

2024 Annual Campus Security Report

Revised September 30, 2024

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OVERVIEW OF BROOKLINE'S COMMITMENT AND RESPONSIBILITY

Brookline College (referred to also in this document as “the College”) is committed to providing a reasonably safe and secure environment for students and employees to study and work. Although Brookline College cannot guarantee that crimes will never be committed on campus or on public property within close proximity to the campus, the College takes reasonable and effective measures to minimize the risk. In that regard and on an annual basis, the College provides its students and employees with safety and security-related services offered by the College, which are in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly referred to as “The Clery Act”) signed in 1990. Our responsibilities under The Clery Act include but are not limited to the following:

- By October 1 of each year, publish and distribute an Annual Campus Security Report to students and employees, which includes: 1) Crime statistics for the prior three years; and 2) policies regarding various safety and security measures, campus crime prevention programs, and procedures followed in the investigation and prosecution of alleged sex offenses.
- Inform all students and employees about the existence of the Annual Security Report and its accessibility via the College website and in hardcopy format.
- Disclose crime statistics for on-campus facilities and public property immediately adjacent to the campus, which are obtained from various resources, including local law enforcement and school officials who have significant responsibility for student and school activities.
- Provide timely warning notices, as applicable, for crimes covered by the Clery Act that have been committed and represent a threat to employees and students.
- Maintain Clery Incident Reports at each campus which record crimes that are reported to the campus, or those of which the campus is made aware.

CAMPUS CRIME AND SECURITY POLICIES AND PROCEDURES

The following policies have been developed and adopted by Brookline College in order to comply with all aspects of The Clery Act and to demonstrate Brookline's commitment to crime prevention and the safety of our campus environment. The Clery Act requires all colleges that participate in federal financial aid programs to maintain and disclose information regarding certain crimes on and near their respective campuses. Compliance is monitored by the United States Department of Education.

Preparation and Distribution of the Annual Security Report

In tandem with Brookline's responsibilities under The Clery Act, students and employees are encouraged to take personal responsibility for their conduct and actions, which may enhance the educational experience for all students. Additionally, a well-informed campus community helps to create a safety-conscious environment. To that end, the College publishes an Annual Security Report no later than October 1 of each year and announces its availability to all students and employees. Brookline encourages all students and employees to use the Annual Security Report as a guide to improve safety on and off campus. The report can be located on the Brookline College website at <https://www.brooklinecollege.edu/crime-and-security/> and a free hardcopy of the report can be requested at any time by contacting the Campus Director. Additionally, enrolling students are provided with information on how to access the report and what it includes. The creation and distribution of the Annual Security Report is a joint responsibility of the Campus Security Authorities (CSAs) and Corporate Management, along with cooperation from the local law enforcement authorities.

Campus Security Authorities (CSA)

The Jeanne Clery Disclosure Act defines a Campus Security Authority (CSA) as an official of an institution who has significant responsibility for student and campus activities and who is specified in an institution’s statement of campus security policy as an individual to which students and employees should report criminal offenses. The function of a CSA is to report to the official or office designated by the institution to collect crime report information those allegations of Clery Act crimes that he or she receives. At Brookline College, the “official or office” designated to collect crime report information and assist CSAs in the handling of campus crimes and emergency situations is the Corporate Safety Team (CST), which is comprised of the following Corporate Officers:

Name	Title	Telephone	Email Address
Dr. Navneet (Sunny) Bhasin	Chief Operations Officer	(510) 743-2768	NBhasin@unitek.com
Don Corvin	Senior VP of Compliance	(949) 590-4882	DCorvin@unitek.com
Ariana Afshar	Senior Corporate Counsel	(949) 590-4886	AAfshar@unitek.com

The College designates each Campus Director as a Campus Security Authority (CSA) for his or her respective campus. In addition, the College requires each Campus Director to designate at least two additional CSAs to ensure the availability of a CSA at all times during normal business hours and in the event of a campus crime and/or the reporting of such. Along with the Campus Director, CSAs at the campus may include Program Directors, departmental managers or other applicable associates as determined by the Campus Director.

The designated CSAs as of the date of this Annual Security Report are as follows:

Campus	Name	Title
Phoenix	Don Johnson	Campus Director
Phoenix	Donna Sorenson	Business Office Administrator
Phoenix	Jason Hadley	Director of Admissions
Tempe	Lance Longacre	Regional Director of Operations
Tempe	Fernando Cano	Director of Admissions
Tempe	Danielle Villa	Business Office Administrator
Tucson	Rieko Decker	Campus Director
Tucson	Tera Davis	Director of Admissions
Tucson	Christina Galvez	Campus Ambassador
Albuquerque	Scott Turncliff	Campus Director
Albuquerque	Billie Garri	Director of Admissions
Albuquerque	Sheila Nevarez	Campus Dean
Albuquerque	Jamie Howard	Assistant Dean of Nursing

All CSAs receive applicable training in Clery Act compliance and on the policies and procedures outlined in this Annual Security Report. Brookline College does not employ campus police or security personnel, and CSAs are non-commissioned with no authority to arrest an individual other than the ability to make a Citizen’s Arrest. Therefore, each campus CSA relies on local law enforcement to arrest an individual suspected of a reported crime or offense, as applicable.

Exemption for Pastoral and Professional Counselors

The Clery Act excludes two types of individuals from Clery reporting requirements even though they may have significant responsibility for student and campus activities. Therefore, the following two persons, when operating in the capacity described below, cannot be considered as CSA's:

- Pastoral Counselor – A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- Professional Counselor – A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

However, Brookline College does not employ in-house counselors, including pastoral or professional counselors.

Procedures for the Reporting of Crimes

Brookline College encourages and requests that students, faculty and associates accurately and promptly report all crimes witnessed or personally experienced while on campus or on surrounding property to the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. For an emergency occurring on campus or in any public areas immediately adjacent to or accessible from the campus which requires fire, police, or medical assistance, first dial 9-1-1. Immediately after dialing 9-1-1, report the occurrence to the Front Desk Receptionist or to any CSA, whoever is in closest proximity to you.

The College maintains procedures which allows for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. In a non-emergency situation, the occurrence should first be reported to one of the CSA's designated for the respective campus. The CSA will complete a Clery Incident Report based on the information provided by the victim and/or witnesses. The Clery Incident Report includes the nature, date, time, and general location of each crime, along with the disposition of the reported occurrence. Once completed, the Clery Incident Report is forwarded to the Corporate Safety Team for review and determination of any further actions to be taken. Depending on the nature and severity of the occurrence, further actions may include an alert, investigation, disciplinary proceedings, or no further action. Copies of the reports are maintained with the CSAs and with the Corporate Safety Team for compilation and inclusion in the Annual Security Report, as they pertain to Clery reporting requirements.

Information will be withheld from Clery Incident Reports only in the event that disclosure could result in compromising an ongoing criminal investigation, jeopardizing the safety of an individual, causing a suspect to flee or evade detection, or causing evidence to be compromised or destroyed. All crimes tracked on the Clery Incident Reports will be reported in the Annual Security Report if they are determined to be reportable crimes under the Clery Act. Only a reportable crime that is determined to be "unfounded" or "false" as a result of a law enforcement investigation will be excluded from the Annual Security Report. Information contained in the Clery Incident Reports will be updated, as applicable, based on additional information provided by law enforcement authorities.

Brookline College has also set up an email address that students can use if they wish to report non-emergency criminal activity on a voluntary, confidential basis. That email address is campussafety@brooklinecollege.edu. Crimes which are reported in this manner, and which meet the definition of a Clery Act crime are also included in the Annual Security Report.

Brookline College does not maintain campus police or security departments within its campuses; therefore, Brookline College does not maintain a daily crime log.

Collaboration with Local Law Enforcement Agencies

Brookline College makes a reasonable, good faith effort to obtain Clery Act crime statistics from local law enforcement agencies that have jurisdiction over the institution's Clery Act geography as defined in this report. These statistics, along with those statistics obtained from the CSA's, are included in the Annual Security Report. The College does not independently verify the accuracy of statistics obtained from local law enforcement agencies but does provide these agencies with the specific geography to include to help ensure the relevancy and accuracy of these statistics.

Responding to Reports of Criminal Activity

In collaboration with local law enforcement when applicable, Brookline College will investigate and appropriately respond to each report of criminal activity, which includes notifying the victim of the outcome of the investigation and any actions taken. If a reported criminal offense involves a student or employee as the alleged offender, the offender is subject to applicable conduct policies and disciplinary procedures. Disciplinary actions may include expulsion for student offenders and termination for employees, as outlined in the College's policies and procedures.

Outcome of Disciplinary Proceedings

Upon written request, Brookline College will disclose to an alleged victim of a crime of violence or a non-forcible sex offense the outcome of any disciplinary proceeding conducted by the College against the student(s) who is/are the alleged perpetrator(s). Additionally, the College will disclose results upon written request to a victim's next of kin in cases where the crime resulted in the victim's death.

Emergency Notifications and Evacuation Procedures

Brookline College maintains an Emergency Response and Evacuation Plan for each campus, which outlines the duties of responsible parties during emergency situations. The Corporate Safety Team provides guidance and resources for the creation and maintenance of these plans.

General Evacuation Procedures

Brookline College tests the emergency response and evacuation procedures annually at each campus through announced and coordinated exercises and/or drills. These exercises help to prepare employees and students for an orderly evacuation of campus building(s) in the event of an actual emergency; are used as a method to train building occupants on the safety issues specific to their campus building; and can help to familiarize building occupants with the exit locations and sound of the alarm. These exercises also provide an opportunity to test the operation of the alarm system. Documentation of these exercises is maintained by the Corporate Safety Team, including a description of the event, the date it was held, and the time the event started and ended. The College does not maintain student housing, and therefore, is not required to perform annual fire drills.

If an alarm sounds, employees and students are instructed to leave their work/study areas and immediately vacate the building using the nearest exit. Some helpful things to remember in the event of an emergency evacuation are:

- Try to remain calm and do not panic.

