

Massachusetts School of Law
Jeanne Clery Act Campus Security Report
Campus Crime Statistics
&
Fire Safety Report



Jeanne Clery Act Campus Security Report, Campus Crime Statistics & Fire Safety Report 9/2023

In accordance with the Crime Awareness and Campus Security Act of 1990 (Clery Act), Massachusetts School of Law has developed a comprehensive campus security policy and fire safety report. Information is available in this pamphlet, in our Student Handbook, and on MSL's website (www.MSLaw.edu).

We are committed to the protection of life and property, the prevention and detection of crime, the enrichment of the quality of life and an unwavering commitment to "Excellence in Service through Community Engagement" for all members of the campus community. We emphasize integrity, honesty, impartiality, and professionalism from our members to create an environment that values difference and fosters fairness and flexibility in our mission. We encourage community input and interaction that will assist us in developing sound partnerships within the community. Working together, we can understand the needs and best serve our community and enhance the quality of life for everyone on campus.

Preparation of the Annual Disclosure of Crime Statistics In 1990. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (most referred to as "the Clery Act") was passed. The Clery Act requires MSL (as a participant and recipient of federal Title IV student financial assistance programs) to disclose certain crime statistics, safety related policies and procedures, fire safety protocols, and information and statistics in the form of an annual report.

This report must be published by October 1st of each year. MSL prepares this annual report in collaboration with local municipal police agencies and with MSL's Dean, the Title IX Coordinator, and other school departmental employees. Campus crime, arrest and referral statistics include those reported to designated campus officials, as well as local law enforcement agencies. MSL's officials maintain a close relationship with the local police and fire departments to ensure that we are notified of any crime report that is not made directly to MSL. Each year, MSL will send an email notification to all enrolled students and all current employees providing access to the Annual Security Report. Additionally, any interested party can obtain a copy of this report through the Admissions Office and MSL's website. Prospective students and employees may request a copy of the Annual Security Report in person, or they may request that a copy be mailed to them free of charge.

General Information:

MSL is located at 500 Federal Street, Andover, MA 01810.

MSL's community of approximately 350 people is part of the town of Andover, which has a combined population of just over 36,500 and is 4 miles from the city of Lawrence with a population of over 80,000. MSL shares with its neighboring communities many interests, including a concern about public safety. MSL has approximately 300 full-time graduate students representing different states within the United States. MSL is a commuting school with no students or staff living on campus.

MSL's outside parking areas are well lit and equipped with streetlights. MSL does have surveillance cameras located outside our building and in public areas/entrances to MSL to provide security. In addition to disclosing crime and fire statistics to the US Department of Education and in its Annual Security and Fire Safety Report through IPEDS, MSL maintains crime and fire logs if/when they occur; logs would include criminal incidents, alleged criminal incidents, and fire-related incidents that are reported to or identified by the department. The log includes the

- date the incident was reported,
- date and time the incident occurred,
- the nature of the incident,
- the general location of the incident,
- the disposition of any complaint, if known.

MSL reserves the right to exclude certain reports or temporarily withhold information from the log under circumstances permitted by law. The crime logs are available for public inspection, upon request, during normal business hours at MSL. All members of MSL are strongly encouraged to immediately report criminal and/or suspicious activity, as well as medical and other emergencies to a "responsible employee" at MSL and/or the

Andover Police Department, 32 North Main Street, Andover, MA 01810 (978-475-1212). If a person reporting a crime to a Campus Coordinator requests anonymity, the request will be honored to the extent permitted by law.

A “responsible employee” is defined under Title IX of the Education Amendments of 1972, the Violence Against Women Act, and related guidance. Responsible employees are required to inform the Title IX Coordinator, Dean Coyne, immediately upon receiving notice of sexual misconduct.

Sexual/Gender-Based Harassment Campus Coordinators -In an attempt to provide multiple sources of information and action so that students enduring a sexual/gender-based incident can deal with an administrator with whom s/he (and all other applicable pronouns) is most comfortable in reporting sensitive information, MSL has designated three (3) Campus Coordinators to deal with campus emergencies and to whom a responsible employee would inform:

Dean Michael L. Coyne
500 Federal Street
Andover, MA 01810
(978) 681-0800
coyne@mslaw.edu

Assistant Dean Diane Sullivan
500 Federal Street
Andover MA 01810
(978)681-0800
dianes@mslaw.edu

Assistant Dean Paula Kaldis
500 Federal Street
Andover MA 01810
(978)681-0800
pota@mslaw.edu

These three Deans (for the purposes of this Policy, hereafter referred to collectively as the “Coordinators”) will serve to coordinate compliance with federal Title IX as described above and Massachusetts General Laws, Chapter 151C. Each Coordinator should be considered a “go to” person for matters. James Cropper is a Professional counselor, and when he is acting as such, is not considered to be a “responsible employee” and is not required to report crimes for inclusion into the annual disclosure of crime statistics. He is, however, encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes to the relevant campus and local law enforcement authorities.

Crimes occurring off-campus should be reported to the local police agency that has jurisdiction. Dialing 911 from a cell phone directs your call to the State Police who can then transfer you to the appropriate local police agency. MSL does not have any off-campus student organizations that would necessitate a policy statement on addressing criminal activity off campus.

Bias Incident Response Protocol: The Bias Incident Report is designed to ensure that MSL maintains a safe, respectful educational and work environment that is free from harassment and discrimination and based on values of diversity, equity, and inclusion. In addition to its general non-discriminatory approach to MSL’s education and school safety, the Bias Incident Response Protocol offers an effective and efficient process for individuals and/or groups to report bias incidents and/or hate crimes. It also outlines school procedures that will be instituted to respond to such acts. The protocol should be implemented whenever a bias incident or hate crime is perceived or suspected to have occurred in MSL’s building and/or in our educational programs. Implementation of the protocol may serve as a mechanism to monitor the campus climate and possibly deter acts of bias or hate.

Bias Incident: Any conduct or communication motivated by hatred or prejudice that demeans, degrades, or harasses an individual or group based upon membership in a protected category as recognized by law, including race, religion, disability, sexual orientation, ethnicity, national origin, gender, or gender identity. Examples include acts of vandalism, writing on white boards or walls, targeting a group or individual, in person or electronically with hateful conduct, or other harassment that interferes with a person’s educational experience or employment.

Bias Crime (also known as a Hate Crime): A committed criminal offense that is motivated, in whole or in part, by the offender’s bias (es) against a race, religion, disability, sexual orientation, ethnicity, national origin, gender, or gender identity; also known as Hate Crime. Examples include verbal threats of violence, physical attacks, and property damage against a protected class of people. Note: Even if the offender was mistaken in his or her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Massachusetts State Law: Chapter 265 § 39 states in relevant part that it is illegal to commit a crime against a person or property with the intent to intimidate such person because of such person’s race, ethnicity, national origin, physical disability, religious affiliation, gender, gender identity, or sexual orientation.

MSL’s Notice of Nondiscrimination statement: Any offense committed by a student, including but not limited to physical abuse, vandalism and conduct infringing upon the rights of others, and which includes intimidation that is motivated by race, ethnicity, national origin, physical disability, religious affiliation, ancestry, sex, sexual orientation, gender, gender identity, age, mental or physical disability, or other lawfully protected categories carries sanctions up to and including separation from MSL.

Procedure: Victims or witnesses should immediately document the alleged bias incident/hate crime and report it to one of MSL Coordinators or “responsible employee”. Anyone with information regarding a potential hate crime or bias incident is strongly encouraged to report it promptly. Upon receipt of such reports, MSL will assess the reports, investigate, and/or refer the matter to the relevant office for appropriate action. Reports should include the following information or as much detail as possible:

- Detailed account of the incident including date, time, and location.
- Name and contact information for each person involved, including witnesses.
- Description of what was observed and said, including any specific language or terms that were used.
- Name of the alleged perpetrator(s) or detailed description of the individuals involved.
- Other pertinent information that may assist MSL’s response to the incident.

