/or imprisonment.
- No person under 21 years of age shall transport, purchase, sell, deliver, possess or receive or otherwise procure alcoholic beverages except in the course of employment. Violators are subject to arrest, criminal charges, fines and imprisonment.
- No person, group or organization may sell alcoholic beverages except pursuant to license granted by the Commonwealth through the local government's licensing authority.

The legal drinking age in Massachusetts is 21. Possession of alcohol by or provision of alcohol to someone who is under 21 is against the law and against college policy.

Any faculty, staff member, or student who violates this prohibition, or who does not cooperate with the College in its attempts to maintain a drug-free environment, will face disciplinary action up to and including expulsion or dismissal from the College and may be required, as a condition of continuing the faculty/staff/student relationship with the College, to enroll at their own expense in a substance abuse counseling and treatment program.

In accordance with federal law, if you were convicted of a drug offense in any criminal proceeding while you were receiving federal student aid (such as grants, loans, or work-study) it may affect your eligibility for financial aid.

Refer to the [Student Handbook](#) and Appendix B below for more information about the federal, state, local, and campus sanctions against illegal drug and alcohol use and abuse, possession, distribution and dispensation offense.

In addition, the Drug-Free Workplace Act of 1988 requires any employee (including students working under the Federal Work Study Program) directly engaged in working at Smith College under provisions of a federal grant or a contract who is convicted under a criminal drug statute for conduct in the workplace (site for performance of work done in connection with a particular federal grant or contract) must report this conviction to the College no later than five days after the conviction.

- Once informed of such a conviction, the College is required by law to notify the federal contractor or grantor within ten days after an employee's conviction or within ten days after it has actual knowledge of such conviction, whichever is earlier.

Guidelines for community responsibility, specific rules and regulations governing the consumption of alcoholic beverages at college social functions, sanctions against infractions of the social honor code or violations of college policies by any member of the Smith College community, and descriptions of campus drug and alcohol abuse programs are outlined in the Student Handbook, and the Faculty/Staff Handbook. If questions arise related to any of these guidelines or policies, direct them to the appropriate College department.

Statement of Police regarding the Possession, Use and Sales of Illegal Drugs

This policy reflects a collegewide commitment to an environment free of drug and alcohol abuse through (1) education and counseling programs, and (2) the prohibition of illegal or imprudent use of drugs or alcohol. The college prohibits the unlawful manufacture, distribution, dispensing, possession and use of controlled substances. Controlled substances include, but are not limited to, narcotics, barbiturates, amphetamines, cocaine, cannabis, anabolic steroids and misused prescription or legal drugs or alcohol. As used in this policy, the words "substance" and "controlled substance" include alcoholic beverages. Compliance with this policy is a condition of employment and/or enrollment at the college. All members

of the Smith College community are expected to be familiar with and abide by the principles and details of this policy.

Health Risks

The use of drugs and alcohol has both physical and psychological repercussions. Such substances can interfere with memory, sensation and perception, and impair the brain's ability to synthesize information. Regular users develop tolerance and physical dependence. The psychological dependence occurs when the substance becomes central to the user's life and decision making.

Alcohol consumption may cause a number of marked changes in behavior. Even low doses may significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol may increase the incidence of a variety of aggressive acts, including physical attacks. Moderate to high doses of alcohol may cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses may cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol may produce the effects just described.

Repeated use of drugs and alcohol can lead to dependence. Sudden cessation of substance intake can produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Substance withdrawal can be life-threatening. Long-term consumption of substances, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and liver.

Women who use controlled substances during pregnancy may give birth to infants with fetal alcohol or drug syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. A chart of the effects of use of certain controlled substances is found in the charts in Appendix A.

Smith College Policies Regarding Alcohol

College Guidelines for Implementation of the Alcohol Policy

The Smith College policy on alcohol-related behavior stresses the concept of individual responsibility. These guidelines summarize each student's responsibility under the law and in relation to the community in which they live.

All members of the college community, especially students hired or in elected leadership positions, are responsible for abiding by college policy and federal and state laws. No member of the college community is allowed to provide, purchase or serve alcohol to anyone who is under 21.

While the college does not expect students in leadership roles to act as agents of the state, it does expect them to fulfill their responsibilities as leaders and hold individuals accountable for their actions and/or to refer them to appropriate resources (Residence Life staff, Schacht Center for Health and Wellness, Campus Safety, etc.).

The following types of concerns would warrant intervention by Residence Life Staff or other college staff members:

- a. Individuals demonstrating problem drinking patterns (this includes problems leading to or resulting in the irresponsible use of alcohol);
- b. Individuals making choices and decisions that could endanger themselves or others;

- c. Individuals demonstrating an inability to control their drinking behavior;
- d. Individuals whose alcohol-related behavior infringes on the rights of others;
- e. Houses or organizations exhibiting b through d above.

The individual, organization or house may be referred to the area director/assistant director, College Conduct Board, and/or the Office of Student Affairs. The person intervening will discuss the implication of an individual person or an organization's behavior with them.

All those who have any role in the organization or conduct of such events are responsible for obtaining and adhering to the guidelines governing alcohol use on the Smith College campus. Smith College provides services and resources to support individual needs, to assist at crisis points and to provide accurate information related to alcohol. Current practices to help problem drinkers, such as the support of health and counseling practitioners, alcohol awareness workshops, and the responsible action shown by members of the Smith community, point to a concern for alcohol consumption in our community.

RESPONSIBILITY OF STUDENT GROUPS

All houses and chartered and non-chartered organizations sponsoring social events are expected to abide by state law and by published procedures and standards. Failure to do so may result in loss of social privileges, individual disciplinary action or loss of college recognition for the organization as determined by the College Conduct Board. Members of an organization may be personally liable for the acts of the organization or its other members.

RESPONSIBILITY OF INDIVIDUALS

Members of the faculty and staff should be aware of the legal drinking age of 21 years of age or older and the legal burden it places upon them. Faculty and staff are prohibited from providing, purchasing, or serving alcohol to students under the age of 21 in any setting. Individuals who violate Massachusetts state law may face criminal prosecution.

Alcohol-related behavior that causes or can reasonably be expected to cause physical harm or harassment to persons or damage to property, or is unreasonably disruptive, will be subject to disciplinary action by the College Conduct Board or the administration. Such behavior may result in penalties up to and including suspension or dismissal. Inebriation shall not be seen as an acceptable or justifiable excuse for disruptive behavior and may in itself be considered an additional offense.

Individuals who become the subject of local police action and campus safety reports involving alcohol, and groups or individuals who violate college rules because of alcohol, may be subject to disciplinary action by the College Conduct Board or the administration. Students also may be required to meet with residence life professional staff for discussion and possible referral to campus resources such as medical services, counseling services, a wellness educator or to the College Conduct Board.

LIABILITY

The student is responsible for their actions and the actions of their guests that result in the loss, theft, or damage to college and/or personal property. The college remains liable for damages to its property incurred through the negligence of its agents or employees.

The sponsor of a closed function at which alcoholic beverages are served may be legally responsible for monetary damages and legal costs that result from use of alcohol by guests. The college does not assume any legal responsibility for individuals or groups who are alleged to have acted in violation of state and local statutes. Legal defense will not be provided by the college.

Laws Governing Alcohol

Various statutes of the Commonwealth of Massachusetts and regulations of the Alcoholic Beverage Control Commission govern the sale, acquisition, possession, transportation and consumption of alcoholic beverages. In general, some of the pertinent statutes provide that:

- No person or group shall sell, deliver, purchase or otherwise procure alcoholic beverages for consumption by a person who is under 21 years of age. Violators are subject to arrest, criminal charges, fines and imprisonment.
- No person shall operate a motor vehicle while under the influence of alcoholic beverages. Violators are subject to arrest, fines, mandatory court education programs, loss of license and/or imprisonment.
- No person under 21 years of age shall transport, purchase, sell, deliver, possess or receive or otherwise procure alcoholic beverages except in the course of employment. Violators are subject to arrest, criminal charges, fines and imprisonment.
- No person, group or organization may sell alcoholic beverages except pursuant to license granted by the Commonwealth through the local government's licensing authority.