- For multi-story campus locations, always remember to use the stairs. NEVER use the elevators.
- To the best of your ability and without jeopardizing your own safety, help others who may need assistance.
- Leave everything that you cannot easily carry with you.
- Do not re-enter the building unless it is deemed safe to do so by an authorized individual.

Emergency evacuation procedures and exit routes are posted throughout campus buildings. Brookline's Emergency Response and Evacuation Plans are maintained on the College's intranet system and can be made available to any member of the campus community by submitting a request to the Campus Director.

As mentioned above, the College does not maintain any student housing, and additionally, does not officially recognize any off-campus student organizations. Therefore, the College does not maintain emergency and evacuation procedures for such facilities and does not maintain a Missing Student Notification Policy for such facilities.

Emergency Notification Procedures

All members of the campus community are urged to call 9-1-1 in case of any significant emergency or dangerous situation on campus. Additionally, in the event of an emergency, the CSA will immediately contact the Corporate Safety Team to report the emergency and confirm necessary action.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and/or safety of the campus community, the College will, without delay and with taking into account the safety of the community, provide immediate emergency notification, unless such notification would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. This process includes: 1) determining who to notify (the entire campus community or a subset, local public police and fire authorities, local law enforcement, other public safety personnel, etc.); 2) determining the content of the notification(s); and 3) initiating the notification process. Emergency notifications will be made by some or all of the following methods: fire alarms, emails, text messages, campus-wide announcements, in-person communications, posting on the internal Student Portal, and/or posting on the College's website.

As a matter of reference, the decision to notify the entire campus community versus only a segment or segments of the campus community is dependent on whether there is at least the potential that a very large percentage of the community will be affected by the situation and/or if the situation threatens the operation of the campus as a whole. In situations where only a segment or segments of the campus community are notified, the College will continue to assess the situation to determine if additional notification to other segments is warranted.

Notification to individuals and/or organizations outside the campus community may be warranted if it is determined that the immediate and/or ongoing threat stretches beyond the Clery geography identified in this report. The decision to notify the larger community will be determined by the Corporate Safety Team and may be performed through emails, text messages, phone calls or in-person communications.

Timely Warning Notification

Upon the reporting of a Clery Act crime which is determined by the CSA and the Corporate Safety Team to represent a serious or continuing threat to students and employees on campus or on public property adjacent to campus facilities, a Timely Warning Notification will be issued. This can include but may not be limited to:

- Incidents of arson

- Murder/non-negligent manslaughter
- Robbery
- Aggravated assault
- Sexual offenses

The decision to issue a Timely Warning Notification is determined by the Corporate Safety Team and is made on a case-by-case basis. This decision is influenced by the nature of the crime, if there is any continuing danger to the campus community, and if there could be the possible risk of compromising any law enforcement efforts. The content of the warning is also dependent on the nature of the crime but will include specifics regarding the actual crime which occurred (to the extent it still provides necessary confidentiality and complies with the institution's FERPA policy) and the steps each member of the campus community can take to protect themselves. At the direction of the Corporate Safety Team, Brookline's Information Technology department will issue Timely Warning Notifications in the form of emails sent through the College's database system. Depending on the nature and severity of the crime, notifications may also be posted on campus bulletin boards and in other visible areas of the campus, such as lounge areas, hallways, and/or classrooms. A Timely Warning Notification will be issued as soon as pertinent information is available and/or within 72 hours of the initial reporting of the criminal occurrence.

Access and Security of Facilities

Campus Facilities

Brookline College uses various methods and equipment to secure campus facilities. The type of methods and quantity of equipment varies campus by campus depending on the size of the facility and/or location. Detailed campus-specific information is included within each campus's Emergency Response and Evacuation Plan, which is available for review by contacting the Campus Director.

For each campus, the Campus Director is responsible for the basic security of facilities, which includes the identification of unsafe conditions, lighting that is not working, and facilitating any and all required maintenance. Public access to the main entrances of campus buildings is unrestricted during normal business hours. Within Brookline College campuses, certain areas are accessible only by electronic badges or keys, and these areas include: employee and executive offices, storage rooms, and rooms controlled by staff from the Information Systems, Facilities, or Maintenance departments. Campuses also utilize some or all of the following measures to help secure campus facilities:

- Use of security cameras and monitors placed at various places throughout the campus
- Ensure all visitors check in at the front desk, wear applicable identification badges, and are escorted
- Locked and/or alarmed doors
- Promote "buddy" systems for students to walk in groups to the parking lot and other nearby areas after hours

Members of the College campus community are encouraged to report any potential unsafe or hazardous conditions to the Campus Director for immediate attention.

Residence Halls and Student Organizations

Brookline College does not maintain residential facilities and does not have any officially recognized student organizations that own or control any off-campus property.

Externship Sites and Clinical Facilities

Students who are physically attending their externship or who are on their clinical rotations follow the host site's safety plan in the case of an emergency.

Drug and Alcohol Abuse Prevention

Brookline College is committed to fostering and maintaining an environment for students and employees that is free of drugs and alcohol. Therefore, the College prohibits the illegal and irresponsible use of alcohol and drugs and will strictly enforce federal, state, and local laws, as well as the College's own policies and procedures which support these laws. To that end, the College has a zero tolerance policy with regard to the possession, use, and sale of alcoholic beverages and illegal drugs on campus. Additionally, the College will strictly enforce applicable state underage drinking laws.

Brookline College employees and faculty are provided with drug and alcohol abuse information and training during orientation and in the employee handbook. Students are provided with the Drug and Alcohol Abuse Awareness and Prevention policy during the enrollment process and provided with training during the orientation process. The Drug and Alcohol Prevention Policy can also be found in the Brookline College catalog and on the College's website. The College refers students in need of drug and/or alcohol abuse counseling to WellConnect, a free counseling service available 24 hours a day, 7 days a week to all enrolled students. Students are encouraged to call 1-866-640-4777 or visit www.wellconnectbysrs.com. Additionally, the Colleges employ Wellness Coaches to assist students in need. Anyone interested in speaking with a Coach should contact the Student Services Department. The College also refers anyone in need of drug and/or alcohol abuse counseling to 2-1-1, a free referral service available 24 hours a day, 7 days a week. Students or employees are encouraged to call 2-1-1 or visit <http://www.211.org/>.

Weapons on Campus

Brookline College does not allow weapons on campus. More specifically, the College prohibits the possession of firearms, explosives, devices which fire metal or other harmful projectiles (e.g., bb or pellet guns), certain knives, or other harmful objects which could be used as weapons while on the College premises. Exceptions to this policy include law enforcement and military personnel who are engaged in the performance of their responsibilities. The campus community is encouraged to report violations of this policy to any CSA or other school official immediately. Anyone found in violation of this policy will be subject to disciplinary action, including termination and/or criminal prosecution.

Policy on Non-Discrimination

To the extent provided by applicable law, including Title IX, no person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any education program or activity sponsored by or conducted by the College on the basis of race, color, national origin, ancestry, religion, sex (including pregnancy, childbirth and related medical conditions), disability (physical or mental), age (40 and older), citizenship status, genetic information, military or veteran status, marital status, sexual orientation, gender identity and gender expression, AIDS/HIV, medical condition, political activities or affiliations, or status as a victim of domestic violence, assault or stalking. Additionally, the College treats a student's gender identity as the student's sex for Title IX purposes, and the College does not treat a transgender student differently from the way it treats other students of the same gender identity.

The requirement not to discriminate in the education program or activity extends to admissions and employment. Any inquiries regarding the application of Title IX may be referred to the College's Title IX

Coordinator, to the U.S. Department of Education’s Office for Civil Rights, or both. Additionally, to report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the College’s Title IX Coordinator (contact information below) or submit a complaint through the College’s complaint portal at www.unitek.ethicspoint.com.

POLICIES AND PROCEDURES TO COMPLY WITH TITLE IX REGULATIONS

In accordance with Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, Brookline College strives to provide an environment free from all forms of harassment, violence and discrimination, including sex discrimination, sex-based harassment, sexual assault, domestic violence, dating violence, and stalking. Such conduct by employees or students is deemed unacceptable behavior and will not be tolerated by the College. The sections which follow detail the College’s efforts to provide an environment for all employees and students which is free from sex discrimination, sex-based harassment, sexual assault, domestic violence, dating violence and stalking. Definitions of terminology used in the following sections is provided directly below to aid in the understanding of these policies, procedures and initiatives.

Definitions of Terminology Used

To aid in the understanding of the College’s policies and procedures regarding Title IX, the following are definitions of terminology used in the remaining sections of this Annual Security Report:

1. **Title IX** – Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
2. **Title IX Coordinator** – the Title IX Coordinator is responsible for coordinating the College’s responses to all complaints involving possible sex discrimination and sex-based harassment. For Brookline College, the Title IX Coordinator contacts are:

Briana Gamble	Sara Cramlet
Compliance Manager / Title IX Coordinator	Senior VP of Human Resources
1401 Dove Street, Suite 340	1401 Dove Street, Suite 340
Newport Beach, CA 92660	Newport Beach, CA 92660
(602) 858-6305 or bgamble@unitek.com	(949) 407-6685 or scramlet@unitek.com
3. **Sex Discrimination** – under Title IX, sex discrimination includes, but is not limited to, sex-based harassment, sexual violence and pregnancy discrimination.
4. **Complaint** – an oral or written request to the College that objectively can be understood as a request for the College to investigate and make a determination about alleged discrimination under Title IX or its regulations.
5. **Complainant** – 1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or 2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the College’s education program or activity at the time of the alleged sex discrimination.
6. **Respondent** – an individual who is alleged to have violated the College’s prohibition on sex discrimination.