Individuals should not wait to report until they have every item on the list mentioned above. Instead, if you need help or witness a crime, report immediately. Upon receipt of such reports, MSL will assess, investigate and/or refer the matter to the relevant office for appropriate action. MSL shall take reasonable steps to address the safety and security concerns of those involved. After consultation with all appropriate offices, suitable measures to address the bias and/or hate incident will be taken in a timely manner. Such measures include but are not limited to: • Make a record/investigate the incident. • Pursue disciplinary action. • Offer counseling. • Provide education and programming. • Report to appropriate outside agencies.

Confidentiality: All reasonable efforts, to the extent possible, will be made to protect the confidentiality of individuals targeted and to maintain the confidentiality requested by the reporting party. MSL may have an obligation to address certain reported incidents, so we cannot guarantee complete confidentiality where it would conflict with MSL’s obligation to investigate meaningfully or, where warranted, take corrective action. Regardless of the situation, reported information will generally only be shared with individuals with a legitimate need to know, in compliance with MSL policy. In addition, retaliation for filing a bias incident report is prohibited.

Fire Safety Report:

MSLAW’s location is inspected annual by the Town of Andover Fire Department. MSLAW has exit and evacuations signs posted in various locations throughout the building. We are a nonsmoking building and does not allow smoking within 100 feet of its entrances. Since our relocation to 500 Federal Street Andover MA 01810 MSLAW has not had any fire related incidents within our building.

Active Shooter Safety Resources <https://www.fbi.gov/how-we-can-help-you/safety-resources/active-shooter-safety-resources> An active shooter is an individual actively engaged in killing or attempting to kill people in a populated area, and recent active shooter incidents have underscored the need for a coordinated response by law enforcement and others to save lives. The FBI is committed to working with its partners to protect schools, workplaces, houses of worship, transportation centers, other public gathering sites, and communities.

Although local and state law enforcement agencies are virtually always the first ones on the scene, the FBI has played a large role in supporting the response to every major incident in recent years and has much to offer in terms of capacity, expertise, specialized capabilities, training, and resources before and after an incident occurs. The successful prevention of these active shooter incidents lies with a wide range of public and private entities all working together.

Run. Hide. Fight. These FBI training videos demonstrate the three tactics you can use to keep yourself and others safe during an active shooter attack—run, hide, and fight. Learning these principles now will prepare and empower you to put them into practice—and survive—should the unthinkable occur (4 Min safety video posted by the FBI) <https://youtu.be/TeOdxKozra0> In this FBI training video, customers at a bar are caught in an active shooter event. By employing the run, hide, and fight tactics, as well as knowing the basics of rendering first aid to others, they are prepared, empowered, and able to survive the attack.

Emergency Alerts & Notifications (ENS)

MSLAW utilizes the Emergency Notification System through **Alertus and Rave Alert**. This system is designed to notify students of emergency conditions, dangerous persons, or other hazards on campus via SMS Text Message, Robo-Call, and via email. This system is used for emergencies only, not weather-related closures. Students must complete registration as soon as possible, as it is the most efficient method of informing our entire student body and community quickly in case of an emergency here at MSLAW.

Visit <https://www.mslaw.edu/signup/> to sign-up for Emergency Alerts. Paper forms are also available on campus in the Main Office and in the bookstore or contact Mick Coyne

Timely Warnings: In the event that a situation arises that constitutes an ongoing or continuing threat, MSL will issue a “timely warning” that will be issued by the technology department (either Mick Coyne or Daniel Harayda). The warning will be issued through MSL’s email system and the text messaging notification system to students and employees who have subscribed to the service. Posters or other forms of notification may supplement the email notification, including from MSL’s internal emergency alert speaker system. MSL is not required to issue a crime alert with respect to crimes reported to professional counselor; however, under extenuating circumstances that pose a serious or ongoing threat to members of MSL, MSL reserves the right and may utilize such Timely Warnings procedures. Timely Warnings issued for immediate threats include situations that present an imminent or impending danger such as:

- Outbreak of serious illness.
- Approaching tornado, hurricane, or other extreme weather conditions.
- Earthquake.
- Gas leak.
- Terrorist incident.
- Armed intruder.
- Bomb threat.
- Civil unrest or rioting.
- Explosion.
- Nearby chemical or hazardous waste spill.

MSL Emergency Response Procedures Plan: The purpose of the MSL Emergency Response Procedures Plan (ERP) is to establish guidelines, assign responsibilities, and promote awareness in responding to emergencies that may affect MSL. Additionally, the plan provides guidelines to assist those affected in dealing with crisis, to coordinate with external entities, and to provide resources to expedite the return to normal operations with minimal impact. The plan was created to complement plans that have been developed on the national, state and county level. The ERP is designed to provide guidelines for responding to a variety of incidents and emergencies that affect MSL. Not all emergencies require the same degree of response; each incident will be evaluated on a case-by-case basis. The following guidelines apply to students, employees, faculty, and guests, and to the buildings and grounds at MSL. They are intended to enable MSL to protect life and property and minimize the damage caused by emergency situations.

Levels of Emergencies:

Level 1 - Minor Emergency: A campus emergency, with limited impact, that does not affect the overall operation and function of the College. Examples would include a minor hazardous material incident, small fire, or temporary limited power outage. A minor emergency will not normally entail notification of the Emergency Response Procedures Team except through routine communications.

Level 2 -Major Emergency: A local emergency that has disrupted, or potentially may disrupt significant operation of MSL or adversely impact a major population of the community. Examples include serious crimes on campus, major fires, death(s), or partial infrastructure failure. This requires notification of the Emergency Response through emails and SMS/Robo-Call systems.

Level 3 – Disaster: A community-wide emergency that potentially disrupts the operations of MSL and involves major damage or systems failure. Disasters impact not only MSL, but possibly the surrounding community and beyond. Examples include tornadoes, widespread extended power outages, severe natural disasters, or serious acts of terrorism. This requires notification of the Emergency Response System. Dean Michael Coyne (or his designee) will authorize the campus wide notification of all students, faculty and staff of any event that will impact the day-to-day operation of the campus but will not be required in the case of a time sensitive incident. Texting systems and email notifications will be sent out notifying members of the MSL community of the events occurring. MSL will also utilize local news stations to post notifications.

Evacuation Procedure Guidelines Building Evacuation

- All building evacuations will occur when a building alarm (fire alarm) sounds and/or upon notification of Andover Police Department.
- When the building evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same.
- Assist people with disabilities when exiting the building, if possible. In case of fire or earthquake, do not use elevators.
- Once outside, proceed away from the building. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel (evacuation areas pre-established for MSL's campus)
- Do not return to the evacuated building unless told to do so by the Andover Police Department.
- Failure to leave a building during Fire Alarms or ALICE drills may result in criminal proceedings. In the case of employees, employment action may be taken.
- All persons, students and staff are to immediately vacate the area of the campus in question and evacuate the campus grounds as directed.

MSL’s Violent Crime and Arrest Statistics:

Academic year: August 2022 thru July 2023: The number of arrests on campus by local police is 0. Criminal offenses reported to local police agencies or to any official of the institution during the Academic year 2022/ 2023. The number of arrests on campus by local police is 0.

Crime #of offenses:

- a. Murder 0
- b. Sex offenses 0
- c. Robbery/ theft 0
- d Aggravated assault 0
- e. Burglary 0
- f. Motor - Vehicle theft 0
- g. Arson 0
- h. Arrest for liquor law, drug law violations 0

February 2023 MSL did have a phishing incident which was quickly resolved and corrected.

MSL asks for student cooperation and involvement in keeping our campus safe. Students must assume responsibility for their own safety and the security of their belongings by taking certain precautions. Vehicles should be kept locked, and valuables should not be left unattended. Crime prevention is a building-wide concern that requires the involvement of all students and employees. Suspicious persons and activity should be immediately reported to one of MSL Campus Coordinators; Dean Coyne, Assistant Dean Kaldis or Assistant Dean Sullivan.