Alcohol Violations and Sanctions

Sanctions resulting from College Conduct Board deliberations are covered in the SGA Bylaws, Article XVI, Section 11. Please note that this list is not exhaustive and provides only a range of possible sanctions. The College Conduct Board and designated college administrators with responsibility for addressing alcohol policy violations will respond to an individual's educational needs in the sanctioning process. Generally, sanctions similar to the following will apply:

First violation, typically of a minor nature, may be handled by a designated college administrator who will discuss the violation with the student involved and document that conversation in a letter to the student. The college may require demonstration of the student's successful completion of an on-campus or off-campus alcohol education program;

Serious first violation or subsequent violations will be handled by the College Conduct Board and may require a minimum of one semester of probation and demonstration of successful completion of an on-campus or off-campus alcohol education program or other similar activity. Students placed on probation and later found responsible for subsequent violations of Code of Student Conduct during that probation face the possibility of the College Conduct Board's recommending their suspension or expulsion.

All students should be aware that current federal statutes permit notification of parents/legal guardians of a student's violation of college alcohol policy. Both designated college administrators and conduct boards may recommend to the dean of students that parental/legal guardian notification occur. The dean of students will make a final determination of the appropriateness of notification, carrying it out if deemed appropriate. (The dean of students may notify parents/legal guardians without a designated college administrator's or conduct board's recommendation, if the dean possesses information that would support this step.) Each student should note that parental/legal guardian notification may occur if an underage student is responsible for a violation of the college alcohol policy.

Amnesty Policy

Because the health and safety of students are of primary importance, students are encouraged not only to look out for their own health and safety, but also for that of their peers. When a person's health and safety are threatened or appear to be in jeopardy, immediate action should be taken. The college has developed this Amnesty Policy to remove concerns about conduct board action from the decision to seek medical assistance for yourself or others.

Do not hesitate to call Smith College Campus Safety (ext. 5555 from a college phone or ext. 2490; 413-585-2490 from non-campus phones) or a residence life staff member for assistance and guidance. Whatever the particular need/problem, it is important to respond to a health or safety concern in a responsible and timely manner.

If a Person is in Need of Medical Treatment

An individual who receives emergency medical attention related to their use of alcohol or drugs will not be subject to conduct board action for use and/or possession of alcohol or drugs, distribution of alcoholic beverages, or for public intoxication.

This amnesty is granted to the individual when two educational sessions are completed. Please contact the associate dean of students to begin this process. Based on this meeting you and the associate dean of students will determine your appropriate follow-up meeting.

It is the responsibility of the student to set the meeting with the associate dean of students within two weeks of the incident.

Calling on Behalf of Someone Else

INDIVIDUAL - An individual who calls for emergency assistance on behalf of a person experiencing an alcohol or drug-related emergency will not be subject to conduct action by Smith College for the following Code violations in relation to the incident: use and/or possession of alcohol or drugs, distribution of alcoholic beverages, or for public intoxication.

ORGANIZATION - A representative of an organization hosting an event is expected to promptly call for medical assistance in an alcohol or drug-related emergency. This act of responsibility will mitigate the conduct consequences against the organization resulting from any policy violations that may have occurred at the time of the incident. Likewise, failure to call for medical assistance in an alcohol drug-related emergency will be considered an "aggravating circumstance" if conduct board action is taken in response to other Conduct Code violations.

Repeated Incidents

Consistent with putting the student's health first, the College will approach repeated incidents as a serious health and wellness risk. While amnesty from the conduct process may be applied, a meeting with the dean of students and possible notification of parents or guardians may also result. Repeated failure to seek assistance by an organization will result in conduct board action, and possibly organization probation or suspension.

Alcohol Policy and Social Events

Smith College prohibits the unlawful possession, use, and sale of alcoholic beverages on campus. Campus Safety is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

Alcohol Service

The following policies are those that deal specifically with Smith College Social Events. This section is to be used in conjunction with federal, state and Smith College alcohol regulations. Event sponsors bear the obligation to see that the alcohol is consumed responsibly and is dispensed in accordance with the law.

- No person is allowed to be in possession of an open container or consume alcohol in public areas, with the exception of parties registered with the coordinator of house events. Public areas include but are not limited to living rooms, lounges, basements, hallways and stairwells.
- At all social events where alcohol is served, food and nonalcoholic beverages must be provided by the sponsor of the event in adequate proportion to the alcoholic beverages on hand. If the supply of food and nonalcoholic beverages runs out, alcohol service must stop.
- No one should be coerced, even subtly, to drink or to drink in excess. Those who provide alcoholic beverages to guests bear the obligation to see that the alcohol is consumed responsibly and is dispensed in accordance with the law.
- The college prohibits the possession of open containers of alcohol outside of residence facilities, including patios, porches and walkways. Smith students and guests should not carry drinks or alcohol from one event to another.
- No one may bring alcoholic beverages for personal or group consumption to a Smith party. If a person is carrying any alcohol into a party, it must be taken away for disposal. Guests cannot enter a party with a backpack or bag that might be transporting alcohol.
- In addition to the policy on substance abuse and substance use, the following guidelines govern serving alcohol. (See the Smith College Policy on Substance Abuse and Substance Use.)
- Only persons who are 21 years of age or older are allowed to serve alcoholic beverages. The Alcohol Service Awareness Workshop is required for all persons tending bar at any registered house event. Before tending bar for a personal party, it is strongly recommended that students participate in the Alcohol Service Awareness Seminar. Several workshops are held during the year, at the beginning of each semester and before Winter/Spring Weekends and are required of social chairs, bartenders and I.D. checkers. Call the coordinator of course events to request information regarding times and dates for the workshop.
- I.D. checkers must verify the age of individuals before placing bracelets on the wrist of those 21 years of age or older.
- Persons serving alcohol must ensure that only persons 21 years of age or older are served alcohol, and are wearing an unaltered bracelet. They cannot serve alcohol to individuals who are underage or appear to have had enough to drink. Only individuals who are 21 years of age or older may drink legally in Massachusetts.
- Alcoholic beverages should be kept behind the bar. Only bartenders should have access to this area.
- All parties must end alcohol service by 12:30 a.m. If the party is scheduled to end earlier than 1 a.m., alcohol service must end half an hour before the end of the party.
- After a closed house or open house party has ended, alcohol that is left over must be locked up by a head resident and is not to be used for further consumption or distribution that evening.
- The college holds a Massachusetts State license to sell and dispense alcoholic beverages at the Campus Center. This is the only venue where admission may be charged for student sponsored events that include the serving of alcohol. The serving of alcohol must be supervised by Dining Services. Contact them at extension 2326 to make arrangements.

Alcohol Service Awareness Seminar

Only persons who are 21 years or older are allowed to consume or serve alcoholic beverages. The Alcohol Service Awareness Seminar is required for all persons tending bar for open house and closed house parties. The seminar includes a review of all the state laws governing serving alcohol, proper identification procedures, the effects of alcohol on the body and intervention techniques.

Before tending bar for a personal party, it is required that all students participate in the Alcohol Service Awareness Seminar. The workshop will be held at the beginning of each semester, and is required of House Social Events Coordinators, bartenders and I.D. checkers.

Kegs

Open and closed house parties are the only venues where kegs are allowed. No kegs of any type may be below or above the first floor of Smith houses or in student rooms. Individual students cannot possess or store a keg in an apartment or personal room. Kegs are prohibited for individual student use for personal parties. The term keg is all-inclusive with kegs, half kegs, beer balls and the like, being examples. Massachusetts Law requires that all kegs must be registered to one individual who is over 21, with proper I.D. This individual must be a member of the host house. They must be aware that they are responsible for the proper distribution of alcohol and may be held personally responsible for any inappropriate distribution or consumption.

When the bar closes at an open or closed house party, all alcohol, including kegs, must be secured by a head resident or house coordinator until the following morning when it can be returned to the purchaser.

Collection of Alcohol Funds

Neither Social System money nor house budget money may be used to purchase alcohol. Money must be collected by the social chair or designated collector from students over the age of 21; under no circumstances is money to be collected from underage students. Money collected for a specific event must only be used for that specific event. Organizations and houses cannot use any of their SGA funds, social dues or house dues to purchase alcohol.