7. **Disciplinary sanctions** – consequences imposed on a respondent following a determination under Title IX that the respondent violated the College’s prohibition on sex discrimination.
8. **Remedies** – measures provided, as appropriate, to a complainant or any other person the College identifies as having had their equal access to the College’s education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person’s access to the College’s education program or activity after the College determines that sex discrimination occurred.
9. **Supportive Measures** – individualized services offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to: 1) Restore or preserve that party’s access to the College’s education program or activity, including measures that are designed to protect the safety of the parties or the recipient’s educational environment; or 2) Provide support during the recipient’s grievance procedures or during an informal resolution process.

Policy on Sex-Based Harassment

Brookline College will respond promptly and equitably to complaints of sex-based harassment made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- *Quid pro quo harassment* – An employee, agent, or other person authorized by the College to provide an aid, benefit, or service under the College’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;
- *Hostile environment harassment* – Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant’s ability to access the recipient’s education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties’ ages, roles within the recipient’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in the recipient’s education program or activity.
- *Specific offenses* - “Sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined under the Violence Against Women Act (VAWA) – *please see definitions included in the next section.*

Brookline College considers sex-based harassment a serious offense, and any violation of this policy which is determined through the investigation process will constitute cause for disciplinary action. Investigations are

conducted by individuals who receive training on the issues related to sex-based harassment, including domestic violence, dating violence, sexual assault and stalking. Specific disciplinary action will be based on the severity of the incident and/or the degree to which repeated incidents have occurred. Such disciplinary actions for employees may include, but are not limited to, verbal warnings, letters of reprimand, suspension with or without pay, and termination. Such disciplinary actions for students may range from counseling to suspension and/or expulsion.

Brookline College is committed to preventing acts of sex-based harassment and encourages any student or employee to report such acts immediately. Any person can report sexual misconduct in person, by mail, by telephone, or by email, using the contact information for the Title IX Coordinator. A report can be made at any time, including during non-business hours. However, responses to reports made outside of business hours, including during weekends and holidays, may be delayed. Along with taking these allegations very seriously, the College has also established procedures which provide a person accused of harassment the opportunity to respond to allegations.

Upon receiving a complaint of sex-based harassment, the College will treat complainants and respondents equitably by offering supportive measures and by following the grievance process detailed on the subsequent pages of this Annual Security Report before the imposing any disciplinary sanctions or other actions, which are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, and inform the complainant of the availability of supportive measures.

If the College determines that there is an immediate threat to the physical health or safety of any students or other individual arising from the allegation(s) of sex-based harassment, the College may remove the respondent from the educational program or activity. If this occurs, the respondent will be provided with notice and an opportunity to challenge the decision immediately upon removal. In the event the respondent is a non-student employee, the College may place the employee on administrative leave during the investigative process.

Policy on the Awareness and Prevention of Dating Violence, Domestic Violence, Stalking and Sexual Assault

Brookline College strongly prohibits acts of dating violence, domestic violence, stalking, and sexual assault and is committed to fostering an environment of awareness and prevention. To that end, the College will investigate and/or execute disciplinary actions for all offenses of dating violence, domestic violence, stalking and sexual assault when the institution is made aware of such an occurrence.

Anyone can be the victim of sexual assault, domestic violence, dating violence, or stalking, regardless of race, age, sexual orientation, religion, or gender. These offenses can impact individuals of all education levels and socioeconomic backgrounds and may occur in both opposite-sex and same-sex relationships, as well as between intimate partners who are married, living together or dating.

These offenses not only affect the victims but can also have a negative impact on family members, friends, co-workers, other witnesses, and the community at large. Children who grow up witnessing domestic violence may be among those seriously affected by this type of crime. Frequent exposure to violence in the home not only predisposes children to potential social and physical problems but may also teach them that violence is a normal way of life, increasing the risk of them becoming society's next generation of victims and abusers.

To aid in identifying these offenses, we are providing the following definitions per the Violence Against Women

Act of 1994 (VAWA). Please note that local jurisdiction definitions are also included, where available:

1. **Dating Violence** – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. The states of Arizona and New Mexico include “dating violence” under domestic violence statutes.
2. **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; and/or 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.

Per Arizona Revised Statute 13-3601: A crime of violence or criminal damage, if any of the following apply: 1) The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household; 2) The victim and the defendant have a child in common; 3) The victim or the defendant is pregnant by the other party; 4) The victim is related to the defendant or the defendant’s spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law; 5) The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant; 6) Dating Violence - the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship; (b) The length of the relationship; (c) The frequency of the interaction between the victim and the defendant; and (d) If the relationship has terminated, the length of time since the termination.

Per New Mexico Statutes 30-3-10, et seq., “Crimes Against Household Members Act”: “Domestic violence” is defined as felony and misdemeanor crimes under the New Mexico Crimes Against Household Members Act. Crimes included under the New Mexico Crimes Against Household Members Act are assault, aggravated assault, assault with intent to commit a violent felony, battery and aggravated battery. A “household member” is a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, a co- parent or a child, or a person with whom someone has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member under the Act. In addition, under the New Mexico Family Violence Protection Act, violation of a court-issued order or protection granted to protect an individual who has experienced sexual violence or misconduct or domestic abuse is a misdemeanor crime. Regarding “dating violence,” under New Mexico Crimes Against Household Members Act, someone with whom a person has a dating or intimate relationship is considered to be a household member. Any of the felony and misdemeanor crimes enumerated as domestic

violence in the Crimes Against Household Members Act are also crimes when committed against someone with whom the offender has a dating or intimate relationship.

3. **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.

Per Arizona Revised Statute 13-2923: A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to: 1) Suffer emotional distress or reasonably fear that either: (a) The victim’s property will be damaged or destroyed. (b) Any of the following will be physically injured: (i) The victim. (ii) The victim’s family member, domestic animal, or livestock. (iii) A person with whom the victim has or has previously had a romantic or sexual relationship. (iv) A person who regularly resides in the victim’s household or has resided in the victim’s household within the six months before the last conduct occurred. 2) Reasonably fear death or the death of any of the following: (a) The victim’s family member, domestic animal or livestock. (b) A person with whom the victim has or has previously had a romantic or sexual relationship. (c) A person who regularly resides in the victim’s household or has resided in the victim’s household within the six months before the last conduct occurred. “Course of conduct:” (a) Means directly or indirectly, in person or through one or more third persons or by any other means, to do any of the following: (i) Maintain visual or physical proximity to a specific person or direct verbal, written or other threats, whether express or implied, to a specific person on two or more occasions over a period of time, however short. (ii) Use of any electronic, digital or global positioning system device to surveil a specific person or a specific person’s internet or wireless activity continuously for 12 hours or more or on two or more occasions over a period of time, however short, without authorization. (iii) Communicate, or cause to be communicated, on more than one occasion words, images or language by or through the use of electronic mail or electronic communication that is directed at a specific person without authorization and a legitimate purpose. (b) Does not include constitutionally protected activity or other activity authorized by law, the other person, the other person’s authorized representative or if the other person is a minor, the minor’s parent or guardian. “Emotional distress” means significant mental suffering or distress that may, but does not have to, require medical or other professional treatment or counseling.

Per New Mexico Statutes 30-3A-3, et seq., “Stalking”: Under New Mexico law, “stalking” is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. “Aggravated stalking” consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly weapon or when the victim is under sixteen years of age.

4. **Sexual Assault** – an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting system. Further, a sexual offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Per Arizona Revised Statute 13-1406: A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without the consent of each person.

State of New Mexico Definition of Sexual Violence: Sexual violence refers to physical sexual acts perpetrated with force or coercion against a person's will; or where a person has not given consent as defined in this policy or is unable to consent due to the use of alcohol or drugs, disability, or age. It may include sexual assault, forcible fondling, or any other conduct of a sexual nature that is nonconsensual. Sexual violence is a crime. 1) Rape/sexual assault: non-consensual sexual intercourse (either vaginal or anal) with a penis, vagina, tongue, finger, or any object. 2) Non-consensual oral sex: non-consensual contact between one person's mouth and the genitals or anus of another person. 3) Sexual contact/battery: non-consensual touching, kissing, or fondling of another person in a sexual way, whether the person is clothed or unclothed; or forcing someone to touch another in a sexual way. 4) Sexual coercion: the act of using pressure, alcohol or drugs, or force to have sexual contact with someone against the individual's will and includes persistent attempts to have sexual contact with someone who has already refused.

- a. **Consent** – when someone agrees, gives permission, or says “yes” to sexual activity with other persons. Consent is always freely given and all people in a sexual situation must feel that they are able to say “yes” or “no” or stop the sexual activity at any point. Consent must be voluntarily given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional, psychological, physical, reputational, financial pressure, threat, intimidation, or fear (coercion or force).
- b. **Without Consent (Arizona Revised Statute 13-1401)** – “Without consent” includes any of the following: 1) The victim is coerced by the immediate use or threatened use of force against a person or property. 2) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another. 3) The victim is intentionally deceived as to the nature of the act. 4) The victim is intentionally deceived to erroneously believe the person is the victim's spouse.
- c. **Force or Coercion (New Mexico Statute 30-9-10)** – New Mexico defines “force or coercion” as: 1) the use of physical force or physical violence; 2) the use of threats to use physical violence or physical force against the victim or another when the victim believes that there is a present ability to execute the threats; 3) the use of threats, including threats of physical punishment, kidnapping, extortion or retaliation directed against the victim or another when the victim believes that there is an ability to execute the threats; 4) the perpetration of criminal sexual penetration or criminal sexual contact when the perpetrator knows or has reason to know that the victim is unconscious, asleep or otherwise physically helpless or suffers from a mental condition that renders the victim incapable of understanding the nature or consequences of the act; or 5) the perpetration of criminal sexual penetration or criminal sexual contact by a psychotherapist on his patient, with or without the patient's consent, during the course of psychotherapy or within a period of one year following the termination of psychotherapy. Physical or verbal resistance of the victim is not an element of force or coercion.
- d. **Rape** – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Per Arizona Revised Statute 13-1406 et seq.: Sexual assault (commonly called **rape**) occurs when a person intentionally or knowingly engages in sexual intercourse or oral sexual contact without the other person's consent.