Academic year: August 2021 thru July 2022: Criminal offenses reported to local police agencies or to any official of the institution during the Academic year 19/20. The number of arrests on campus by local police is 0.

Crime #of offenses:

- a. Murder 0
- b. Sex offenses 0
- c. Robbery/ theft 0
- d Aggravated assault 0
- e. Burglary 0
- f. Motor - Vehicle theft 0
- g. Arson 0
- h. Arrest for liquor law, drug law violations 0

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Academic year: August 2020 thru July 2021: Criminal offenses reported to local police agencies or to any official of the institution during the Academic year 2018/ 2019. The number of arrests on campus by local police is 0.

Crime #of offenses:

- a. Murder 0
- b. Sex offenses 0
- c. Robbery/ theft 0
- d Aggravated assault 0
- e. Burglary 0
- f. Motor - Vehicle theft 0
- g. Arson 0
- h. Arrest for liquor law, drug law violations 0

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Crime rates in Andover by year Type	<u>2019</u>	<u>2020</u>
Arson (per 100,000)	0 (0.0)	0 (0.0)
Assaults (per 100,000)	1 (2.7)	3 (8.2)
Auto thefts (per 100,000)	7 (19.2)	7 (19.2)
Burglaries (per 100,000)	29 (79.3)	25 (68.4)
Murders (per 100,000)	0 (0.0)	0 (0.0)
Rapes (per 100,000)	6 (16.4)	2 (5.5)
Robberies (per 100,000)	0 (0.0)	0 (0.0)
Thefts (per 100,000)	179 (489.8)	122 (333.9)
City-Data.com crime index	40.4	25.7

The City-Data.com crime index weighs serious crimes and violent crimes more heavily. Higher means more crime, U.S. average is 254.8. It adjusts for the number of visitors and daily workers commuting into cities. Read more: <https://www.city-data.com/crime/crime-Andover-Massachusetts.html>

Violent crime rate in 2020

Andover: 9.6

U.S. Average: 228.3

Read more: <https://www.city-data.com/crime/crime-Andover-Massachusetts.html>

According to our research of Massachusetts and other state lists, there were 3 registered sex offenders living in Andover, Massachusetts as of August 29, 2023. The ratio of all residents to sex offenders in Andover is 3,103 to 1. The ratio of registered sex offenders to all residents in this city is lower than the state average. Read more: <https://www.city-data.com/crime/crime-Andover-Massachusetts.html>

Education & Crime Prevention Crime prevention is a building-wide concern that requires the involvement of all students and employees. Suspicious persons and activity should be immediately reported to one of MSL Campus Coordinators; Dean Coyne, Assistant Dean Kaldis or Assistant Dean Sullivan.

Alcoholic Beverages Massachusetts General Laws and local town by-laws regarding alcoholic beverages apply to MSL. These laws and by-laws are enforced by Andover Police Department and violators are subject to arrest, criminal prosecution, and/or referral to the Director of Community Standards. The possession or transporting of any alcoholic beverage by anyone under 21 years of age, as well as the procuring of any alcoholic beverages for anyone under 21, is a violation of state law. The drinking of any alcoholic beverage in any public place, regardless of age, is a violation of town by-law in Massachusetts and anyone, including drivers and passengers, possessing an open container of an alcoholic beverage in any motor vehicle is subject to a fine of between \$100 and \$500. A first conviction of driving under the influence of alcohol will result in a fine of \$500–\$5,000, a one-year revocation of the person’s driver’s license, up to two and a half years in prison, and mandatory alcohol rehabilitation. Additional offenses are punishable by more stringent sanctions.

Illegal Drugs The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are enforced by the Andover Police Department. Violators are subject to arrest, criminal prosecution, and/or MSL disciplinary sanctions. MSL seeks to maintain a work and educational environment that is safe for our employees and students as well as conducive to work standards that support an effective work force. MSL prohibits employees from reporting to work while under the influence of alcohol or drugs. MSL is committed to providing a campus environment free of the abuse of alcohol and the illegal use of alcohol and other drugs.

The Drug-Free Schools and Communities Act Amendments of 1989 require MSL to:

- Notify students of the standards of conduct relative to alcohol and other drugs.
- Describe applicable legal sanctions for unlawful possession, use or distribution of alcohol and illicit drugs.
- Describe the health risks associated with the use of illicit drugs and the abuse of alcohol.
- Describe available alcohol and other drug counseling, treatment, or rehabilitation programs.
- Describe sanctions MSL will impose resulting from violation of the standards of conduct.

Controlled Substances: Massachusetts has varying criminal penalties relating to controlled substances or drugs. In general, violations involving narcotic and addictive drugs and drugs with high potential for abuse carry heavier penalties. A full list of controlled substances as defined by Massachusetts law can be found here: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C/Section31> The possession, use, or distribution of controlled substances also is prohibited under the federal Controlled Substances Act. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. A full list of controlled substances as defined under federal law can be found here: <https://www.deadiversion.usdoj.gov/schedules/#list>.

Possession, Manufacture and Distribution: Possession of controlled substances is illegal without valid authorization. While penalties for possession of a controlled substance are generally less than those for its manufacture and/or distribution, under both Massachusetts and federal law, illegal possession with intent to manufacture or distribute is subject to the same penalties as illegal manufacture or distribution. Further, illegal possession of relatively large quantities of any controlled substance ordinarily will be considered possession with intent to distribute. “Manufacture” of a controlled substance includes production, preparation, propagation, compounding, conversion, or processing, while “distribution” is the actual or attempted transfer of a controlled

substance. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and require that the full minimum term be served. Note that researchers of controlled substances are subject to registration requirements as possession of controlled substances is illegal unless pursuant to a valid prescription or authorized by appropriate registration.

Sale and possession of “drug paraphernalia” also is illegal in Massachusetts. Under federal and state law, participation in drug-related criminal activity can result in seizure or forfeiture of personal property and other assets utilized in conjunction with or stemming from the proceeds of the illegal activity. In addition, conviction of a drug-related offense may entail civil fines and denial or revocation of certain licenses and benefits. Persons convicted of drug possession under state or federal laws also are ineligible for federal student grants and loans and/or for participation in federally sponsored research grants or contracts for up to one year after the first conviction, and up to five years after the second; those convicted of distributing drugs lose these benefits for five years after the first conviction, for ten years after the second, and permanently after the third.

Additional Criminal Penalties Under Massachusetts Law In Massachusetts, offenses subject to particularly severe punishments include: (1) second or subsequent convictions for manufacture or distribution of controlled substances; (2) illegal manufacture, distribution, or possession of, with intent to manufacture or distribute, phencyclidine (PCP), cocaine, or methamphetamine; (3) “trafficking” in marijuana, cocaine, heroin, morphine or opium (defined as manufacture, distribution, cultivation, possession with intent to manufacture or distribute, or importation into the state of more than 50 pounds of marijuana or 14 grams of cocaine or heroin); (4) distribution or possession with intent to distribute controlled substances to persons under 18 years of age; and (5) second or subsequent offenses of driving under the influence of alcohol or drugs. <https://malegislature.gov/laws/generallaws/parti/titlexv/chapter94c/section32e>

The Massachusetts Controlled Substances Act also provides penalties for being present at a place where it is known that heroin is kept and for being “in the company of” a person known to possess heroin. Anyone in the presence of heroin thus runs the risk of a drug conviction. <https://malegislature.gov/laws/generallaws/parti/titlexv/chapter94c>

Additional Criminal Penalties Under Federal Law : Under the federal Comprehensive Drug Abuse Prevention and Control Act, more commonly known as the Controlled Substances Act, the distribution of any controlled substance by a person at least 18 years old to a person under 21 years of age is punishable by twice the penalty (for a first offense) or three times the penalty (for a second offense) otherwise provided, and includes a mandatory minimum one-year prison term (except for a first offense involving less than 5 grams of marijuana) and mandatory life imprisonment without release for a third conviction. These increased penalties also apply to distribution of any controlled substance in or within 1,000 feet of a school, college, playground, or public housing facility, and within 100 feet of a youth center, public swimming pool, or video arcade.