Serving Minors and Excessive Drinking

When alcohol is served at parties, students take individual and collective responsibility for the service. It is important that students hosting parties understand and are particularly mindful of college policies, federal and state laws that explain the responsibilities and liabilities that they are undertaking.

A host cannot provide to or allow a person under 21 years of age to consume alcohol in their place of campus residence or at an event that they are hosting. When furnishing or serving alcohol, it is the host's responsibility and liability under Social Host Liability Laws to ensure that guests are able to safely travel home without harm to themselves or others.

Sanctions – Alcohol Violations

The buildings and residences of the college are not beyond the reach of the law and are not sanctuaries from state and federal law enforcement. Members of the administration will not obstruct such enforcement. When the conduct of a member of the college community on college property or during a college activity, wherever it may occur, is in violation of this policy, the college will take appropriate action, up to and including expulsion, termination of employment and referral for prosecution. This policy supplements, and does not replace, other regulations, policies, standards and expectations regarding the conduct of college students and employees. Nothing in this policy shall be construed to remove or otherwise affect those protections normally afforded to all employees and students. The information

below is a brief summary of Massachusetts law. It is not legal advice and readers should refer to the actual law for complete information.

Illegal Offense	Sanction	Statute
Using, altering, selling or distributing false ID or driver's license	Up to \$200 fine or up to 3 months' imprisonment	MA Gen Law 138 §34B
Transporting alcoholic beverages in a vehicle by driver under 21 years of age	Up to \$50 fine for first offense; up to \$150 fine for subsequent offenses AND suspension of driver's license for 90 days	MA General Law 138 §34C
Furnishing alcoholic beverages to another under 21 years of age	Up to \$2,000 fine and/or up to 1 year imprisonment	MA General Law 138 §34
Making, stealing, altering, forging or counterfeiting a driver's license or identification card or for possessing or using such a license or identification card	Fine up to \$500 or up to five years in prison; immediate suspension of driver's license for up to 1 year	MA General Law 90 §24B
Purchasing or attempting to purchase alcoholic beverages if under 21 years of age, including using a false ID	Fine of \$300 and suspension of driver's license for 180 days	MA General Law 138 §34A
Having an "open container" of alcohol as a passenger in a vehicle	Fine of \$100 up to \$500	MA General Law 90 §24I
Driving under the influence, if under the age of 21, is driving with a blood alcohol level of .02 as a percentage by weight of alcohol in the blood	Fines not less than \$500 and up to \$5,000; mandatory suspension of license for 180 days and up to 1 year and/or up to 2.5 years' imprisonment for the first offense. Subsequent offenses carry significantly higher penalties.	MA General Law 90 §24 (1)(a) and §24P
Driving under the influence, if over the age of 21, is driving with a blood alcohol level of .08 as a percentage by weight of alcohol in the blood	Fines not less than \$500 and up to \$5,000; suspension of license for 1 year and/or up to 2.5 years' imprisonment for the first offense. Subsequent offenses carry significantly higher penalties.	MA General Law 90 §24 (1)(a)
Refusal to submit to a breathalyzer test	Immediate suspension of a driver's license for minimum of 180 days. If under 21 years of age OR previously convicted of driving under the influence, immediate suspension of driver's license for 3 years or longer.	MA General Law 90 §24(1)(f)(1)
Causing serious bodily harm while driving under the influence of alcohol	2.5 to 10 years' imprisonment and a fine up to \$5,000; revocation of driver's license for 2 years	MA General Law 90 §24L

Federal, state and local sanctions for unlawful possession or distribution of illicit drugs range from probation and forfeiture of property to fines and imprisonment. For example, the sanctions against an individual for distribution of, or possession with intent to distribute, controlled substances include imprisonment for several years up to a maximum of life imprisonment, with fines up to \$4 million. Sanctions can increase for repeat offenders or for offenses resulting in death or serious bodily harm, and can be doubled for each of the following occurrences: distribution to persons under 18 years of age, distribution within 1,000 feet of a school, including the College Campus School, or employing someone under 18 in the distribution. Attempt or conspiracy to commit a crime can be treated as severely as the intended offense. Many of the state and federal statutes that prohibit the illegal distribution of controlled substances provide for minimum mandatory prison sentences. Conviction for violation of any state or federal drug law can lead to ineligibility for any federal benefit, including grants and loans. Thus a student can make herself ineligible for student loans through drug conviction.

All students should be aware that current federal statutes permit notification of parent(s) regarding a student's violation of the college's controlled substance policy. Both designated college administrators and conduct boards may recommend to the dean of students that parental/legal guardian notification occur. The dean of students will make a final determination of the appropriateness of notification, carrying it out if deemed appropriate. (The dean of students may notify parent[s]/legal guardian[s] without a designated college administrator's or conduct board's recommendation if she possesses information that would support this step.) Each student should be forewarned that parental/legal guardian notification may occur if a student is found responsible for a violation of the college's controlled substance policy.

Massachusetts makes it illegal to be in a place where heroin and fentanyl are kept and to be "in the company" of a person known to possess such substances. Any person in the presence of heroin and fentanyl, such as at a private party or a dormitory suite, risks conviction of a serious drug offense.

More complete tables of federal sanctions for illegal drug activity are available in the charts in Appendix A.

The director of human resources must be notified by an affected employee of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction. The college will then notify the federal funding agency involved, if any, within 10 days after receipt of such notice.

Smith College Policies Relating to Drugs

Smith College prohibits the unlawful possession, use, and sale of illegal drugs on campus. The Campus Safety Department is responsible for the enforcement of Federal and State drug laws.

Medical Marijuana and Recreational Marijuana/Cannabis

Massachusetts legislation under Massachusetts Act (Chapter 369) "An Act for the Humanitarian Medical Use of Marijuana" allows for the controlled use of medical marijuana in the Commonwealth. Thus, Massachusetts citizens may legally obtain a medical marijuana "registration card" from the Massachusetts Department of Public Health. However, Smith College students, staff and faculty who possess a medical marijuana "registration card" are **not permitted to possess and or use** any form of marijuana on Smith college property or at college-sponsored events.

In addition, the Commonwealth of Massachusetts through 935 CMR 500.00 has legalized the sale of marijuana for recreational purposes to individuals at least 21 years old. Although Massachusetts law permits the use of medical marijuana and recreational cannabis, Federal laws outlined by the Controlled Substances Act (CSA) has classified marijuana as a schedule 1 drug which prohibits the use, possession

and/or cultivation of cannabis. Therefore, the use, possession, cultivation or sale of marijuana/cannabis in any form violates federal law. Smith College must comply with the Drug-Free Communities and Schools Act (DFSCA) (20 U.S.C.1011i; 34 C.F.R part 86) as well as the Drug Free Workplace Act which requires a drug free campus environment. Institutions of higher education such as Smith College must comply with the Drug-Free Communities and Schools Act regulations or risk losing federal funding such as financial aid. Any student, staff or faculty member who violates Smith college policy prohibiting the use and/or possession of illicit drugs (including medical marijuana) on campus may be subject to disciplinary action.

Substance Use Education and Counseling

In order to promote an environment free of substance abuse, the college supports an active program of community awareness and education. This program extends to the misuse or abuse of controlled substances including prescription drugs, alcohol and other harmful substances. The college also offers assistance with confidential counseling. Students, faculty and staff are encouraged to refer individuals who appear to be troubled by drug or alcohol use to one of these resources. For students, such counseling is available through the Counseling Service (extension 2840). Students who are concerned about their own or others' use of such substances may seek advice and counsel from appropriate college resources without fear of breach of normal rules of confidentiality or fear of punishment. The Employee Assistance Program (EAP) offers confidential counseling for employees confronting substance abuse. Employees or supervisors can contact the EAP at 1-800-828-6025. The Office of Human Resources (extension 2270) may be contacted for information on the EAP program.