Per New Mexico Statute 30-9-11 et seq.: Rape (also known as criminal sexual penetration) is intentionally causing another person to have unlawful sex or causing the penetration of another person's genital or anal opening.

- e. **Fondling** – the touching of the private body 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.
- f. **Incest** – non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Per Arizona Revised Statute 13-3608: Persons who are eighteen or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other are guilty of incest.

Per New Mexico Statute 30-10-3: Incest consists of knowingly intermarrying or having sexual intercourse with persons within the following degrees of consanguinity: parents and children including grandparents and grandchildren of every degree, brothers and sisters of the half as well as of the whole blood, uncles and nieces, aunts and nephews.

- g. **Statutory Rape** – non-forcible sexual relations involving someone below the “age of consent”. A person below the age of consent cannot legally consent to having sex. This means that sex with them, by definition, violates the law. Statutory rape laws vary by state, with states setting the age of consent differently, as well as using different names to refer to this crime.

Per Arizona Revised Statutes 13-1401, 13-702-706, 13-1423: A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years of age.

Per New Mexico Statute 30-9-13: Criminal sexual contact of a minor is the unlawful and intentional touching of or applying force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one's intimate parts. For the purposes of this section, "intimate parts" means the primary genital area, groin, buttocks, anus or breast. Criminal sexual contact of a minor in the second degree consists of all criminal sexual contact of the unclothed intimate parts of a minor perpetrated: (1) on a child under thirteen years of age; or (2) on a child thirteen to eighteen years of age when: (a) the perpetrator is in a position of authority over the child and uses that authority to coerce the child to submit; (b) the perpetrator uses force or coercion that results in personal injury to the child; (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or (d) the perpetrator is armed with a deadly weapon. Criminal sexual contact of a minor in the third degree consists of all criminal sexual contact of a minor perpetrated: (1) on a child under thirteen years of age; or (2) on a child thirteen to eighteen years of age when: (a) the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit; (b) the perpetrator uses force or coercion which results in personal injury to the child; (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or (d) the perpetrator is armed with a deadly weapon.

Minimizing Risk

Throughout this report, Brookline College suggests ways to help minimize the risk of becoming a victim of criminal acts, including sexual offenses. These suggestions for risk reduction are not meant in any way to

attribute blame to victims, but to provide an educational basis for identifying the signs of abuse. A perpetrator's actions should never be excused or overlooked because of a victim's behavior or judgments.

Engaged Bystander Intervention

Bystanders 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, and/or do something about it. A bystander is someone who is present and thus potentially in a position to discourage, prevent or interrupt an incident. Engaged bystander intervention is the act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence. Bystander intervention does not have to jeopardize the safety of the bystander.

Brookline College is an advocate for bystander intervention when it is conducted in a positive and safe manner and when it is executed to prevent harm in the event of potential domestic violence, dating violence, stalking or sexual assault on a person other than the bystander. Knowing how and when to intervene may be dependent in part on recognizing the situation as an emergency or non-emergency. A potential bystander can use the following steps to help decide if and how to intervene:

5 Decision Making Steps

1. Observing the event
2. Interpreting the event as a problem
3. Assuming personal responsibility
4. Knowing how to intervene
5. Implementing the intervention

Strategies If There Appears to be an Emergency Situation

Something to remember in a perceived emergency situation is not to take any action that may escalate the situation or put you or the victim in danger. You can decide to intervene directly (you are the primary helper) or indirectly (you enlist someone else to be the primary helper, e.g. the police, other students, school administrators, etc.). Whichever way you decide on how to intervene, remember to keep the person calm, gather as much information as you can, consider all options, and provide support. The following strategies are not meant to be all inclusive and may not apply in every situation, but are being providing as effective strategies for intervention in an emergency situation:

- Identify the best exit strategies for those involved to get out of the situation. If prudent, create a distraction to potentially allow the victim to get to a safe place.
- State any and all requests clearly and directly.
- Consider all actions before intervening and choose the safest methods.
- Remember that verbal fights can quickly escalate to physical fights. If this happens, it is sometimes better to walk away and not try to be a hero.
- Act quickly but safely before a problem turns into a larger problem or crisis.
- Vocalize your commitment to help and engage other bystanders, as needed.
- Consider your personal exposure or liability regarding actions you know about which are criminal.
- If it is not safe for you to intervene directly, call 9-1-1.

Strategies in a Non-Emergency Situation

Similar to intervening in an emergency situation, a bystander can decide whether to act directly or indirectly as the best approach in a non-emergency situation. A direct intervention is speaking to the person directly, and an indirect intervention is speaking to another person who could be helpful or provide guidance, such as another student or a school employee. Again, the following strategies are not meant to be all inclusive and may not apply in every situation, but are being providing as effective strategies for intervention in a non-emergency situation:

- When evaluating the situation, remember to consider the frequency, duration and severity of the actions.
- Always be sensitive, understanding and non-judgmental.
- Recognize what you can and cannot do to help and engage others as needed.
- Identify the “red flags” and anticipate problems in advance of them happening.
- Create a distraction to delay or avoid a situation before it turns into an emergency.
- Do not make excuses for (or otherwise enable) the other person – hold strong to your beliefs regarding the situation.
- Hold any and all conversations in a safe environment.

For more information on bystander intervention, please visit the following helpful resources:

1. Step UP!, a bystander intervention program - <http://stepupprogram.org/>
2. The National Sexual Violence Resource Center - <https://www.nsvrc.org/projects/engaging-bystanders-sexual-violence-prevention/bystander-intervention-resources>
3. Sexual Violence Bystander Intervention Toolkit - <https://www.health.ny.gov/publications/2040.pdf>
4. The Rape, Abuse and Incest National Network (RAINN) - <https://www.rainn.org/articles/your-role-preventing-sexual-assault>
5. No More - <https://www.nomore.org/bystander-basics/>

Signs of Stalking

Stalking is a form of emotional abuse which may lead to physical and/or sexual abuse, and may be perpetrated by an acquaintance, friend, past or current spouse or significant other, or by a complete stranger. The following examples may be indicators that you are being stalked:

- You receive repeated, unwanted, intrusive, and/or frightening communications from the perpetrator by phone, text message, email and/or mail
- An individual repeatedly leaves or sends you unwanted items or gifts
- An individual waits for you at places such as your home, school, place of employment, or other places you frequent
- You are receiving threats of harm to you personally, your children, relatives, friends, and/or pets
- You experience damage to your home, vehicle or other personal property
- You are being harassed, defamed and/or monitored through social media

This list is not meant to be all-inclusive but can provide examples to help you determine whether you or someone you know is being stalked. If so, please contact a CSA at your campus or seek other resources and support for help.

Examples of Domestic and Dating Violence

Acts of domestic or dating violence can take on many different forms of abuse, among them being the following:

- **Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. This includes, but is not limited to, rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.
- **Physical Abuse:** Slapping, hitting, grabbing, shoving, pinching, biting, hair pulling, etc. are all types of physical abuse. This type of abuse can also include denying a partner medical care or forcing alcohol and/or drugs use upon him or her.
- **Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. Emotional abuse may include, but is not limited to, constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.
- **Economic Abuse:** Making or attempting to make a person financially dependent by maintaining complete control over financial resources, withholding one's access to money, or preventing an individual's attendance at school or employment.
- **Psychological Abuse:** Elements of psychological abuse include but are not limited to causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property and forcing isolation from family, friends or school and/or work.

The following scenarios may be indicators that domestic or dating violence is occurring or may lead to instances of violence or abuse:

- Your spouse or significant other checks up on you constantly by calling or texting you and becomes anxious when he or she does not know your whereabouts
- You feel isolated from your friends or family members because your spouse or significant other is demanding of your time and acts jealous when you talk to or spend time with others
- A person you are dating becomes possessive and gets too serious about the relationship too quickly
- A spouse or significant other expects or demands sexual contact when you are not interested or not willing to engage
- Your spouse or significant other constantly demeans you by putting you down or calling you names
- Your spouse or significant other threatens violence and/or abuses you physically, verbally and/or sexually
- Your spouse or significant other does not accept responsibility for his or her actions
- You discover someone is obtaining personal information about you by accessing public records, using internet search services, hiring private detectives, rummaging through your trash, contacting your friends, family, co-workers, neighbors, etc.

While understanding the signs of abuse and taking measures to reduce the risk of abuse may be steps to help explain the context of violence and may act as a deterrent, it can never be used to place blame on the victim or guarantee that violence will not occur. It is important to remember that when violence or abuse occurs, the perpetrator, not the victim, is responsible for his or her actions, and the victim's judgement or behavior is never an excuse for those actions.

If you have been a victim or believe you might become a victim of domestic or dating violence, taking the following proactive measures may help increase your safety:

In the home

- Know where and/or from whom to get help, and memorize and/or program emergency phone numbers
- Plan your escape route when needed, and ensure all other inhabitants know it

- Pack a bag with cash, keys, and important documents and have it accessible in case you have to leave your home quickly

Outside the home

- Vary your travel routes and shop and bank at different places, if possible
- Keep your cell phone with you and ensure 9-1-1 is programmed, along with any other emergency numbers
- Provide a picture of your abuser to friends and co-workers
- Avoid going to lunch alone

In an Emergency Situation

- If you are able to, dial 9-1-1 immediately
- If in your home, stay away from the kitchen, as the abuser may easily obtain a weapon (i.e., a knife)
- Get to a lockable room which has a phone and a window or door to escape
- If you can escape, make a lot of noise and run to a nearby trusted neighbor for help

General Strategies to Help Prevent Sexual Assault or Other Violent Crimes

The following are proactive measures an individual can take which may minimize the risk of you becoming the victim of sexual assault and may help contribute to the overall safety and security of your campus community:

- Use a “buddy” system and avoid walking alone, especially at night. Travel in well-lit areas and in pairs or a group, if possible. Avoid deserted areas and shortcuts.
- Let family and friends know where you are going, your method of transportation, and when you will return.
- Never hitchhike or get in a stranger’s car.
- Avoid excessive alcohol consumption, which may impair judgment, especially in unfamiliar surroundings or situations. Additionally, to that end:
 - Be aware of rape drugs.
 - Do not leave your drink unattended and keep track of how many drinks you have had.
 - Only drink from un-opened containers or from drinks you have watched being made and poured.
 - Avoid group drinks like punch bowls.
 - If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find a friend and have him/her help you leave as soon as possible.
 - If you feel you have been drugged, get to a hospital to be tested.
- Always lock your door when you are home or away.
- Always lock your vehicle and keep your keys with you at all times.
- When possible, leave items of value at home.
- If you need to have valuables with you, never leave them visible in your vehicle.
- Avoid being distracted (talking on your cell phone, texting, etc.) when walking through parking lots or in other public areas.
- Do not leave personal property unattended in classrooms, labs, or in the student lounge.