Severe penalties apply for those convicted of engaging in a “continuing criminal enterprise” to violate the Controlled Substances Act. Engaging in a “continuing criminal enterprise” means that a person: (1) commits a felony under the Act; (2) that felony is undertaken with 5 or more others “managed” by the person; and (3) the person obtains substantial income or resources from the felonious conduct. Federal law also increases prison sentences for manufacture and distribution of controlled substances if death or serious bodily injury results from their use. In addition, under the Anti-Drug Abuse Act of 1988, a person who intentionally kills someone or causes the intentional killing of an individual while manufacturing, distributing, importing or exporting large amounts of certain controlled substances or in the course of a continuing criminal enterprise may be sentenced to death. Any person who intentionally kills or causes the intentional killing of a law enforcement official while committing a federal drug felony or attempting to avoid apprehension,

prosecution, or service of a prison sentence for such a felony also may be sentenced to death.
<https://www.deadiversion.usdoj.gov/21cfr/21usc/> and <https://sgp.fas.org/crs/misc/R45948.pdf>

Health Risks Associated with Alcohol and Drug Use : Detailed descriptions of commonly-abused drugs, including specific health effects and treatment options, refer to the National Institute on Drug Abuse: <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

Alcohol use, even in low doses, significantly can impair judgment and coordination. Low to moderate doses increase the incidents of aggressive acts, including spouse and child abuse. Moderate to high doses can severely alter a person's ability to learn and remember information. Very high doses can cause respiratory depression and death. Repeated use can lead to dependence. Sudden cessation of use can produce withdrawal symptoms and can be life-threatening. Long-term use of large quantities can lead to permanent damage to vital organs such as the brain and liver. Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

The abuse of drugs/controlled substances can result in a wide range of health problems. Illicit drug use can result in drug addiction, death by overdose, death from withdrawal, seizure, heart problems, liver disease, and chronic brain dysfunction. Other problems associated with illicit drug use include psychological dysfunctions such as memory loss, thought disorders (i.e., hallucinations, paranoia, and psychosis) and psychological dependency. Women who use drugs during pregnancy may give birth to infants who are drug-addicted and may have health complications.

Health Risks Associated with Alcohol and Drug Use: The following is a non-exhaustive list of some of the health effects of controlled substances.

Narcotics (including Heroin):

- Initial euphoria followed by drowsiness and nausea.
- Constricted pupils, watery eyes, dazed look
- Overdose may produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death.

Depressants (including Barbiturates, Tranquilizers):

- Relaxed muscles, calmness, drowsiness
- Confusion, disorientation, slurred speech
- Overdose may produce shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death.

Stimulants (including Cocaine, Methamphetamine):

- Increased heart and respiratory rate, elevated blood pressure, decreased appetite
- Blurred vision, dizziness, insomnia, anxiety
- High doses can cause physical collapse, irregular heartbeat, stroke, and possible death.

Hallucinogens (including LSD, PCP, Mushrooms):

- Illusions and hallucinations
- Confusion, panic, anxiety, depression, and poor perception of time and distance
- Respiratory failure, death due to careless behavior

Cannabis (including Marijuana, Hashish):

- Increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite
- Interferes with memory, speech, coordination, and perception of time.
- Increases risk of lung cancer, weakened immune system, and affects reproductive system.

Please note that although Massachusetts law now permits adults aged 21 or older to possess and consume marijuana under certain circumstances, federal law still prohibits the possession, use, or distribution of marijuana, including for medical purposes.

Resources:

Alcoholics Anonymous: 1-617-426-9444 www.aa.org

Al-Anon/Children of Alcoholics: 1-508-366-0556 www.ma-al-anon-alateen.org

Women for Sobriety: 1- 215-536-8026 <https://womensobriety.org/>

Smart Recovery Self-Help Network: 1-781-891-7574 www.smartrecovery.org

Narcotics Anonymous: 1-866-624-3578 www.na.org

Cocaine Anonymous: 1- 781-551-6677 www.ca.org

Campus Sex Crimes Prevention Act: The Federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide, to appropriate state officials, notice of each institution of higher education in that state at which the offender is employed, carries on a vocation, or is a student. The Massachusetts Sex Offender Registry Board is then required to notify such college/university that a registered sex is enrolled or working at their institution.

<https://www.federalregister.gov/documents/2002/10/25/02-27257/guidelines-for-the-campus-sex-crimes-prevention-act-amendment-to-the-jacob-wetterling-crimes-against>

How to Inquire: Members of the MSL community may request information about sex offenders in Massachusetts at the Massachusetts Sex Offender Registry Board, telephone (978) 740-6400 or <https://www.mass.gov/orgs/sex-offender-registry-board> at the:

- Andover Police Department, 32 North Main Street, Andover, MA 01810 (978-475-1212)
- North Andover Police Department, 566 North Main Street, No. Andover, MA 01845 (978-683- 3168).

Improper Use of Sex Offender Registry: Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two- and one-half years in the house of correction or by a fine of not more than \$1,000 or by both such fine and imprisonment.

In accordance with the Crime Awareness and Campus Security Act of 1990, MSL furnishes current students and employees, as well as those applicants for enrollment or employment who so request, an annual report of campus security policies and crime statistics.

The Massachusetts school of Law is open to the public. Our hours M-Th 8:00am to 10:00pm, Saturdays 9:00am to 2:00pm and is closed on Fridays and Sundays. MSL's building is open to the public, so it is important to keep all valuables within sight. MSLAW is not responsible for any items lost or stolen. We consider the grounds to be safe, however, you must always be aware of your surroundings and what is going on around you. Andover Police are the appropriate authority to report any breach of campus security. We encourage all students to work with school officials and appropriate police agencies to ensure accurate and prompt reporting of any crimes.

Domestic Violence in Massachusetts, domestic violence is defined as abuse, assault, or threats against one or more of the following: ● A spouse or former spouse ● A dating partner or a former dating partner ● Someone you live with or have lived with ● A relative by blood or marriage ● The parent of your child ● A person with whom you have or have had a substantial relationship. Abuse is defined by actual or attempted physical abuse, psychological harm, placing another in fear of serious physical harm, causing another to engage in sexual relations by force, and/or threat of force or duress. Confidential counseling, support and referral services are available. Students can also seek information and help through the National Domestic Violence Hotline at 1-800-799-SAFE (7233) at www.thehotline.org.

Dating/Relationship Violence: Dating/Relationship Violence is defined as 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.

Stalking: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their's or others' safety, or to suffer substantial emotional distress.

- A 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.
- A 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.

In Massachusetts, the elements of Stalking are defined as whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a time period directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury. Any person seeking to obtain an Abuse Prevention Order (209A) or a Harassment Prevention Order (258E), who needs protection from an abuser, or knows of someone who has violated an Abuse Prevention Order, or a Harassment Prevention Order should contact Assistant Dean Kaldis or Assistant Dean Sullivan

Massachusetts School of Law SEXUAL/GENDER-BASED Misconduct Policy pertaining to student complaints:

Introduction: The Massachusetts School of Law does not tolerate sexual misconduct, including sexual and/or gender harassment. Such conduct is harmful to the well-being of our community, taints our learning environment, and damages the proper collegial relationships among students, faculty, and staff that characterize, and are necessary components of, the culture of MSL. MSL regards all forms of prohibited conduct under this Policy to be a serious offense, and violations may result in discipline, including the possibility of separation from the institution. In addition, state and federal laws address conduct that may also meet MSL's classifications of prohibited conduct under this Policy, and it is possible that criminal prosecution and/or civil proceedings under state or federal law may occur independently of any disciplinary action instituted by MSL. Sexual and gender-based harassment are prohibited. The Massachusetts School of Law takes the firmest possible stand against sexual/gender-based harassment of its students, staff, and faculty. Sexual harassment is a form of gender discrimination that violates Title IX of the Civil Rights Act of 1964 and Massachusetts General Laws, Chapter 151C.