In compliance with the drug/alcohol abuse education programs, The Schacht Center provides mandatory on-line education for students. The SMART video series is designed and required for all Smith students to complete. The four-video training is mandatory and a successful 85% average or higher is required. The Videos are SMART alcohol; SMART cannabis; Bystander Intervention and Consent. This education is provided by the Care Coordinator in the Schacht Center for Health & Wellness and monitored for completion.

In addition to the confidential counseling services mentioned above, several national hotlines can provide information and referral:

- Information on Local 12-Step Programs (24 hour)
 - Alcoholics Anonymous: 413-532-2111*
* local call from Northampton
 - Al-Anon and Ala-teen: 413-782-3406
(Al-Anon is open to anyone whose life has been affected by another person's drinking)
- Narcotics Anonymous: 800-481-6871
- National Alcohol Abuse and Drug 24-Hour Helpline: 800-252-6465

This policy will be reviewed at least biennially to assess its effectiveness, to implement appropriate changes and to ensure that the disciplinary sanctions discussed are consistently enforced.

Sanctions – Drug Violations

Federal, state and local sanctions for unlawful possession or distribution of illicit drugs range from probation and forfeiture of property to fines and imprisonment. For example, the sanctions against an individual for distribution of, or possession with intent to distribute, controlled substances include imprisonment for several years up to a maximum of life imprisonment, with fines up to \$4 million. Sanctions can increase for repeat offenders or for offenses resulting in death or serious bodily harm, and can be doubled for each of the following occurrences: distribution to persons under 18 years of age,

distribution within 1,000 feet of a school, including the College Campus School, or employing someone under 18 in the distribution. Attempt or conspiracy to commit a crime can be treated as severely as the intended offense. Many of the state and federal statutes that prohibit the illegal distribution of controlled substances provide for minimum mandatory prison sentences. Conviction for violation of any state or federal drug law can lead to ineligibility for any federal benefit, including grants and loans. Thus a student can make herself ineligible for student loans through drug conviction.

All students should be aware that current federal statutes permit notification of parent(s) regarding a student's violation of the college's controlled substance policy. Both designated college administrators and conduct boards may recommend to the dean of students that parental/legal guardian notification occur. The dean of students will make a final determination of the appropriateness of notification, carrying it out if deemed appropriate. (The dean of students may notify parent[s]/legal guardian[s] without a designated college administrator's or conduct board's recommendation if she possesses information that would support this step.) Each student should be forewarned that parental/legal guardian notification may occur if a student is found responsible for a violation of the college's controlled substance policy.

Massachusetts makes it illegal to be in a place where heroin and fentanyl are kept and to be "in the company" of a person known to possess such substances. Any person in the presence of heroin and fentanyl, such as at a private party or a dormitory suite, risks conviction of a serious drug offense.

More complete tables of federal sanctions for illegal drug activity are available in the charts page in Appendix A.

The director of human resources must be notified by an affected employee of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction. The college will then notify the federal funding agency involved, if any, within 10 days after receipt of such notice.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, [Smith College publishes information regarding the College's prevention programs related to drug and alcohol abuse prevention](#) which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for Smith College students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online.

Missing Person Policies and Procedures

Reporting a Person Missing

Suspected missing students should be reported immediately to the Campus Safety Department. Any person (student, staff or faculty) believed to be missing for 24 hours from the campus unexpectedly shall be immediately reported to the Campus Safety Department by calling 413-585-2490

It is the policy of the Smith College that the Campus Safety Department will investigate any report of a missing person that is filed by someone with knowledge of that student being missing or otherwise not where the person is expected to be. Campus safety will bring in other law enforcement agencies such as, Northampton Police, Massachusetts State Police to assist when necessary. This report may be filed by a parent/guardian or other family member of the person, by a roommate, a Student Affairs or Residence

Life staff member (including student staff), Schacht Center for Health and Wellness staff, faculty member, employment supervisor, or anyone else with information that indicates the person is missing. Campus safety will conduct an initial investigation to determine if the person appears to be missing, or has simply changed her or his routine unexpectedly, and whether or not there is reason to believe the person is endangered. Campus Safety officers will check student's login records, class schedules, interview fellow students and faculty, and use other methods to determine the status of a missing person. From this initial investigation, the scope will continue to expand to make attempts to determine the location of the person reported missing to assure the person is safe.

Designation of a Missing Person Contact

Smith College students residing in campus housing will be informed annually that each student has the option to identify, through The Housing Director (THD) Emergency Information Review and Update, a person designated as a confidential missing person contact that the College can contact in the event that the student is reported missing. This person would be contacted within 24 hours of a missing person report being filed with Campus Safety.

- Log in to The Housing Director (THD). Go to Emergency Contact Review and Update. Under Emergency Contacts click on Add/Update Contacts. Follow instructions to add a missing person contact.

When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially and is shared only with College administrators who would have responsibility for making connections with missing person contacts in the event of a determined emergency (such as student affairs staff, Campus Safety staff, etc.) , and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

Missing Student Policy

(Information and requirements provided under The Higher Education Opportunity Act of 2008; regarding missing students.)

Each Smith College student, eighteen (18) years of age or older, has the option to identify an individual to be contacted by the Smith College Campus Safety or Dean of Students office not later than twenty-four (24) hours after the time circumstances indicate that the student may be determined missing. For each student who is under age eighteen (18) and not emancipated, the institution is required to notify the custodial parent not later than twenty-four (24) hours after the time that the student may be determined missing.

A confidential contact is a person designated by the student, in addition to the emergency contact listed within Workday, maintained by the College Registrar. In cases where a confidential contact is not designated, or the confidential contact cannot be reached at the number provided by a student, the emergency contact provided to the College Registrar will be used. The emergency contact may be notified in addition to any confidential contact provided.

Each student, eighteen (18) years of age or older, may register a person designated as a confidential contact on the confidential contact information form on their Residence Life Self-Service Page (accessible via the Smith Portal) at any time. The student wishing to register a confidential contact is solely responsible for the accuracy of the information, as well as any update of information regarding the confidential contact.

Smith College will notify appropriate law enforcement agencies not later than 24-hours after the time a student is determined to be missing. A student is determined to be missing when a report comes to the attention of the College and the College determines the report to be credible. College officials receiving a missing persons report relating to a student are required to notify Campus Safety immediately to investigate and make a determination that a student who is the subject of a missing report has been missing for more than 24 hours and has not returned to campus. Campus Safety will notify the Dean of Students of the circumstances presented with the report of a missing student as soon as it is established that avenues to contact the student have been exhausted (even when less than twenty-four hours of time has elapsed), or immediately if circumstances of criminality or safety are determined to be involved. The Dean of Students office, through the Administrator-on-Call system, or Campus Safety, will initiate the notification to the confidential contact, as provided above, and to the emergency contact person provided to the College upon enrollment for investigative and/or notification purposes.

Campus Safety will also notify local law enforcement agencies within this 24 hour window, starting with the Northampton Police Department which is the city sharing jurisdiction with the college, as well as any other agencies where the missing student may be, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Students under the Age of 18 and not Emancipated

Students are advised that for any student under the age of 18 who is not emancipated, the College must notify a custodial parent or guardian no later than 24 hours after the time the student is determined to be missing, in addition to notifying any missing person contact provided by that student.

For any situation in which a missing person is believed to be endangered, this notification will be made as early as possible while officers are continuing to investigate.

Students under the Age of 21

For students under 21, Suzanne's Law requires that student to be entered into the national missing person database as soon as it is determined that student is missing.

Notifications

Should Campus Safety not be able to locate a student reported missing, Campus Safety would then notify your designated 'missing person' contact within twenty-four (24) hours of the report.

- In the event that no separate emergency contact is identified, a parent or guardian as listed in college records will be contacted. (See below for students under the age of 18.)
- If the student is under the age of 18 and is not an emancipated individual, Campus Safety Department will notify the student's parent or guardian and any other designated contact person within 24 hours.
- Students should be sure that this contact knows how to reach the student in the case of an emergency, and have a general idea of the student's general daily routine and any travel plans.
- This person should be someone you trust to aid officers in determining your whereabouts, or verifying that further investigation and/or entry into national missing person databases is warranted.