- If you feel unsafe or threatened, contact the Front Desk Receptionist or a designated CSA, or dial 9-1-1.

Although the steps listed above cannot guarantee that criminal activity will not occur, they may serve as deterrents and reduce the risk of crime occurring.

Policy on Retaliation

Brookline College believes strongly that students and employees have the right to be free from retaliation and intimidation in any form. To that end, Brookline College and its administration will not allow for intimidation, threats, coercion, or discrimination against any individual by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing, including in an informal resolution, in grievance procedures, and in any other actions taken by the College. Therefore, the College prohibits retaliation as described above, including peer retaliation. If the College has information about conduct that reasonably may constitute retaliation, the College will take the same actions as if it had received notice of sex discrimination.

Any student or employee who is experiencing retaliation and/or intimidation should report this immediately to the Title IX Coordinator, the Human Resources Department, a Campus Security Authority, or to a member of the Corporate Security Team as identified in this Annual Security Report.

Policy on Voluntary Reporting

Brookline College encourages any victim of sexual assault, domestic violence, dating violence or stalking to notify law enforcement immediately; however, the ultimate decision to do so and/or when to do so must reside with the victim. All victims have the right to deny assistance from or involvement with law enforcement. If a victim does decide to report the crime to law enforcement, the following one of two things can happen:

1. The victim can file a complaint but request not to have charges filed against the accused perpetrator(s). The decision to file charges can be made at a later time, but depending on the amount of time that passes, evidence may be lost or unusable. Therefore, it is important that victims cooperate fully with any ongoing investigation and have a rape kit completed (if rape was involved) so that the chances for filing criminal charges in the future are greater, if so desired.
2. The victim can file a complaint and press charges immediately. This would involve full cooperation with law enforcement and the prosecutor's office to determine if the accused perpetrator can and will be charged criminally.

In addition to reporting the crime to law enforcement, victims should report these crimes to either or to both of the following College officials:

Briana Gamble
Compliance Manager / Title IX Coordinator
1401 Dove Street, Suite 340
Newport Beach, CA 92660
(602) 858-6305
bgamble@unitek.com

Sara Cramlet
Senior VP of Human Resources
1401 Dove Street, Suite 340
Newport Beach, CA 92660
(949) 407-6685
scramlet@unitek.com

Any person may report sex discrimination or sex-based harassment (including sexual assault, domestic violence, dating violence, and stalking) in person, by mail, by telephone, or by email using the contact information above. The report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office addresses listed above. The College will assist by providing options for outside resources, pursuing an investigation, and/or conducting applicable disciplinary proceedings/actions.

Crime Awareness and Prevention Program

The previous sections of this report contain policies and procedures which are designed to inform students and employees about campus security and to encourage and promote responsibility for their own security and the security of others. Employees and students are made aware of all services Brookline College provides during their respective orientations, in the college catalog, in student and employee handbooks, and in Brookline's policies and procedures, which includes this security report distributed annually and available to all students and employees 24 hours a day, 7 days a week. Brookline College's crime awareness and prevention program consists of promoting campus community awareness; providing suggestions and methods to minimize the risk of campus crime and violence; providing applicable resources to assist victims of crime; publishing crime statistics on an annual basis in the Annual Security Report; and ensuring that applicable investigations and disciplinary proceedings are conducted in the event of a crime occurring. Through the administration of this program, the College is committed to cultivating and providing an environment that is free of criminal activity and maintains a zero tolerance policy for criminal activity and sexual assault. In addition, the College feels strongly that increased safety and security can be achieved through the efforts of the entire campus community.

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

Brookline College's program includes community-wide awareness and is focused on the prevention of domestic violence, dating violence, sexual assault and stalking. In accordance with Clery Act requirements, the program is 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 considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

As stated above, Brookline's program consists of primary prevention and awareness programs for all incoming students and new employees and provides for ongoing reinforcement and continual training opportunities for both students and employees. The components of this program are described throughout this Annual Security Report and consist of the following components:

1. Brookline's assertion that crimes of domestic violence, dating violence, sexual assault and stalking are strongly prohibited.
2. Definitions of domestic violence, dating violence, sexual assault, stalking, and what constitutes consent, including applicable definitions under local jurisdiction (states of Arizona and New Mexico).
3. Affirmation of Brookline's support for safe and positive bystander intervention and providing effective strategies and relevant resources.
4. Signs of domestic abuse, dating abuse, sexual assault and stalking to help students and employees identify when it could be happening to them.
5. Strategies to reduce the risk of becoming a victim of sexual assault or other violent crimes.

6. Procedures that victims should follow in the event of domestic abuse, dating abuse, sexual assault and/or stalking.
7. Efforts made by Brookline College to protect the confidentiality of victims and other applicable parties.
8. Current listing of applicable online and off-campus resources, categorized by location, for local law enforcement, emergency services, legal assistance, victim advocacy, restraining orders, and other services available for victims of sexual assault and/or abuse.
9. Options for assistance with protective orders and changes to living, working, transportation and school situations and schedules.
10. Procedures for applicable investigations and/or disciplinary actions in cases of alleged domestic violence, dating violence, sexual assault and stalking.

Primary Prevention and Awareness Program

Brookline College has contracted with 360 Stay Safe (Omnigo Software) to deliver its VAWA Compliance Training program to incoming students and new employees. 360 Stay Safe provides holistic and community-based prevention/awareness training for higher education students and employees. This training is designed to equip students and employees with relevant, practical and effective skills for building safe and healthy campus communities. The VAWA Compliance Training program for students includes both primary prevention and awareness components and consists of the following four modules/topics:

- *Forming Healthy Relationships* – covers relationship values and basic relational skills; recognizing healthy relationships and preventing relationship violence; identifying unhealthy relationships and warning signs of domestic and dating violence.
- *Sexual Assault* – includes definitions of non-consensual sex, sexual assault, acquaintance rape and date rape; legal consequences for these violent crimes; sexual violence; sexual assault prevention; ways to empower participants and others; and common myths regarding sexual assault.
- *Stalking* – discusses harmful behaviors that can lead to dangerous situations, including assault, such as subtle threats, emotional abuse, harassment, cyberstalking, and stalking.
- *Bystander Intervention* - with a focus on bystander intervention training and crisis intervention techniques, this module offers practical ways to empower members of your campus community to protect one another and equips participants to see bystander intervention as a natural extension of their global citizenship.

VAWA Compliance Training for employees includes the following primary prevention and awareness learning points:

- There are different forms of sexual misconduct, and there are legal consequences for these violations.
- It is important to understand the definition of consent, and how to communicate consent.
- There are safe and positive options for bystander intervention or intervening on behalf of someone in need.

Both the student and employee programs provide opportunities for assessment by posing quiz questions at the end of each video module to assess the learner's comprehension of the subject matter. Learners must correctly answer the questions prior to moving on in the system. Incoming students and new employees are assigned this training as part of their orientation process. The materials are also available to all students and employees 24 hours a day, 7 days a week, and as an ongoing campaign, students and employees are encouraged to revisit topics and retest as needed or desired. Additionally, to promote ongoing prevention and awareness for students

and employees, informational notices are posted on campus bulletin boards and email blasts and/or social media posts are provided as applicable.

If You Are a Victim of Sexual Assault or Domestic Violence

If you become the victim of a sexual assault or domestic violence, you should consider calling the police and seeking medical attention immediately. Additionally, if you fear for your safety or others around you, filing a protective order may be a good idea. We also encourage victims to report the offense to a CSA who will coordinate with Brookline College's Title IX Coordinator to provide you with support and resources, including assistance with notifying local law enforcement authorities, if so desired.

It is important to remember that being the victim of a sexual assault or domestic violence is not your fault. Nothing in what you said, the way you looked, where you were, or who you were with gives anyone the right to assault you. But regardless of this not being your fault in any way, you may still be feeling afraid, ashamed, angry, sad, helpless, betrayed or depressed. For this reason, it is important for you to seek help immediately after the attack and in the days and weeks following. The following are some things you can do if you have been sexually assaulted:

- If you are in danger or need medical care, call 9-1-1. If you can, get away from the person who assaulted you and get to a safe place as fast as you can.
- Save everything that may have the attacker's DNA on it. Do not brush, comb or clean any part of your body. Do not change clothes, if possible. Do not touch or change anything at the scene of the assault. That way the local police will have physical evidence from the person who assaulted you.
- Go to the nearest hospital emergency room as soon as possible, where you can be examined and treated for any injuries. In case of rape, you can be given medication to prevent HIV and other sexually transmitted infections and emergency contraception to prevent pregnancy. A doctor or nurse will use a rape kit to collect evidence which may include fibers, hair, saliva, semen or clothing left behind by the attacker.
- If you think you were drugged, talk to the hospital staff about being tested for date rape drugs, such as Rohypnol, Gamma Hydroxybutyrate (GHB), and other drugs.
- Call a friend or family member you trust or call a crisis center or hotline to help you find support and resources near you.