Applicability: This Sexual/Gender Misconduct Policy applies to all students, faculty, or staff whenever defined misconduct occurs: (1) on the MSL campus, or (2) off the MSL campus if the conduct was in connection with an MSL-sanctioned event or, even if not in connection with an MSL-sanctioned event, if the conduct may create a hostile environment for any member of the MSL community while participating in the education offered by, or employment occurring at, MSL. Students are authorized hereunder to file complaints against other students, faculty, staff, or other MSL employees, nothing herein is meant to foreclose or diminish additional actions that MSL may take under other policies or codes pertaining to students, faculty, employees, or other members of the MSL community.

Definitions of Sexual/Gender-Based Harassment

A. The MSL Definition of Sexual/Gender-Based Harassment (Independent of State and Federal Law)

In the educational context, sexual- and gender-based harassment consists of verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct or communications based on sex, sex-stereotyping, gender identity, gender identity stereotyping, sexual orientation, and sexual orientation stereotyping when

such conduct or communication is severe, persistent, or pervasive enough to interfere with, or materially limit, one's ability to meaningfully participate in or benefit from MSL's classes, activities, or other components of the educational experience. Retaliation against an individual who has raised an allegation of sexual or gender-based harassment, who has cooperated in an investigation of such a complaint, or who has opposed conduct/communications that violate this Policy is deemed to be a violation of this Policy.

Definitions of Sexual/Gender-Based Harassment:

B. State and Federal Definitions

There are two (2) definitions of sexual harassment under applicable law; one involving state law and one involving federal law. *Conduct that meets any of these two (2) definitions also constitutes a violation of this Sexual/ Gender-Based Misconduct Policy.* Here are the two (2) definitions of what constitutes a violation of state and federal law:

- a. State Law – Chapter 151C. As defined by Chapter 151C § 1 of the Massachusetts General Laws, “sexual harassment” shall mean:

Any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:— (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

- b. Federal Law – Title IX of the Civil Rights Act of 1964

The Code of Federal Regulations sets forth the definition of sexual harassment under 34 CFR § 106.30. “Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:”

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- (3) “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v) “dating violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

C. Conduct/Communications that Violate this, Policy.

Without excluding other situations, the following conduct/communications are deemed sufficiently egregious to violate this sexual/gender-based harassment Policy:

- Retaliation against an individual for raising an allegation of sexual or gender-based harassment, for cooperating in an investigation of such a complaint, or for opposing discriminatory practices.
- A hostile work or educational environment created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment.

- Sexual violence, including rape, sexual assault, and domestic and dating violence, violates this, Policy.
- Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties violates this, Policy.
- Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipient(s) violates this, Policy.
- Unwanted or unwelcome sexual advances, whether or not they involve physical touching violates this Policy. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person’s education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred. Conduct or communications are unwelcomed when:
 1. the Complainant did not request or invite it,
 2. the Complainant regarded the unrequested or uninvited conduct or communication as undesirable or offensive,
 3. a totality of the circumstances leads to the conclusion that the conduct or communications are unwelcomed, including a consideration of both objective and subjective factors,
 4. without excluding other situations, one of the following acts or communications occur:
 - commenting about or inappropriately touching an individual's body,
 - requests for sexual favors in exchange for actual or promised educational benefits, such as favorable grades or other educational benefits,
 - lewd or sexually suggestive comments, innuendoes, or gestures,
 - stalking,
 - other verbal, nonverbal, graphic, or physical conduct that is sufficiently persistent, pervasive, or severe so as to deny a person equal access to the MSLs educational programs or activities, or
 - a Complainant is so impaired or incapacitated as to be incapable of requesting or inviting conduct and the Respondent knew or reasonably should have known of the person’s impairment or incapacity. A Complainant may be impaired or incapacitated because of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent’s impairment at the time of the incident because of drugs or alcohol does not, however, diminish the Respondent’s responsibility for sexual or gender-based harassment under this Policy.

D. Conduct/Communications That Is Not Sexual/Gender-Based Harassment

- Submitting a complaint that is not made in good faith or provides false or misleading information in any investigation of complaints, is prohibited, and may result in discipline against the Complainant.
- Nothing herein shall be construed to abridge academic freedom and inquiry, principles of free speech, or MSL’s educational mission. The policies and procedures provided herein are designed to ensure a safe and nondiscriminatory educational environment and to meet federal, state, and accreditation requirements. This Policy is not intended to compromise or diminish freedom of thought, inquiry, or debate, even when the expression is sometimes deemed to be offensive by some people. Rather, the Policy seeks to ensure an environment in which education, discussion, and learning are not corrupted by sexual and gender-based harassment.

Procedures for Implementing Harassment Policies and Consequences of Violations.: MSL is committed to reviewing all complaints of sexual or gender-based harassment in a fair and expeditious manner. Full and complete investigations and assessment of campus culture are essential to ensure that no improper – perhaps even illegal – culture of harassment on

campus should occur in the first instance, and certainly will not be permitted to fester if an incident does occur. MSL will do all it can to prevent such a culture from developing and, if it discovers that such a culture is developing, will employ its full energy to stamp it out. At the same time, MSL understands the need to sensitively balance its investigative and punishment functions against the need to protect a Complainant's mental health, reputation, freedom from embarrassment, and potential interference with privacy rights. In addition, MSL understands that charges against a Respondent could have far-reaching and damaging effects on one's reputation and professional prospects going forward. It is thus essential that any investigation, hearing, and prosecution function be as fair, accurate, and free from arbitrariness as possible. MSL has attempted to craft a procedure for dealing with complaints that is respectful of these (sometimes) competing interests.

A. Sexual/Gender-Based Harassment Campus Coordinators

To provide multiple sources of information and action so that students enduring a sexual/gender-based incident can deal with an administrator with whom s/he (and all other applicable pronouns) is most comfortable in reporting sensitive information, MSL has designated three (3) Campus Coordinators to deal with sexual/gender-based issues involving harassment and/or discrimination.

Dean Michael L. Coyne
500 Federal Street
Andover, MA 01810
(978) 681-0800
coyne@mslaw.edu

Assistant Dean Diane Sullivan
500 Federal Street
Andover MA 01810
(978)681-0800
dianes@mslaw.edu

Assistant Dean Paula Kaldis
500 Federal Street
Andover MA 01810
(978)681-0800
pota@mslaw.edu

These three Deans (for the purposes of this Policy, hereafter referred to collectively as the "Coordinators") will serve to coordinate compliance with MSL's sexual/gender-based harassment Policy, as well as the federal Title IX as described above and Massachusetts General Laws, Chapter 151C. Each Coordinator should be considered a "go to" person for matters related to sexual/gender-based misconduct.

Whether a student or other member of the MSL community initially reports directly to a Coordinator or some other faculty member or administrator, the Coordinators will be informed of all reports, informal complaints, and formal complaints alleging violations of this Policy, and will oversee MSL's centralized response to ensure compliance with both this Policy and applicable federal and state law. Their responsibilities include but are not limited to:

- communicating with members of the MSL community regarding applicable law, including but not limited to Title VII, Title IX, the federal Violence Against Women Act, and Massachusetts General Laws, Chapter 151B and 151C, and providing information about how individuals may access their rights.
- reviewing applicable MSL policies to ensure institutional compliance with applicable law.
- monitoring MSL's administration of its own policies, including this Policy and all related record keeping, timeframes, and other procedural requirements; and
- responding to any report or formal complaint regarding conduct that is alleged to violate this Policy. For any report of which MSL has actual knowledge (and any formal complaint), the three Coordinators shall oversee and implement the explanation and provision of any supportive measures. For all informal and formal complaints, the Coordinators will oversee the investigations and resolution of such alleged misconduct, and shall direct the provision of any additional supportive measures.

The Coordinators may delegate certain responsibilities under this Policy to designated administrators, faculty members, or committees, including but not limited to the so-called Disciplinary Committee.