Should a student be determined to be missing, within 24 hours of that determination, Campus Safety will:

- Notify the Dean of Students
- Again contact the student's missing person contact and/or parent or guardian to update them on information known at that time, efforts made to locate the person, and to get further information that

may lead to the location of the missing person. (In the case of a student under 18, the parent or guardian must be contacted regardless of who is listed as the student's emergency contact.) Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Smith College will inform the Northampton Police as well as any police agency in any other jurisdiction where the missing person may have gone that the student is missing within 24 hours. When circumstances indicate it would be useful, the State Police can activate and AMBER Alert.

Fires and Fire Prevention

Fire prevention is the responsibility of all members of the Smith College community. Campus houses are particularly susceptible to fires, and students residing in the houses must carefully adhere to fire safety regulations.

College officials provide fire safety education to students and employees at the beginning of the year and through new employee orientation.

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the College's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by local fire authorities

Fire Evacuation Policy

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

College Policy on Reporting of Fires: Fire alarms for college-owned buildings ring directly to Campus Safety dispatch at 413-585-2490. However, any member of the community who becomes aware of any active or past fire must notify Campus Safety immediately.

Reporting Fires

Per federal law, Smith College is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify Campus Safety at 413-585-2490 to investigate and document the incident for disclosure in the College's annual fire statistics.

If a member of the Smith College community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety at 413-585-2490 to investigate and document the incident for disclosure in the College's annual fire statistics.

Fire Safety Policies

There will be one fire drill conducted by the college per semester in each house. Failure of individuals to evacuate a house may result in conduct action. A fire captain who does not fulfill their responsibility as required may be removed from their position and membership in house council.

Residence life staff will meet with students to develop a procedure with any special needs students (mobility-impaired, vision-impaired, hearing-impaired) during a fire emergency. False reporting, damage or misuse of fire safety equipment is strictly prohibited and will result in a referral to the College Conduct Board.

Student rooms will be inspected. A room will be re-inspected in the case of a violation. Violations include illegal appliances; objects obstructing corridors, stairways or sprinkler systems; cords of any type across doorways or under rugs; frayed cords; open flames and potentially hazardous decorations; smoke alarms that have been tampered with; and objects draped or hung from the sprinkler pipes, curtain rods, doorways, or tacked up on the walls. Students are required to clear hallways and public areas of personal items and be in compliance with the college's Health, Fire and Safety policy. Failure to comply will result in those items being discarded, and fees will be assessed to the student(s), residents of the corridor, or the entire house and possible disciplinary action.

Decorations

Material used in the decoration of any college building or student room must be either flame proofed or inherently nonflammable. Trees and wreaths are examples of flammable materials and are not allowed. Items that cannot be used for decorations include: branches, live or dry wreaths, or any item made from highly combustible material.

A bulletin board and nametags are the only items allowed on the outside of the doors of student rooms. Other decorations in corridors, on walls or on student doors are forbidden. Students will be required to remove items from doors and/or walls adjacent to student rooms. Failure to comply with these policies may result in disciplinary actions or fees.

Flammable Materials

Candles, incense, scented lamps and open flames of any kind except for cigarette lighters and matches are prohibited in houses and student rooms. Kerosene, gasoline, other flammable liquids or flammable covers, paper shades and decorations on light fixtures are strictly forbidden. In addition, halogen floor lamps are prohibited in student rooms and public spaces in the houses. Such items will be confiscated whether or not they are in use. Open-flame devices, such as candles, are extremely dangerous in a high-density, residential setting and are forbidden.

The college reserves the right to remove items in student rooms that violate safety regulations. An exception may be granted to this policy for the purpose of allowing smudging, the private, religious or spiritual use of sage, sweet grass, or cedar smoke in accordance with their well-established manner of use within the Native American ceremonial traditions for the purpose of purification and prayer. Students must complete an Exception Request available from the Dean of Religious Life or designee. Upon approval, a student may privately generate a minimal amount of smoke using sage, sweet grass or cedar. Failure to observe the strict safety standards of this Exception Request Policy will result in revocation of the exception and sanctions already specified for violation of the Residential Life: Security & Safety Policies.

Appliances

Radios/music players, clocks, speakers and/or speaker systems, amps and music accessories, television sets, lamps, hair dryers, humidifiers, electric blankets, computers, printers, DVD/BluRay players, and

coffee pots that have UL approval, and lightweight refrigerators no larger than 3.5 cubic feet in capacity may be used in student rooms.

To ensure a safe and healthy environment, the following items are prohibited from all houses: air conditioners (unless approved by the Office of Disability Services), charcoal grills, crockpots, doughnut makers, electric fry pans, gas appliances, grills, halogen lamps, hamburger makers, hot plates, immersion heaters, refrigerators in excess of 3.5 cubic feet capacity, space heaters, toaster ovens, toasters, waffle irons and woks.

The college reserves the right to remove items in student rooms that violate safety regulations. Irons may be used only at the ironing boards. Ironing boards are provided in the houses. Curling irons and flat irons are permitted, but must be unplugged and turned off after each use.

Permission to use ultraviolet and other sunlamps must be obtained from the Office of Disability Services. Extension cords, no longer than six feet, must have the UL approval and must be in good condition. Cords that are not UL approved will be removed. Cords must not be run under rugs.

Smoking

Smoking, vaping, and any substance use is not allowed in college-owned buildings (see Smith College Smoking Policy).

Guidelines for Action in the Event of a Fire

The following guidelines are issued to provide you with procedures that should be followed by everyone who either detects a fire or is responding to a fire alarm in a Smith College building.

Section A - Upon Discovering a Fire

- Go directly to the closest fire alarm pull station and activate the alarm. Activation of the alarm will alert other building residents to the imminence of fire and give them adequate time to evacuate safely. All houses have automatic fire alarm systems that go directly to Campus Safety. From there the alarm is relayed to the Northampton Fire Department.
- As a backup to Step 1, immediately go to the nearest safe telephone and dial 5555 or exit the building and call campus safety at 413-585-2490 from a cell phone or mobile device. Should the building alarm fail to activate, or the alarm not be relayed by the system, calling 5555 alerts Campus Safety, who will dispatch the fire department. When calling to report a fire, stay calm, give the location of the fire, the type of problem and your name and phone extension. Always call in a fire; never assume that it has been done by the automatic system.
- Firefighting is not recommended - evacuation is always the recommended course of action.
- All fires must be reported to and inspected by Campus Safety who will notify the Northampton Fire Department even if extinguished by occupants.

Section B - Evacuation from Fire in a Residential House

- Assume every alarm means a fire; always evacuate the building when the alarm goes off.
- Evacuate the building by the most direct, clear path.
- As you evacuate the building, attempt to alert other occupants to the fire hazard. Yelling, banging on doors, etc. as you exit should alert other residents.
- If the season demands, and if feasible, take a warm coat and shoes.
- If feasible, take a towel or cloth to cover mouth and nose in case of smoke.
- Close all windows and doors as you evacuate. Make sure all fire doors are closed
- Do not use elevators. Use only stairwells and fire escapes.

- Before opening any door, feel closed door for excessive heat, or look through safety window (if available) to passage beyond. If door is warm, or passage is unsafe, use an alternative exit.
- Do not attempt to pass through smoke. If you encounter smoke, retreat and seek an alternative exit.
- If you are trapped in smoke, stay low and crawl toward exit. Breathable air should be near the floor.
- Once outside, clear the building, by at least 100 feet, and move to an assembly point where the fire captain should take roll.
- If you believe someone is trapped in the building, notify the fire department or Campus Safety immediately.
- Never attempt to reenter the building after evacuation.

Section C - Defense in Place

- Should you be unable to evacuate the building or should your exit paths be blocked, remain calm and do the following:
 - Do not attempt to go through fire or smoke.
 - Go back to your room or another safe environment with a window, and, if possible, a telephone.
 - Close the door and pack the frame with towels, clothes, etc. (preferably wet) to retard smoke travel. Your major safety concern will probably be preventing smoke infiltration.
 - If you have a phone, call Campus Safety and give them your name and location. If a phone is unavailable, open the window and yell. If you have a brightly colored cloth, wave it.
 - Do not hide in the closet or under the bed.
 - If the room gets smoky, stay close to the floor; fresh air should be there. Keep window open to allow fresh air in. If necessary, hang your head out of the window to get fresh air.
 - Above all, stay calm and rational; panic will only increase your danger.