Students who are victims of sexual assault or domestic violence are also encouraged to contact WellConnect, a free counseling service available 24 hours a day, 7 days a week to all enrolled students. Students are encouraged to call 1-866-640-4777 or visit www.wellconnectbysrs.com. Additionally, the Colleges employ Wellness Coaches to assist students in need. Anyone interested in speaking with a Coach should contact the Student Services Department. The College also refers anyone who is a victim of sexual assault to 2-1-1, a free referral service available 24 hours a day, 7 days a week. Students or employees are encouraged to call 2-1-1 or visit <http://www.211.org/>. Following are some other online and off-campus resources to help prevent sexual assault and/or to help you in the event of sexual assault or domestic abuse:

Online Resources:

1. The Rape, Abuse and Incest National Network (RAINN) is the nation's largest anti-sexual assault organization. The following strategies are recommended by RAINN to reduce potential risk:
 - a. Steps you can take in a social situation to prevent sexual assault
<https://rainn.org/articles/steps-you-can-take-prevent-sexual-assault>

- b. Safety planning
<https://www.rainn.org/articles/safety-planning>
 - c. How to respond if someone is pressuring you
<https://www.rainn.org/articles/how-respond-if-someone-pressuring-you>
 - d. Staying safe on campus
<https://www.rainn.org/articles/staying-safe-campus>
 - e. Your role as a bystander in preventing sexual assault
<https://rainn.org/articles/your-role-preventing-sexual-assault>
 - f. What consent looks like
<https://rainn.org/articles/what-is-consent>
 - g. Protecting a child from sexual assault
<https://rainn.org/articles/how-can-i-protect-my-child-sexual-assault>
2. The United States Department of Justice
<https://www.justice.gov/ovw/sexual-assault>
3. Next Door Solutions to Domestic Violence
<http://www.nextdoor.org/>
4. The National Domestic Violence Hotline operates 24 hours a day, seven days a week, is confidential and free of cost, and provides lifesaving tools and immediate support to enable victims to find safety and live lives free of abuse:
 - a. Help for Survivors
<http://www.thehotline.org/help/help-for-survivors/>
 - b. Plan for Safety
<https://www.thehotline.org/plan-for-safety/>
 - c. Survivor Stories
<https://www.thehotline.org/resources/jennifers-story/>
 - d. Domestic Violence Shelter Resources
<https://www.thehotline.org/resources/domestic-violence-shelter-resources/>

Off Campus Resources:

Brookline College does not offer resources on campus regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student and financial aid. However, students and employees can access local off-campus resources and public services, such as:

Phoenix, Arizona

Local Police Department	Phoenix Police Department 12220 N 39 th Ave. Phoenix, AZ 85029 (602) 495-5009 www.phoenix.gov/police
Hospital Emergency Room	Honor Health John C. Lincoln Hospital 250 E Dunlap Phoenix, AZ 85020 (602) 943-2381 https://www.honorhealth.com/locations/hospitals/john-c-lincoln-medical-center
Protective Orders	Phoenix Municipal Court 300 West Washington St. Room 608 Phoenix, AZ 85003 (602) 262-6421 https://www.phoenix.gov/court/protection-orders
Victim Advocacy Services	Phoenix Crime Victim Services Center 300 West Washington St. Phoenix, AZ 85003 (602) 261-8192 https://www.phoenix.gov/law/victims
Legal Assistance	Arizona Foundation for Legal Services & Education 4201 N. 24 th St. Phoenix, AZ 85016 (602) 773-3105 https://www.azflse.org/azdomesticviolence/contactus.cfm
Sexual Assault Crisis Services	Phoenix Family Advocacy Center 2120 N. Central Avenue Phoenix, AZ 85004 (602) 534-2120 www.phoenix.gov/humanservices/programs/victims/fac
Shelter/Housing Assistance	Arizona Department of Economic Security (602) 542-6638 https://des.az.gov/services/basic-needs/shelter-housing/homeless-services
Services for Male Victims	1in6 Online Support Groups https://1in6.org/about-1in6/

Tempe, Arizona

Local Police Department	<p>Tempe Police Department 120 E. 5th St. Tempe, AZ 85281 (480) 350-8311 https://www.tempe.gov/government/police</p>
Hospital Emergency Room	<p>Tempe St. Luke's Hospital 1500 S. Mill Ave. Tempe, AZ 85281 (480) 784-5500 https://www.tempestlukeshospital.org/services-directory/emergency-care</p>
Protective Orders	<p>Tempe Municipal Court 140 E 5th St. Tempe, AZ 85281 (480) 350-8271 https://www.tempe.gov/government/city-court</p>
Victim Advocacy Services	<p>Tempe Victim Assistance City Hall 31 E. 5th St. Tempe, AZ (480) 350-4311 https://www.tempe.gov/government/city-attorney-s-office/victim-services</p>
Legal Assistance	<p>Arizona Justice Institute P.O. Box 311 Phoenix, AZ 85001 (602) 252-3432 https://lawyers.justia.com/legalservice/arizona-justice-institute-9014</p>
Sexual Assault Crisis Services	<p>Phoenix Family Advocacy Center 2120 N. Central Avenue Phoenix, AZ 85004 (602) 534-2120 www.phoenix.gov/humanservices/programs/victims/fac</p>
Shelter/Housing Assistance	<p>I-HELP Emergency Shelter 2146 E. Apache Blvd, Tempe, AZ 85281 (480) 422-8922 https://tempeaction.org/get-help/housing-stability/i-help-emergency-shelter.html</p>
Services for Male Victims	<p>1in6 Online Support Groups https://1in6.org/about-1in6/</p>

Tucson, Arizona

Local Police Department	Tucson Police Department 1100 S. Alvernon Way Tucson, AZ 85711 (520) 791-4444 https://www.tucsonaz.gov/
Hospital Emergency Room	Tucson Emergency Room and Hospital 4575 E Broadway Blvd. Tucson, AZ 85711 (520) 375-9111 https://tucsonerhospital.com/contact/
Protective Orders	Tucson City Protection Orders 103 E. Alameda St. Tucson, AZ 85701 (520) 791-4971 https://www.jp.pima.gov/Info/CaseTypes/ProtectionOrders.html
Victim Advocacy Services	Pima County Victim's Services Office 32 N. Stone Avenue Tucson, AZ 85701 (520) 724-5600 https://www.pcao.pima.gov/pcao-divisions/victim-services/#:~:text=If%20you%20are%20a%20victim,to%20speak%20with%20an%20advocate.
Legal Assistance	Southern Arizona Legal Aid Inc. 2343 E. Broadway Blvd. #200 Tucson, AZ 85719 (520) 623-9465 https://www.sazlegalaid.org/
Sexual Assault Crisis Services	Southern Arizona Center Against Sexual Assault 1600 N. Country Club Rd. Tucson, AZ 85716 (520) 327-1171 https://www.sacasa.org/
Shelter/Housing Assistance	Arizona Department of Housing 1002 N. Main Ave. Tucson, AZ 85705 (520) 622-5411 https://housing.az.gov/general-public/homeless-assistance?page=2
Services for Male Victims	1in6 Online Support Groups https://1in6.org/about-1in6/

Albuquerque, New Mexico

Local Police Department	Albuquerque Police Department 2060 Central Ave. SW Albuquerque, NM 87104 (505) 244-6643 https://www.cabq.gov/police
Hospital Emergency Room	Emergency Room – Presbyterian Hospital 1100 Central Ave. SE Albuquerque, NM (505) 841-1234 https://presbyterian-hospital.phs.org/Pages/default.aspx?utm_source=gmb
Protective Orders	Second Judicial District Court Bernalillo County 400 Lomas Blvd. NW Albuquerque, NM 87102 (505) 841-8400 https://seconddistrictcourt.nmcourts.gov/
Victim Advocacy Services and Legal Assistance	Victim’s Rights Project New Mexico Albuquerque, NM 87190 (505) 680-1988 https://www.victimsrightsnm.org/
Sexual Assault Crisis Services	Albuquerque Rape Crisis Center 1025 Hermosa SE Albuquerque, NM (505) 268-5046 http://www.unm.edu/~pamo/rape.htm
Shelter/Housing Assistance	Homeless Services – City Of Albuquerque 400 Marquette NW Albuquerque, NM 87103 (505) 768-4357 https://www.cabq.gov/
Services for Male Victims	1in6 Online Support Groups https://1in6.org/about-1in6/

Protective Orders

Brookline College complies with state laws with respect to orders of protection, “no contact” orders, restraining orders, or similar lawful orders. A student who obtains a protective order should immediately provide a copy to a Campus Security Authority (employees should provide a copy to their direct supervisor and/or to Human Resources). The Campus Security Authority, in collaboration with the Title IX Coordinator, will develop a plan to ensure the provisions of the order are followed. This may include but is not limited to: changing classroom location and/or seating within the classroom; special parking arrangements, increased patrol services; and escorts.

An Emergency Protective Order can help protect a victim of abuse, sexual harassment, or stalking. This type of protective order is available 24 hours a day through your local police department. Other protective orders can be applied for through the court systems within your local county. The College cannot apply for a legal order of protection, “no contact” order or restraining order for a victim or on his/her behalf. Victims are required to

apply directly for these services on their own behalf. However, the College will abide by the requirements of the order to help ensure the victim's safety.

Confidentiality

Brookline College is committed to protecting the confidentiality of the victim in either the presence or absence of a victim's request for confidentiality. Personally identifying information (PII) will not be included in any publicly available records, including Clery Act reporting, the college's Annual Security Report, or in any Timely Warning Notices that could be issued. Per Section 40002(a) of the Violence Against Women Act of 1994, "personally identifying information" is defined as "individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including: a first and last name; a home or other physical address; contact information (including a postal, email or Internet protocol address, or telephone or fax number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual."

The Family Educational Rights and Privacy Act (FERPA) allows schools to disclose "directory" information without the student's consent. For Brookline College, "Directory Information" is defined as student's name, identification number, program name, address, email address, telephone number, date and place of birth, honors and awards, enrollment status, most recent previous educational institution attended, and dates of attendance. At any time, all students have the right to "opt out" of allowing the college to share this directory information. However, regardless of whether a student has opted out or not opted out, personally identifying information about the victim and other applicable parties will be treated as confidential and only shared with individuals who have a specific need-to-know reason, such as individuals who are conducting an investigation and/or disciplinary proceedings or those involved in providing support services to the victim, such as accommodations and protective measures. To that end, the College 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 College to provide the accommodations or protective measures. Additionally, and as related to investigations, the College will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the grievance procedures.