B. Informal Complaints or Issues Involving the Sexual/Gender-Based Policy.

- i. The Informal Complaint Process Generally.
 - a. Although an attempt to informally resolve a harassment complaint is not required prior to the initiation of a formal complaint under the procedures set forth below, MSL favors informal resolution

of harassment claims whenever such resolutions can be effectuated fairly and satisfactorily for the parties. This is because the outcome of formal charges of sexual/gender-based harassment can cause additional psychological trauma for the Complainant and reputational damage to the Respondent, even when ultimate result is exoneration. The exception to this preference is when charges appear to involve serious allegations that Title IX of the Civil Rights Act of 1964 and/or Chapter 151C of the Massachusetts General Laws have been violated, or when there are allegations of rape, sexual assault, or other claims involving violence. MSL considers such matters to be severe and impactful enough to require resolution through the formal complaint process described below.

- b. The means to achieve an informal resolution of a complaint should be varied, flexible and, of course, “informal.” While the final decision on which informal method of proceeding will be made by the Coordinator(s), the Complainant and Respondent may have input into the process. Listed below are suggested methods of informal resolution procedures.
- c. At all times, the Coordinators reserve the right to transfer complaints initially commenced under this informal resolution process to the formal complaint process described below or to terminate the process if it becomes clear that there is no good cause to proceed. If the Coordinators determine that the complaint will be transferred to be handled as a formal complaint, they will first notify the Complainant as described below

ii. **Achieving an Informal Resolution**

- a. Initiation of the Informal Complaint. The informal resolution process will begin when the Complainant contacts one or more of the Coordinators and expresses a desire to pursue a complaint. The initial contact can be either verbal or written (by letter, email, or other means of written communication).
- b. The Initial Meeting. Within a reasonable time after the initiation of the complaint, the Coordinator(s) will meet with the Complainant either live or via private Zoom conference, will listen to the details of the complaint, and discuss whether the complaint is best handled informally or formally. The Coordinator(s) will share their suggested methods of proceeding with the informal resolution process that are listed below. The Coordinator(s) will allow the Complainant to have input into whether the informal process or formal process is the better way to proceed, but it will be the Coordinators who will ultimately determine whether there is good cause to proceed at all or whether the situation constitutes such a serious violation of applicable law, or poses a significant risk of danger to the safety, health, and wellbeing of members of the MSL community, that the matter must be handled as a formal complaint under the rules articulated below..
- c. The Coordinators’ Investigation. After receiving a complaint initiating an informal sexual/gender-based harassment resolution, the Coordinators or their designee shall undertake an investigation into the Complainant’s charges. Such an investigation may include interviewing witnesses, reviewing documents, researching facts, and all other methods normally available to persons conducting an investigation of allegedly inappropriate conduct. If they determine that there are insufficient facts to support a claim of sexual or gender-based harassment and it would be inappropriate to continue with informal or formal charges, they shall terminate the process and dismiss the complaint.
- d. The Method of Resolution. If/when the Coordinators determine that the matter will proceed informally, they will contact the Respondent and will allow both the Complainant and Respondent input about the method of proceeding informally. The ultimate decision will belong to the Coordinators. Below is a list of different approaches to resolving a matter informally. This list is not exhaustive; other approaches may be appropriate depending on the particular facts and circumstances:

- *In the presence of a Coordinator or designee appointed by the Coordinators, the Complainant may meet with the Respondent to discuss the situation, identify the*

unwanted behavior, and make it clear that the behavior must cease. Given the nature of these types of complaints, and that the Complainant clearly believes the matter to be serious enough to get the school involved, any such meeting between a Complainant and Respondent *must* occur with a Coordinator or designee present, if such meeting occurs at all.

- A Coordinator or designee appointed by the Coordinators may discuss the alleged conduct with the Respondent without the Complainant being present, reminding the Respondent of MSL's policies against harassment, and seeking a commitment by the Respondent to comply with this Policy.
- The Respondent's academic advisor may be contacted and asked to help address the situation with the Respondent.

iii. The Form of an Informal Resolution

Bearing in mind that the informal resolution process is meant to be flexible, one of the following informal resolutions (or one of the following informal resolutions with appropriate modifications) will be reached after a Complainant has initiated the informal complaint process:

- The Coordinators determine that the matter will be transferred to be handled through the formal resolution process, which will then proceed in the manner described below.
- The Complainant acknowledges in writing satisfaction that the matter was merely brought to the attention of the Respondent.
-
- The Complainant acknowledges in writing satisfaction that the Respondent has agreed to participate in education, training, counseling, or some other activity designed to raise awareness and lessen the chance of further issues of this kind.
- The Complainant and Respondent enter into a written agreement setting forth the terms of their resolution of the complaint, a copy of which will be retained by the school. When written agreements are reached, a Coordinator will sign it as confirmation that: (1) the agreement has been reviewed by the parties, (2) the parties have acknowledged that they understand the terms of the agreement, (3) the agreement constitutes the entire understanding between the parties, and (4) the parties understand that the agreement constitutes final resolution and the matter will be permanently closed in regard to this complaint (but not as to future conduct or communications that lead to a new complaint).
- The Complainant decides to terminate the informal resolution process for any reason. (This will require the Complainant to sign a Request for No Action.)
- The Complainant ceases to participate in the informal resolution process and a Coordinator places a memorandum in the file indicating that the informal resolution process can no longer proceed without the Complainant's participation.
- The Coordinators determine that there are insufficient facts to support a claim of sexual or gender-based harassment and it would be inappropriate to continue with informal or formal charges.
- After full review, and after being fully apprised of the facts, the Coordinators determine that the complaint was initiated in bad faith and/or upon knowingly false claims. (In such event, the Coordinators may in their discretion proffer disciplinary charges against the Complainant in accordance with the Student Code.)

- A Coordinator places a memorandum in the file indicating some other valid reason why the informal resolution process can no longer continue.

iv. Miscellaneous Matters Pertaining to Informal Resolutions.

- a. One of the primary goals of the informal resolution process is to attempt to achieve resolutions between parties when a situation occurs that should be deemed relatively minor, or on the rare occasion that the situation might even be based on a misunderstanding. It is the intent of this policy, therefore, that matters arising under the informal resolution process be deemed not to constitute a disciplinary process that should become part of the Respondent's permanent academic record. For this reason, unless the Coordinators transfer the matter for consideration under the formal complaint process, all procedures and resolutions achieved under the informal resolution process are not disciplinary procedures, and will not become part of the permanent record of a Respondent.
- b. Although the Coordinator(s) may implement temporary measures during the pendency of the investigation and informal complaint process such as "stay away" orders, etc., such will not be deemed to be sanctions that will become part of the Respondent's school record unless the matter is transferred to be handled as a formal complaint. Additionally, the fact that an informal complaint has occurred in and of itself will not result in school-issued sanctions being imposed against the Respondent; school-issued sanctions may only be issued through the formal resolution process described below.
- c. An informal resolution achieved, or an agreement signed by the parties, will not be construed by any party to constitute a finding of harassment. However, the fact that a complaint was filed and that an informal resolution was reached may be admitted at, and considered by, school officials in regard to the consideration of subsequent sexual/gender-based harassment claims issued by any member of the MSL community against the Respondent. The fact that a complaint was filed and that an informal resolution was reached may also be considered by school officials in a subsequent disciplinary proceeding against the Respondent, even if those charges are unrelated to sexual/gender-based harassment.
- d. Alleged breaches of any written agreements reached between the parties that cannot be resolved between the parties (after receiving the input of the Coordinator) shall result in a transfer of the matter for resolution under the formal complaint procedure described below.
- e. As long as the matter is being handled through the informal resolution process, and if they deem it to be appropriate given the circumstances, the Coordinators or designees may, upon the written request of the Complainant, keep the identity of the Complainant anonymous from the Respondent and all members of the MSL community who are not required to participate in the informal resolution process. If a Coordinator or a designee determines that that informal process cannot effectively or properly continue without revealing to the Respondent the identity of the Complainant, the Coordinator shall so inform the Complainant and provide to the Complainant the option to withdraw the complaint without revelation of the Complainant's identity. (For example, some of the methods of achieving an informal resolution listed above cannot practically proceed without the Respondent knowing the identity of the Complainant.) Although informal resolutions may proceed with an anonymous Complainant, no complaint requesting action under the formal resolution procedure will be accepted from a Complainant who desires to remain anonymous.