Section D - In Case You Catch Fire

- Should you catch fire, stop, drop to the floor and roll. Rolling smothers the flames.
- Never run if you are on fire. Running fans the flames to a greater intensity.
- If you see someone on fire, help them to stop, drop and roll. Wrap them in a blanket to smother the flames.

Community Responsibilities

Additionally, all members of the community are required to:

- Participate in all fire drills and promptly leave a building when the fire alarm sounds. Follow any instructions of Campus Safety or fire officials during a drill or an actual alarm.
- Report any condition that creates a fire hazard (trash in the corridors or stairwells, missing fire extinguishers, blocked floor exits or stairwells, etc.) to Campus Safety.
- Know where the fire extinguishers are located. Learn how to operate them. If you need training, contact the Facilities Management Department.
- Know the location of the fire alarms and how to activate them.
- Know where the nearest exits are and be prepared to use an alternative exit, if necessary. Plan how you would escape through each of these exits in case of a fire.
- Know the location of the fire stairwells.
- Never use an elevator to evacuate a building.
- If you become trapped, dial **5555** from a campus phone or **413-585-2490** from a cell phone and alert the dispatcher to your location.
- If you see someone on fire, help them to stop, drop and roll. Wrap them in a blanket to smother the flames.

Campus Fire Statistics

Fire and Evacuation Drill Statistics

Evacuations drills are conducted once a semester in residential buildings and periodically in other buildings. The purpose of these evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used as a way to educate and train occupants on fire-safety issues specific to their building.

Residential Fires by Location 2021 - 2023

Statistics and Related Information Regarding Fires in Residential Facilities for CY 2023

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Tyler House – 123 Green Street	1	1	(Unintentional) Kitchen-Cooking Fire	0	0	\$0 - 99

Statistics and Related Information Regarding Fires in Residential Facilities for CY 2022

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Conway House – 21 Prospect Avenue	1	1	(Unintentional) Phone Charger caught fire left on stove top	0	0	\$0 - 99
Chase House – 45 Elm Street	1	1	(Intentional) Student started puzzle on fire - Arson	0	0	\$10,000 – 24,999

Statistics and Related Information Regarding Fires in Residential Facilities for CY 2021

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Gardiner House-1 Paradise Road	1	1	(Unintentional) Kitchen-Cooking Fire	0	0	\$0 - 99

Campus Fire Logs

A log of all fires and fire alarms in which there was a physical cause (i.e., smoke, heat, etc., rather than a faulty detector or system malfunction) are listed in the Campus Safety online **Daily Crime & Fire Logs** within two business days of occurrence. Visit the [Campus Safety website](#) for more information and to view the log. When changes in the cause, or information about a campus fire become known to Campus Safety, any updates will be made to the log within two business days of the status change.

Plans for Improvement to Fire Safety

The College does or does not have any planned improvements in fire safety at this time.

2023 Fire Safety System in Residential Facilities							
Residential Facilities	Fire Alarm System Monitored by Public Safety & Service	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans and Placards	Number of Annual Fire drills in 2023
Comstock House 1 Mandelle Road	X		X	X	X	X	2
Haven House 110 Elm Street	X		X	X	X	X	2
Wesley House 4 Chapin Way	X		X	X	X	X	2
Gardiner House 1 Paradise Road	X		X	X	X	X	2
Morrow House 1 Paradise Road	X		X	X	X	X	2
Sessions Complex 105-109 Elm Street	X		X	X	X	X	2

Wilder House 1 Mandelle Road	X		X	X	X	X	2
Wilson House 1 Paradise Road	X		X	X	X	X	2
Albright House 7 Bedford Terrace	X		X	X	X	X	2
Baldwin House 15 Bedford Terrace	X		X	X	X	X	2
Chapin House 3 Chapin Way	X		X	X	X	X	2
Duckett House 41 Elm Street	X		X	X	X	X	2
Hubbard House 3 Green Street	X		X	X	X	X	2
Lawrence House 99 Green Street	X		X	X	X	X	2
Morris House 101 Green Street	X		X	X	X	X	2
Tyler House 123 Green Street	X		X	X	X	X	2
Washburn House 4 Seelye Drive	X		X	X	X	X	2
Capen House 26 Prospect Street	X		X	X	X	X	2
Cutter House 79 Elm Street	X		X	X	X	X	2
Gillett House 47 Elm Street	X		X	X	X	X	2
Lamont House 17 Prospect Street	X		X	X	X	X	2
Northrop House 49 Elm Street	X		X	X	X	X	2
Talbot House 25 Prospect Street	X		X	X	X	X	2
Ziskind House 91 Elm Street	X		X	X	X	X	2
Cushing House 1 Paradise Road	X		X	X	X	X	2
Emerson House	X		X	X	X	X	2
Friedman Apartments	X		X	X	X	X	2

62-73 Paradise Road							
Jordan House 1 Paradise Road	X		X	X	X	X	2
King House 180 Elm Street	X		X	X	X	X	2
Park House 134 Elm Street	X		X	X	X	X	2
Parsons House 24 Henshaw Ave.	X		X	X	X	X	2
Scales House 170 Elm Street	X		X	X	X	X	2
Chase House 45 Elm Street	X		X	X	X	X	2
Hopkins House 112 Elm Street	X		X	X	X	X	2
Park Annex 116 Elm Street	X		X	X	X	X	2
Parsons Annex 19 Round Hill Road	X		X	X	X	X	2
Tenney House 156 Elm Street	X		X	X	X	X	2
44 Green Street	X		X	X	X	X	2
54 Green Street	X		X	X	X	X	2
150 Elm Street	X		X	X	X	X	2
Conway House 21 Prospect Street	X		X	X	X	X	2
Henshaw A 10 Henshaw Ave.	X		X	X	X	X	2

Student Residence Hall Fire Safety and Sprinkler Systems

Below is a listing of residence hall fire safety systems. There are no immediate plans for system upgrades, however systems are constantly being reviewed.

Residential Fire Systems				
Building	Smoke Detectors	Heat Detectors	CO Detectors	Sprinkler System
Albright House 7 Bedford Terrace	X	X	X	Throughout the Building
Baldwin House 15 Bedford Terrace	X	X	X	Throughout the Building
Capen House 26 Prospect Street	X	X	X	Throughout the Building

Chapin House 3 Chapin Way	X	X	X	Throughout the Building; also Kitchen Hood Suppression System
Chase/Duckett House 41-45 Elm Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System
Comstock/Wilder House 1 Mandelle Road	X	X	X	Throughout the Building; also Kitchen Hood Suppression System.
Conway House 21 Prospect Street	X	X	X	Throughout the Building
Cromwell House 73 Paradise Road	X	X	X	Throughout the Building
Cushing/Emerson/Jordan House 1 Paradise Road	X	X	X	Throughout the Building; also Kitchen Hood Suppression System in Cushing/Emerson Kitchen and Halon System in Jordan Phone Room
Cutter/Ziskind House 79-91 Elm Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System and Halon System in Cutter Phone Room
Dawes House 8 Bedford Terrace	X	X	X	Throughout the Building
Decora House 66 Paradise Road	X	X	X	Throughout the Building
150 Elm Street 150 Elm Street	X	X	X	Throughout the Building
Friedman Complex 62-73 Paradise Road	X	X	X	Throughout the Building; Friedman A now on its own panel
Gardiner/Morrow/Wilson House 1 Paradise Road	X	X	X	Throughout the Building; also Kitchen Hood Suppression System in Morrow/Wilson Kitchen
Gillett House 47 Elm Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System
44 Green Street 44 Green Street	X	X	X	n/a
54 Green Street 54 Green Street	X	X	X	n/a
Hashimy House 65 Paradise Road	X	X	X	Throughout the Building
Haven House 110 Elm Street	X	X	X	Throughout the Building
Hopkins House 112 Elm Street	X	X	X	Throughout the Building
Hubbard House 3 Green Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression Systems
King/Scales House 170-180 Elm Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System in King Kitchen
Lamont House 17 Prospect Street	X	X	X	Throughout the Building
Lawrence House 99 Green Street	X	X	X	Throughout the Building
Machado House 62 Paradise Road	X	X	X	Throughout the Building