Students may opt out of allowing the college to share Directory Information at any time by contacting the Campus Registrar.

Options for Supportive Measures and Complainant's Rights

Brookline College will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to Brookline College's education program or activity or provide support during the College's Title IX grievance procedures or during the informal resolution process. Supportive measures may vary depending on what the College deems reasonably available, and supportive measures will never be imposed for punitive or disciplinary reasons. Brookline College will not disclose information about any supportive measures to individuals other than the individual to whom they apply, including informing one part of supportive measures provided to another party, unless necessary to provide the supporting measure or restore or preserve a party's access to the education program or activity.

For complaints of sex discrimination and sex-based harassment, these supportive measures may include:

- Referrals to external counseling;

- Extensions of deadlines and other course-related adjustments;
- Campus escort services;
- Increased security and monitoring of certain areas of the campus;
- Restrictions on contact applied to one or more parties;
- Leaves of absence;
- Changes to class schedules; and/or
- Training and education programs related to sex discrimination and/or sex-based harassment.

Brookline College may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures. A complainant or respondent will be provided with a timely opportunity to seek, from an appropriate and impartial College employee, modification or reversal of the College's decision to provide, deny, modify or terminate supportive measures applicable to them.

Grievance Process to Address Complaints of Sex Discrimination and Sex-Based Harassment

Brookline College has adopted Title IX grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations. These grievance procedures also address complaints of sex-based harassment which involve a student party.

Complaints

The following individuals have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that Brookline College investigate and make a determination about alleged discrimination or alleged sex-based harassment under Title IX:

- A "complainant," which includes:
 - a student or employee of Brookline College who is alleged to have been subjected to conduct that could constitute sex discrimination or sex-based harassment under Title IX; or
 - a person other than a student or employee of Brookline College who is alleged to have been subjected to conduct that could constitute sex discrimination or sex-based harassment under Title IX at a time when that individual was participating or attempting to participate in Brookline College's education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- Brookline College's Title IX Coordinator.

An individual is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of Brookline College; or
- Any person other than a student or employee who was participating or attempting to participate in Brookline College's education program or activity at the time of the alleged sex discrimination.

Brookline College may consolidate complaints of sex discrimination or sex-based harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination or sex-based harassment arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Requirements Regarding Grievance Procedures

Brookline College will treat complainants and respondents equitably, and requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. As long as there is no conflict of interest or bias, a decisionmaker may be the same person as the Title IX Coordinator or investigator.

Brookline College presumes that the respondent is not responsible for the alleged sex discrimination or sex-based harassment until a determination is made at the conclusion of its grievance procedures.

Brookline College has established the following timeframes for the major stages of the grievance procedures:

- Evaluation (*decision whether to dismiss or investigate a complaint*) – seven (7) calendar days
- Investigation – thirty (30) calendar days from evaluation determination
- Determination - fourteen (14) calendar days from the completion of the investigation
- Appeal – seven (7) calendar days from determination

Brookline College has also established a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the parties that includes the reason for the delay. The College strives to complete all grievance proceedings, including the evaluation, investigation, determination, and allowance for appeal within sixty (60) calendar days of receiving a complaint. However, there is an allowance for extensions of timeframes for good cause, as necessary, and in that instance, written notice will be provided to the complainant and the respondent announcing the delay and the reason for it. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Brookline College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for, or participate in, the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

Brookline College will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on an individual's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by Brookline College to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or

witness, unless Brookline College obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Written Notice of Allegations

Upon initiation of Brookline College's Title IX grievance procedures, Brookline College will notify the parties of the following (for allegations of sex-based harassment, this will be completed to allow for sufficient time for the parties to prepare a response before any initial interview):

- Brookline College's Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination and/or sex-based harassment, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited;
- (*Sex-based harassment specific*) The respondent is presumed not responsible for the alleged sex-based harassment until a determination is made at the conclusion of the grievance procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- (*Sex-based harassment specific*) The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence (such as through an investigative report). If Brookline College provides access to an investigative report or an accurate description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not impermissible evidence upon the request of any party.
- Brookline College's Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance procedures.

If, in the course of an investigation, Brookline College decides to investigate additional allegations of sex discrimination or sex-based harassment by the respondent toward the complainant that are not included in the written notice provided or that are included in a complaint that is consolidated, Brookline College will notify the parties in writing of the additional allegations.

Dismissal of a Complaint Alleging Sex Discrimination

Brookline College may dismiss a complaint of sex discrimination if:

- Brookline College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in Brookline College's education program or activity and is not employed by Brookline College;
- The complainant voluntarily withdraws, in writing, any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and Brookline College determines that, without the

complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or

- Brookline College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, Brookline College will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, Brookline College will promptly notify the complainant of the basis for the dismissal in writing. If the dismissal occurs after the respondent has been notified of the allegations, then Brookline College will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

Brookline College will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then Brookline College will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, Brookline College will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties with a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, Brookline College will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within Brookline College's education program or activity.

Dismissal of a Complaint Alleging Sex-Based Harassment

Brookline College may dismiss a complaint if:

- Brookline College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in Brookline College's education program or activity and is not employed by Brookline College;

- Brookline College obtains the complainant's voluntary withdrawal in writing of any or all of the allegations, the Title IX Coordinator declines to initiate a complaint, and Brookline College determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- Brookline College determines the conduct alleged in the complaint, even if proven, would not constitute sex-based harassment under Title IX. Before dismissing the complaint, Brookline College will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, Brookline College will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then Brookline College will notify the parties simultaneously in writing.

Brookline College will notify the complainant that a dismissal may be appealed on the bases outlined in the *Appeals* section of these procedures. If dismissal occurs after the respondent has been notified of the allegations, then Brookline College will also notify the respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, Brookline College will follow the procedures outlined in the *Appeals* section of these procedures.

When a complaint is dismissed, Brookline College will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex-based harassment does not continue or recur within Brookline College's education program or activity.

Investigation Process for Allegations of Sex Discrimination

Brookline College will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on Brookline College, not on the parties, to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

Brookline College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Brookline College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

Brookline College will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- Brookline College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If Brookline College provides a description of the evidence, it will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- Brookline College will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
- Brookline College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such

information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Investigation Process for Allegations of Sex-Based Harassment

Brookline College will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on Brookline College, not on the parties, to conduct an investigation that gathers sufficient evidence to determine whether sex-based harassment occurred.

Brookline College will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.

Brookline College will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

- Brookline College will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding.
- Brookline College may establish restrictions regarding the extent to which the advisor may participate in these grievance procedures, as long as the restrictions apply equally to the parties.

Brookline College will provide the parties with the same opportunities, if any, to have people other than the advisor of the parties' choice present during any meeting or proceeding.

Brookline College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Brookline College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

Brookline College will provide each party and the party's advisor, if any, with an equal opportunity to access the evidence that is relevant to the allegations of sex-based harassment and not otherwise impermissible, in the following manner:

- Brookline College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or the same written investigative report that accurately summarizes this evidence. If access to an investigative report is provided, the College will further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- Brookline College will provide a reasonable opportunity to review and respond to the evidence or the investigative report; and
- Brookline College will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the sex-based harassment grievance procedures.

Questioning the Parties and Witnesses for Allegations of Sex Discrimination

Brookline College will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

The process includes, but may not be limited to, the following:

- Interview requests will be provided via written request/email and via phone, as appropriate.
- Compliance with interview requests will be emphasized as essential to the investigation, and denials to participate are subject to disciplinary action as per Brookline College policy.
- The complainant(s), respondent(s) and any witness(es) will be treated equitably during any line of questioning, as part of the investigation process.
- Under most, if not all, circumstances, the complainant(s) will be questioned first to gain a comprehensive understanding of the complaint and to help formulate specific questions to pose to the respondent(s) and/or witness(es).
- All parties interviewed will be asked to provide any available evidence/documentation to substantiate their case.
- Parties to the investigation may be questioned multiple times, as needed, to gather sufficient evidence to support a justifiable determination.
- Confidentiality will be maintained to the best of Brookline College's ability, but not so as to impede the investigation or the outcome.

Questioning the Parties and Witnesses for Allegations of Sex-Based Harassment

Brookline College will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex-based harassment.

Brookline College does not conduct live hearings as part of the investigation process. Brookline College's process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses, including questions challenging credibility, will:

- Allow the investigator or decisionmaker to ask such questions during individual meetings with a party or witness;
- Allow each party to propose such questions that the party wants asked of any party or witness and have those questions asked by the investigator or decisionmaker during one or more individual meetings, including follow-up meetings, with a party or witness, subject to the procedures for evaluating and limiting questions discussed below; and
- Provide each party with an audio or audiovisual recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions.

Procedures for the decisionmaker to evaluate the questions and limitations on questions: The decisionmaker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The decisionmaker will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Refusal to respond to questions and inferences based on refusal to respond to questions: The decisionmaker may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decisionmaker will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Brookline College will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other individuals Brookline College identifies as having had equal access to Brookline College's education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Brookline College's education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Determination Whether Sex-Based Harassment Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Brookline College will:

- Use the preponderance of the evidence standard of proof to determine whether sex-based harassment occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex-based harassment occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex-based harassment occurred.
- Notify the parties simultaneously in writing of the determination whether sex-based harassment occurred under Title IX including:
 - A description of the alleged sex-based harassment;
 - Information about the policies and procedures that Brookline College used to evaluate the allegations;

- The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;
- When the decisionmaker finds that sex-based harassment occurred, any disciplinary sanctions the College will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by Brookline College to the complainant, and, to the extent appropriate, other students identified by Brookline College to be experiencing the effects of the sex-based harassment; and
- Brookline College's procedures and permissible bases for the complainant and respondent to appeal.
- Brookline College will not impose discipline on a respondent for sex-based harassment prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the respondent engaged in prohibited sex-based harassment.
- If there is a determination that sex-based harassment occurred, as appropriate, the Title IX Coordinator will:
 - Coordinate the provision and implementation of remedies to a complainant and other individuals the College identifies as having had equal access to Brookline College's education program or activity limited or denied by sex-based harassment;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex-based harassment does not continue or recur within Brookline College's education program or activity.
- Comply with the Title IX grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex-based harassment occurred.