C. Formal Complaints of Sexual/Gender-Based Harassment.

- i. If any student believes s/he (and all other applicable pronouns) has been subjected to sexual/gender-based harassment as defined herein, the student has the right to file a formal complaint with one or more of the Coordinators identified above. In addition, and in accordance with the factors stated above in section B

regarding the informal resolution of complaints, actions proceeding under the informal process may be transferred for handling under the formal process.

ii. As stated above, unless the charges appear to involve serious allegations that Title IX of the Civil Rights Act of 1964 and/or Chapter 151C of the Massachusetts General Laws have been violated, or there are allegations of rape, sexual assault, or other claims involving violence, MSL prefers that complaints at least initially proceed under the informal resolution process.

iii. Interim Measures.

If the facts giving rise to a formal or informal complaint under this Policy cause the Coordinators to believe that there exists a danger to the safety, health, or wellbeing of any members of the MSL community, or may substantially and negatively affect the educational environment at MSL, the school is authorized to take the following interim measures against a Respondent during the pendency of proceedings on an informal or formal complaint of sexual or gender-based harassment:

- It may place restrictions on the Respondent's contact with particular students, faculty, staff or employees.
- It may change the Respondent's course schedule.
- It may increase the monitoring of certain areas of campus; and
- It may order that a Respondent take a mandatory leave of absence. (This will not be imposed on a law student as an interim measure except in the rare cases where the potential risks to the community are clear).
- It may take such other actions as are reasonably necessary to protect the safety, health, or wellbeing of any members of the MSL community, or as will prevent a substantial and negative impact on the educational environment at MSL.

If, during the course of the informal or formal sexual/gender-based harassment resolution process, the Coordinators determine that a Complainant has also engaged in conduct that may affect the safety, health, or wellbeing of any members of the MSL community, or may substantially and negatively affect the educational environment at MSL, they may take the same actions against a Complainant as those listed above in regard to a Respondent.

iv. The Formal Complaint Process

- a. The formal complaint process will commence either when: (1) the Complainant files a formal complaint on the form provided by the Coordinators, or (2) the matter has been transferred over after an informal process has begun.
- b. Unless they have already done so under an informal complaint process, the Coordinators or their designees shall conduct an investigation into the Complainant's charges. Such an investigation may include interviewing witnesses, reviewing documents, researching facts, and all other methods normally available to persons conducting an investigation of allegedly inappropriate conduct.
- c. If, after investigation, the Coordinators determine that there are insufficient facts to support a claim of sexual or gender-based harassment and it would be inappropriate to continue with informal or formal charges, they shall terminate the process and dismiss the complaint.
- d. If, on the other hand, the Coordinators determine that there is good cause to proceed with formal charges, they will refer the complaint to the Disciplinary Committee and the matter will proceed in accordance with Rule 9 of the Code of Student Conduct. *See* Student Guidebook. The matter will thereafter be handled by the Disciplinary Committee as a disciplinary matter under Rule 9 until its resolution. As stated in Rule 9.b., the Respondent "has a right to notice and a hearing before a

disciplinary committee, where he or she can present evidence and argument, can confront his or her accusers, and can be questioned.”

- e. In accordance with school procedure, the Disciplinary Committee will conduct a hearing, issue a written decision after the hearing has closed, and refer its findings and recommendations contained in the written decision to the Dean, who shall make the final decision regarding responsibility and/or punishment in writing. If the Committee finds the Respondent responsible for sexual or gender-based harassment, both the decision and Dean’s written determination will be placed in the Respondent’s student file and become a permanent part of the Respondent’s student record. As stated in Rule 9.c., penalties can range from censure to expulsion.
- f. If the Respondent is found to be not responsible for sexual or gender-based harassment, the decision will not be placed in the Respondent’s student file and will not become a permanent part of the Respondent’s student record. Moreover, no mention of the proceeding will appear on the Respondent’s student transcript or elsewhere in the student file. However, the Coordinators shall keep the decision separate from the student file in order to document that the claim of harassment was made and that a decision found the Respondent to be not responsible. This documentation may be used:
 1. In the case of a student-Respondent, Massachusetts (and perhaps other jurisdictions) requires the Dean of MSLAW to report all disciplinary proceedings to the state’s Board of Bar Examiners as part of the admissions review process for applicants to the Massachusetts bar. In such event, the Dean will accurately report the required information pertaining to a formal complaint against a Respondent who later applies for admission to the Massachusetts bar, including a finding that the Respondent was found to be not responsible.
 2. If the Complainant raises a question about how the claim was handled.
 3. If the Respondent wishes to establish that the matter which the same Complainant now seeks to pursue formally (by the same or a later complaint) was already resolved.
 4. If the school initiates further disciplinary charges against the Respondent.
 5. In response to a subpoena issued by a court of law, an administrative agency, or a government agency authorized to issue such subpoenas, provided however, that MSL shall first use reasonable efforts to attempt to contact both the Complainant and Respondent to afford each of them the ability to attempt to properly oppose the issuance of the subpoena before MSL is required to deliver the documents demanded thereunder.

Available Resources

Here is a list of resources a student may wish to consult if the student believes that sexual or gender-based harassment has occurred:

James F. Cropper, JD, LMHC:

MSL works with Attorney James Cropper, JD, LMHC, who is an alumnus and a licensed Mental Health Counselor. Mr. Cropper can provide consultation and individual therapy sessions to aid in processing the situation. He graduated from MSLAW in 1992, and has over 39 years of diverse experience, especially in Clinical Social Worker. Attorney James Cropper, JD, LMHC provides MSL with Private and group discussion sessions on current topics taking place in our society. Call: 978 852 2340

Other Nearby Counseling Centers:

- (1) Family Services Inc. -- 978.327.6611
- (2) Victim /Witness Assistance -- 978.683.4300
- (3) Merrimack Valley Legal Service -- 888-657-2889
- (4) National Sexual Assault Hotline -- 800-656-4673

- (5) Love is Respect -- 866-331-9474
- (6) National Domestic Violence Hotline -- 800-799-7233

Massachusetts Commission Against Discrimination
<https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>

Boston Area Office of the U.S. Equal Employment Opportunity Commission
<https://eeoc.gov>

Massachusetts Law Pertaining to Sexual Harassment:
<https://www.mass.gov/info-details/massachusetts-law-about-sexual-harassment>

Equal Rights Advocates:
<https://www.equalrights.org/enough/>

MSLAW’s Sexual Assault Policy The term “sexual assault” refers to rape or sexual intercourse against one’s will, or any unwanted physical contact of a sexual nature. An assault can happen anywhere: You may know your assailant well, or your assailant may be someone you have never met or seen before. If you are sexually assaulted, get to a safe place immediately. If an assault occurs at MSLAW, notify any staff member or full-time professor, and immediately telephone the Andover Police at 978-470-3766; they are trained to preserve evidence for the proof of a criminal offense. Do this even if you do not know if you will press charges. A sexual assault is a criminal offense. The investigation of all assaults will be conducted by the Andover Police Department. If the assault occurred outside of Andover, notify the police department of the jurisdiction in which the assault took place. The assault need not take place at MSLAW or in Andover to receive counseling referrals or other support from MSLAW. A few of the nearby counseling centers are the following:

James F. Cropper, JD, LMHC: MSL works with Attorney James Cropper, JD, LMHC who is an alumnus and a licensed Mental Health Counselor who can providing consultation and individual therapy sessions to aid in processing the situation. He graduated from MSLAW in 1982, and has over 39 years of diverse experience, especially in Clinical Social Worker. Attorney James Cropper, JD, LMHC provides MSL with private and group discussion sessions on current topics taking place in our society. He can be reached at (978)852-2340.