Building	Smoke Detectors	Heat Detectors	CO Detectors	Sprinkler System
Morris House 101 Green Street	X	X	X	Throughout the Building
Ninomiya House 69 Paradise Road	X	X	X	Throughout the Building
Northrop House 49 Elm Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System
Park House 134 Elm Street	X	X	X	Throughout the Building
Park Annex 116 Elm Street	X	X	X	Throughout the Building
Parsons House 24 Henshaw Avenue	X	X	X	Throughout the Building
Parsons Annex 19 Round Hill Road	X	X	X	Throughout the Building
Presidents House 8 Paradise Road	X	X	X	Throughout the Building
Sessions House 109 Elm Street	X	X	X	Throughout the Building
Sessions Annex 105 Elm Street	X	X	X	Throughout the Building; new panel and system installed 9/2018
Talbot House 25 Prospect Street	X	X	X	Throughout the Building
Tenney House 156 Elm Street	X	X	X	Throughout the Building
Tyler House 123 Green Street	X	X	X	Throughout the Building; also Kitchen Hood Suppression System
Washburn House 4 Seelye Drive	X	X	X	Throughout the Building
Wesley House 4 Chapin Way	X	X	X	Throughout the Building

General Information:

- All sprinkler and fire alarm systems are tested annually
- Kitchen hood suppression and Halon systems are tested semi-annually
- Fire drills are conducted twice a year
- Fire alarm systems report to Campus Safety who immediately notifies the fire department

Important Contact Information

Campus Safety 24 hours/day

Dial ext **2490** from a **campus phone**; Dial **413-585-2490** from a **cell phone**

Emergencies Dial **5555** from a **campus phone**

[Workday](#)

update emergency contact info

[Office Equity and Inclusion](#)

413-585-2141

[Human Resources](#)

413-585-2260

413-585-2270

[OneCard Office](#)

413-585-4487

[Residence Life](#)

413-585-4940

(housing policies & resources)

[Schacht Center for Health & Wellness](#)

413-585-2800

[Counseling Services](#)

413-585-2840

[Student Affairs](#)

413-585-4940

After-Hours emergencies call Campus Safety for access to on-call staff

[Title IX Coordinator](#)

413-585-2245

Definitions of Clery Act Crimes

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

Aggravated Assault

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

Arson

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

Burglary

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

Consent

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

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

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

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

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

Destruction/Damage/Vandalism of Property (Except Arson)

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

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

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purpose of this definition, dating violence –
 - Includes, but is not limited to, sexual or physical abuse or the threat of such abuse
 - Does not include acts covered under the definition of domestic violence

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

A felony or misdemeanor crime of violence committed—

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

Drug Law Violations

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

Fondling

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

Hate Crimes

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

Illegal Weapons Possession

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

Incest

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

Intimidation

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

Larceny/Theft (Except Motor Vehicle Theft

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

Liquor Law Violations

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle is classified as motor vehicle theft all cases in which automobiles are taken by persons not having access even though the vehicles are later abandoned – including joyriding.

Murder and Non-Negligent Manslaughter

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

Manslaughter by Negligence

The killing of another person through gross negligence.

Rape (UCR definition)

The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery

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

Sex Offenses-

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

Sex Offenses-

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

Simple Assault

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

Stalking

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - Fear for the person’s safety or the safety of others, or
 - Suffer substantial emotional distress
- For the purpose of this definition –
 - Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly or indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property
 - Substantial emotional distress means significant suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- One incident of stalking is recorded for each year in which a course of conduct involving the same perpetrator and victim, and is recorded at the first location of the incident series

Statutory Rape

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

Fire Safety Definitions

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

Cause of fire

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

Fire

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

Fire drill

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

Fire-related injury

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

Fire-related death

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

Fire-safety system

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

Value of property damage

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

Campus Safety Phone Numbers

Phone: 413-585-2490
Emergencies: Dial x5555 from a campus phone;
Dial 413-585-2490 from a cell phone

Physical Location

126 West Street (Facilities Management Building)



Appendix A – Substance Use and Abuse Charts

Controlled Substances – Uses and Effects

U.S. Department of Justice,
Drug Enforcement Administration

Controlled Substances—Uses and Effects					
	Class*	Trade or Other Names	Medical Uses	Dependence (Physical/Psycho.)	
NARCOTICS					
Opium	II III V	Dovers powder, Paregoric,	Analgesic, antidiarrheal	High	High
Morphine	II III	Morphine, MS-Contin, Roxanol, Roxanol-SR	Analgesic, antitussive	High	High
Codeine	II III V	Tylenol w/Codeine, Empirin w/Codeine, Robitussin A-C, Fiorinal w/Codeine	Analgesic, antitussive	Mod.	Mod.
Heroin	I	Diacetylmorphine, Horse, Smack	None	High	High
Hydro- morphone	II	Dilaudid	Analgesic	High	High
Meperidine (Pethidine)	II	Demerol, Mepergan	Analgesic	High	High
Methadone	II	Dolophine, Methadone, Methadose	Analgesic	High	High-Low
Other narcotics	I II III IV V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin	Analgesic, antidiarrheal, antitussive	High-low	High-low
DEPRESSANTS					
Chloral Hydrate	IV	Noctec	Hypnotic	Mod.	Mod.
Barbiturates	II III IV	Amytal, Butisol, Fiorinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital	Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High-mod.	High-mod.
Benzodiazepines	IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxexa, Vertran, Versed, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant, sedative, hypnotic	Low	Low
Methaqualone	I	Quaalude	Sedative, hypnotic	High	High
Glutethimide	III	Doriden	Sedative, hypnotic	High	Mod.
Other depressants	III IV	Equanil, Miltown, Noludar, Placidyl, Valmid	Antianxiety, sedative, hypnotic	Mod.	Mod.
STIMULANTS					
Cocaine	II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High
Amphetamines	II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High
Phenmetrazine	II	Preludin	Weight control	Possible	High
Methylphenidate	II	Ritalin	Attention deficit disorders, narcolepsy	Possible	Mod.
Other stimulants	III IV	Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2	Weight control	Possible	High
HALLUCINOGENS					
LSD	I	Acid, Microdot	None	None	Unknown
Mescaline, Peyote	I	Mexc. Buttons, Cactus	None	None	Unknown
Amphetamine variants	I	2,5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown
Phencyclidine	II	PCP, Angel Dust, Hog	None	Unknown	High
Phencyclidine analogues	I	PCE, PCPy, TCP	None	Unknown	High
Other hallucinogens	I	Bufotenine, logaine, DMT, DET, Psilocybin, Psitocyn	None	None	Unknown
CANNABIS					
Marijuana	I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	None	Unknown	Mod.
Tetrahydro- cannabinol	I II	THC, Marinol	Cancer chemotherapy, antinauseant	Unknown	Mod.
Hashish	I	Hash	None	Unknown	Mod.
Hashish oil	I	Hash Oil	None	Unknown	Mod.

Controlled Substances – Trafficking Penalties

Federal Trafficking Penalties

CSA	Penalty (Second Offense)		Quantity	Drug	Quantity	Penalty (First Offense)	
	Penalty (Second Offense)	Penalty (First Offense)				Penalty (First Offense)	Penalty (Second Offense)
I and II	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	10-99 gm pure or 100-999 gm mixture	Methamphetamine	100 gm or more pure or 1 kg or more mixture	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years. Not more than life.	100-999 gm mixture	Heroin	1 kg or more mixture	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
III IV V	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.	500-4,999 gm mixture	Cocaine	5 kg or more mixture	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual.
			5-49 gm mixture	Cocaine Base	50 gm or more mixture		
			10-99 gm pure or 100-999 gm mixture	PCP	100 gm or more pure or 1 kg or more mixture		
			1-9 gm mixture	LSD	10 gm or more mixture		
			40-399 gm mixture	Fentanyl	400 gm or more mixture		
			10-99 gm mixture	Fentanyl Analogue	100 gm or more mixture		
Drug Quantity							
Others +	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.				Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.	
All*	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.				Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.	
All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million other than individual.				Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.	
All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 other than individual.				Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.	