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

Appeals of Determinations for Sex Discrimination

The College provides both parties with the opportunity to appeal a determination made regarding responsibility on the following bases:

- An irregularity or irregularities which affected the outcome of the matter;
- New evidence which was not reasonably available at the time the determination regarding responsibility was made which could affect the outcome of the matter;
- An individual or individuals involved in the resolution process and/or hearing (Title IX Coordinator, investigator, decision-maker, etc.) had a conflict of interest or bias for or against the complainant(s) or respondent(s) which affected the outcome of the matter.

In addition to the above-listed bases, the College may offer an appeal equally to both parties based on additional factors, as applicable.

Regarding all appeals, the College will:

- Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- Ensure that the decision-maker(s) for the appeal is not the same decision-maker(s) who reached the initial determination regarding responsibility;

- Ensure that the decision-maker(s) for the appeal complies with all of the procedures as set forth in this section;
- Provide both parties with a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Provide a written decision simultaneously to both parties describing the appeal results and the rationale for the decision.

This appeals process is, at a minimum, the same as Brookline College offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

Appeals of Determinations for Sex-Based Harassment

Brookline College will offer an appeal from a dismissal or determination whether sex-based harassment occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If a party appeals a dismissal or determination whether sex-based harassment occurred, Brookline College will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Communicate to the parties in writing that Brookline College will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

Any additional procedures or bases for appeal Brookline College offers will be equally available to all parties.

Informal Resolution

In lieu of resolving a complaint through Brookline College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Brookline College does not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law.

For sex-based harassment allegations, Brookline College will inform the parties in writing of any informal resolution process it offers and determines is appropriate, if any. Before the initiation of an informal resolution process, Brookline College will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;

- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information Brookline College will maintain and whether and how Brookline College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Disciplinary Sanctions and Remedies

Following a determination that sex discrimination and/or sex-based harassment occurred, Brookline College may impose disciplinary sanctions and/or remedies, which may include student conduct advising sessions, probation, requirement to attend sex discrimination and/or sex-based harassment training, and/or removal from the College's education program.

Recordkeeping Policy

The College will maintain records for a period of no less than seven (7) years consisting of the following:

- For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures and the resulting outcome;
- For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination, records documenting the actions the College took in response to that report; and
- All training materials.

Additionally, the College will make training materials available upon request for inspection by members of the public.

Sexual Offender/Predator Notification

The Federal Campus Sex Crimes Prevention Act of 2000 (CSCPA) requires institutions of higher education to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. Any member of the campus community who wants to obtain information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry. The CSCPA also requires registered sex offenders/predators to provide appropriate state officials with notice of each institution of higher education in that state at which the offender/predator is employed, carries on a vocation, or is a student.

ANNUAL CRIME STATISTICS REPORTS

DEFINITIONS OF REPORTABLE OFFENSES

Introduction to Annual Crime Statistics

Brookline College maintains working relationships with local law enforcement authorities to help promote the direct reporting of any criminal activity which may endanger students or employees to Brookline College campuses; however, this direct reporting cannot be guaranteed or relied upon. To help ensure that Annual Crime Statistics Reports are accurate and comprehensive, the College proactively contacts local law enforcement authorities to obtain data on reportable offenses under the Clery Act. Data obtained from local law enforcement combined with data collected by each campus on Clery Incident Report forms comprise the Annual Crime Statistics Reports published by Brookline College, which are in the pages that follow. Definitions of reportable offenses are included in the section immediately below which immediately precedes the individual reports for each campus.

Definitions of Reportable Offenses under the Clery Act

1. **Murder and Non-negligent Manslaughter** – the willful (non-negligent) killing of one human being by another.
2. **Manslaughter by Negligence** – the killing of another person through gross negligence.
3. **Rape** – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Rape is a form of sexual assault. This offense includes the rape of both males and females.
4. **Fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. Fondling is a form of sexual assault.
5. **Incest** – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Incest is a form of sexual assault.
6. **Statutory Rape** – sexual intercourse with a person who is under the statutory age of consent. The legal age of consent in the state of California is 18. Statutory rape is a form of sexual assault.
7. **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.
8. **Aggravated Assault** – an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (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.)
9. **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.
10. **Motor Vehicle Theft** – the theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

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DEFINITIONS OF REPORTABLE OFFENSES

11. **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.
12. **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. This classification encompasses weapons offenses that are regulatory in nature.
13. **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.
14. **Drug Abuse Violations** – the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. 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.
15. **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; and/or 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.
16. **Dating Violence** – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the 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 purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
17. **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 stress. For purposes of this definition, "course of conduct" means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Hate Crimes

A hate crime is a criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability. Hate crimes are not separate, distinct crimes, but are traditional offenses motivated, in whole or in part, by the offender's bias. Many of the offenses noted above may be designated as a hate crime if motivated by any of the biases noted below:

- **Race** – a preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by

ANNUAL CRIME STATISTICS REPORTS

DEFINITIONS OF REPORTABLE OFFENSES

descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

- **Religion** – a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding their origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual individuals.
- **Gender** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing make-up. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity** – a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin** – a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability** – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Additionally, for Clery Act reporting purposes, the following crimes are reportable if they meet the definition of a hate crime:

- **Larceny-Theft** - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing. Attempted larcenies are included.
- **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.
- **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.
- **Destruction / damage / vandalism of property** - to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

ANNUAL CRIME STATISTICS REPORTS

DEFINITIONS OF REPORTABLE OFFENSES

Geographic Locations for Reporting Purposes

For purposes of reporting crimes including under the Clery Act, Brookline College uses the following definitions for geographic locations:

1. **On-Campus Property** – (1) any building or property owned or controlled by an institution within the core campus (same reasonably contiguous geographic area) and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes; and (2) any building or property that is within or reasonably contiguous to the area identified in section (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.
2. **Public Property** – all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the core campus, or immediately adjacent to and accessible from the core campus.

Brookline College does not own or control any buildings or property which are considered under the Clery Act as “Non-Campus”.



**CLERY ACT CRIME STATISTICS
PHOENIX CAMPUS
2445 W. DUNLAP AVENUE, SUITE 100, PHOENIX, AZ 85021**

TYPE OF OFFENSE	ON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023	2021	2022	2023
MURDER AND NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
RAPE	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0
INCEST	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	1	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	1	0	0
ARSON	0	0	0	0	0	0
ARRESTS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	0	0	0	0	1	0
ARRESTS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
DISCIPLINARY ACTIONS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0
STALKING	0	0	0	0	0	0
LARCENY-THEFT	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0

Hate Crimes: None of the crimes reported above were determined to be motivated by bias, and therefore, were not considered hate crimes.

Unfounded Crimes: There were no crimes listed above which were determined to be unfounded.

Student Housing: The Phoenix campus of Brookline College does not maintain, operate or provide student housing facilities.



**CLERY ACT CRIME STATISTICS
TEMPE CAMPUS
1140 S. PRIEST DRIVE, TEMPE, AZ 85281**

TYPE OF OFFENSE	ON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023	2021	2022	2023
MURDER AND NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
RAPE	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0
INCEST	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ARRESTS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
DISCIPLINARY ACTIONS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0
STALKING	0	0	0	0	0	0
LARCENY-THEFT	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0

Hate Crimes: None of the crimes reported above were determined to be motivated by bias, and therefore, were not considered hate crimes.

Unfounded Crimes: There were no crimes listed above which were determined to be unfounded.

Student Housing: The Tempe campus of Brookline College does not maintain, operate or provide student housing facilities.



**CLERY ACT CRIME STATISTICS
TUCSON CAMPUS
300 SOUTH CRAYCROFT RD., SUITE 100, TUCSON, AZ 85711**

TYPE OF OFFENSE	ON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023	2021	2022	2023
MURDER AND NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
RAPE	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0
INCEST	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ARRESTS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
DISCIPLINARY ACTIONS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0
STALKING	0	0	0	0	0	0
LARCENY-THEFT	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0

Hate Crimes: None of the crimes reported above were determined to be motivated by bias, and therefore, were not considered hate crimes.

Unfounded Crimes: There were no crimes listed above which were determined to be unfounded.

Student Housing: The Tucson campus of Brookline College does not maintain, operate or provide student housing facilities.

**CLERY ACT CRIME STATISTICS
ALBUQUERQUE CAMPUS
303 ROMA AVE. NW, 3rd FLOOR, ALBUQUERQUE, NM 87102**

TYPE OF OFFENSE	ON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023**	2021	2022	2023**
MURDER AND NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
RAPE	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0
INCEST	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0
ROBBERY	1	5	0	0	0	0
AGGRAVATED ASSAULT	4	16	1	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	10	11	0	0	0	0
ARSON	0	0	0	0	0	0
ARRESTS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0
DISCIPLINARY ACTIONS: DRUG ABUSE VIOLATIONS	0	0	0	0	0	0
DISCIPLINARY ACTIONS: LIQUOR LAW VIOLATIONS	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0
STALKING	0	0	0	0	0	0
LARCENY-THEFT	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0

Hate Crimes: None of the crimes reported above were determined to be motivated by bias, and therefore, were not considered hate crimes.

Unfounded Crimes: There were no crimes listed above which were determined to be unfounded.

Student Housing: The Albuquerque campus of Brookline College does not maintain, operate or provide student housing facilities.

**New location for 2023