+ Law does not include marijuana, hashish or hash oil.
* Includes anabolic steroids as of February 27, 1991.

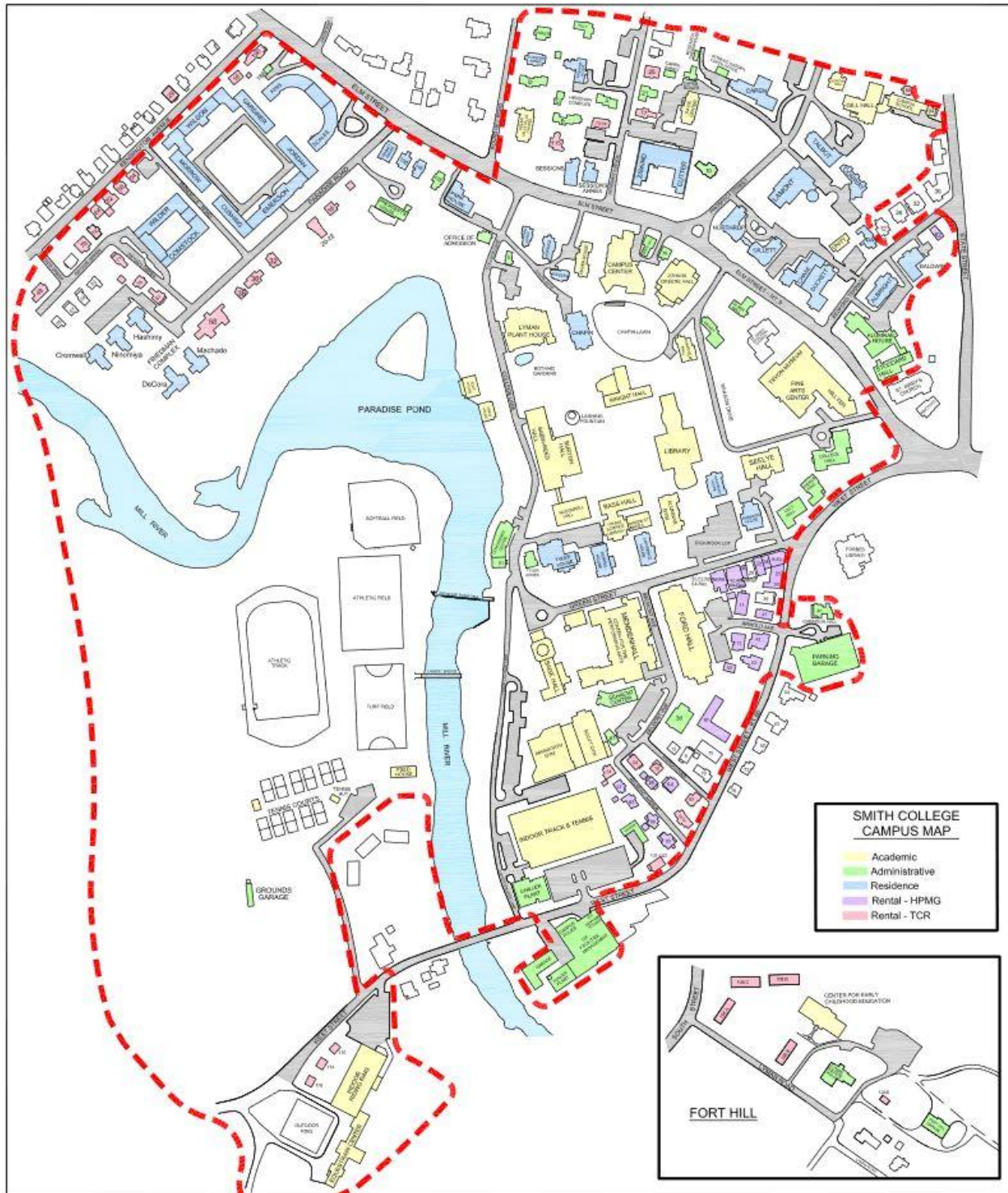
Controlled Substances – Marijuana Trafficking Penalties

Federal Trafficking Penalties—Marijuana

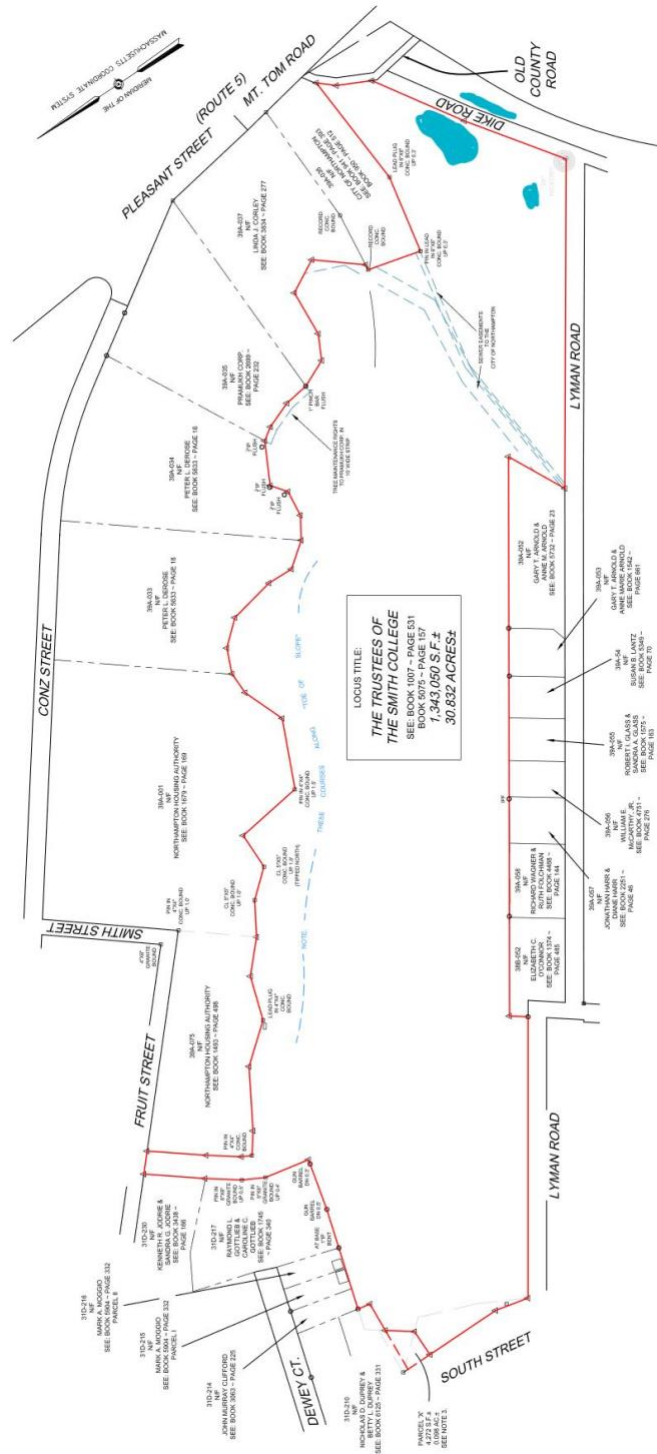
Description	Quantity	Penalty (First Offense)	Penalty (Second Offense)
Marijuana	1,000 kg or more mixture or 1,000 or more plants	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not more than life. Fine not more than \$8 million individual, \$20 million other than individual.
Marijuana	100-999 kg mixture or 100-999 plants	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.
Marijuana	50-99 kg mixture or 50-99 plants	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, not more than life. Fine \$2 million individual, \$10 million other than individual.
Marijuana	Less than 50 kg mixture	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual.
Hashish	10 kg or more		
Hashish oil	1 kg or more		

Smith College Property Boundary Maps

Main Campus



Smith College Boundary Maps - Fort Hill Property



Macleish Field Station

Poplar Hill Road, Whately, MA



(from Google Maps)

The Ellery

259 Elm Street, Northampton, MA (temporary student housing)



Google Maps