A few of the nearby counseling centers are the following:

- | | | | |
|------------------------------------|--------------|--|--------------|
| (1) Family Services Inc. | 978.327.6611 | (2) Victim /Witness Assistance | 978.683.4300 |
| (3) Merrimack Valley Legal Service | 888-657-2889 | (4) National Sexual Assault Hotline | 800-656-4673 |
| (5) Love is Respect | 866-331-9474 | (6) National Domestic Violence Hotline | 800-799-7233 |

If you need help notifying the local police departments, hospitals, or other family members, MSLAW’s staff is available. If the assailant is a MSLAW student, staff or faculty member who sexually assaults another MSLAW student, staff or faculty member and is found guilty of charges associated with this sexual assault, he or she will be expelled or terminated. Because of the nature of this crime, if the victim requests, in writing, a leave of absence or change in his or her academic schedule while the investigation or trial or both are on-going, MSLAW will accommodate these requests if these requests do not violate the accused assailant’s rights.

The victim must formally request, in writing, that MSLAW should proceed under rule number nine of its code of conduct. This rule states the following: Students must not lie, cheat, or steal, or tolerate among them those who do. Nor shall any student engage in conduct inconsistent with being a student of law. Conduct inconsistent with being a student of law includes violation of rules and regulations of the Law School, illegal activity involving moral turpitude, activity involving dishonesty, fraud, deceit or misrepresentation, or any other conduct which reflects adversely on the student’s fitness to

practice law.

- a. Any student aware of conduct violating any provision of these regulations is obligated to report such conduct to the Dean.
- b. A student accused of a violation of these regulations has a right to notice and a hearing before a disciplinary committee, where he or she can present evidence and argument, can confront his or her accusers, and can be questioned.
- c. Penalties for a violation of these regulations can range from censure to expulsion from school.

The victim shall also have the right to notice and a hearing before the disciplinary committee convened to investigate charges of sexual assault or abuse. He or she will also be permitted to present evidence and argument, can confront his or her assailant, and can be questioned.

MSLAW realizes that a sexual assault victim may have a wide range of feelings so any victim should seek support and comfort from close friends, family members and professionals. If you like, MSLAW staff members will assist you in finding off-campus counseling. Every student attending MSLAW is required to take Criminal Law; after finishing this required course, no MSLAW student should harbor any doubt that sexual assault and harassment are crimes and should not be tolerated either at MSLAW or elsewhere. MSLAW also offers an elective course entitled *Issues Impacting Women* those deals with these issues in much greater detail. Also, MSLAW produces two television programs that have covered these topics in considerable detail. Students wishing to learn more can borrow copies from the library's reserve desk.

NotAlone.gov is a website for information for students, schools and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools.

Disciplinary procedures

If an issue or complaint is referred to the Disciplinary Committee and the matter will be reviewed and compared to MSL's Code of Student Conduct, See Student Guidebook. <https://www.mslaw.edu/student-guide/>. If the student is found to be in violation of MSL's Code of Student Conduct the Disciplinary Committee will review the matter as a disciplinary issue until its resolution. The Respondent "has a right to notice and a hearing before a disciplinary committee, where he or she can present evidence and argument, can confront his or her accusers, and can be questioned."

In accordance with school procedure, the Disciplinary Committee will conduct a hearing, issue a written decision after the hearing has closed, and refer its findings and recommendations contained in the written decision to the Dean, who shall make the final decision regarding responsibility and/or punishment in writing. If the Committee finds the Respondent responsible for the disciplinary issue, both the decision and Dean's written determination will be placed in the Respondent's student file and become a permanent part of the Respondent's student record. As stated in the rule penalties can range from censure to suspension/expulsion.

Student Grievances

<https://www.mslaw.edu/student-complaints/>

<https://www.mslaw.edu/student-complaint-form/>

<https://www.nc-sara.org/student-complaints>

The overwhelming majority of student grievances received by MSLAW fall into three general categories: requests for tuition refunds after the time for a refund has elapsed, requests for changes in grades, and disciplinary complaints.

- With respect to tuition refunds and changes in grades, MSLAW's policies and procedures are stated in the <https://www.mslaw.edu/student-guide/>
- With respect to disciplinary matters arising under the Code of Student Conduct/ Honor Code and rules and regulations printed in the catalog, MSLAW treats violations of its Code of Student Conduct /Honor

Code very seriously as violation of that Code reflects upon your character and fitness to act as an attorney. A copy of MSL Honor code can be found in MSL's semesters registrations materials <https://www.mslaw.edu/online-registration/>

MSLAW also occasionally receives grievances from students concerning other school related matters, such as parking, class cancellations due to weather conditions, or noise in the portion of the library where students are allowed to talk quietly. MSLAW encourages its students to speak informally to MSLAW's Dean, or an Assistant Dean about such matters, and the official spoken to will informally take steps he or she deems necessary, if any.

If a student wishes to state a grievance formally: The student shall submit a signed complaint to Assistant Dean Kaldis detailing the student's concerns. Assistant Dean will then take any appropriate action as she deems necessary to address the grievance. In the event the student is dissatisfied with the outcome of Assistant Dean Kaldis' investigation and actions, the student may seek further review of the problem by subsequently filing the complaint with Dean Coyne's office.

Dean Coyne can be reached at Coyne@mslaw.edu MSLAW also provides current and prospective remote learning students with contact information for filing complaints.

Students who desire to resolve a grievance should submit a complaint following the complaint procedures outlined. If you have any questions or wish to file a complaint, please contact the Dean of Students' Office, Assistant Dean Kaldis who can be reached at Pota@mslaw.edu.

For Online Students Located in SARA Member States and Territories: Out-of-state SARA students must first attempt to resolve their complaint using MSLAW's internal administrative procedures offered by MSLAW. This includes all students who are in SARA member states and territories for the purposes of completing out-of-state learning placements, such as internships, practical, clinical experiences, etc. in SARA member states and territories outside Massachusetts. Students should consult the Student Grievance Procedure. Complaints can be submitted through the <https://www.mslaw.edu/student-complaint-form/> If your issue cannot be resolved internally, you may file a SARA complaint with MA Department of Higher Education.

Additional information from the DHE's <https://www.nc-sara.org/student-complaints> is below:

The SARA complaint process is as follows:

1. Students must first attempt to resolve their complaint using internal administrative procedures offered by the SARA institution.
2. After all administrative remedies have been exhausted with the MA-SARA institution, the student may submit a SARA Complaint via the URL <https://www.nc-sara.org/student-complaints>
3. The Department shall send a copy of the complaint to the institution that is the subject of the complaint.
4. Within 30 days of the date that the Department sends a copy of the complaint to the institution, the institution must provide a written response to the student and the Department. <https://www.nc-sara.org/student-complaints>
DHE's SARA Complaint Form

Complaint Procedure and Form for Massachusetts Residents and Online Students in Non-SARA Member States and Territories

If you are a Massachusetts resident, or if you are in a non-SARA state or territory (e.g., California, Guam, etc.) and would like to file a complaint, please consult the Student Grievance Procedure. Complaints can be submitted through MSLAW complaint form <https://www.mslaw.edu/student-complaint-form/> which is on [MSLAW Complaint web page](#).

At any time, students who are located in Massachusetts or any non-SARA state or territory may utilize the Massachusetts Department of Higher Education's (DHE) non-SARA consumer complaint procedure and online form to file a complaint with DHE using the non-SARA Consumer Complaint Forms <https://www.mass.edu/forstufam/complaints/complaintform.asp> Additionally, if you live in California or Guam, you may wish to file a complaint with your home authority.

Mental Health and Counseling: Well-being & Stress Management: Well-being liaison, Pota Kaldis, Assistant Dean, pota@msslaw.edu Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-being provides resources, training, and programming to support law student and lawyer well-being. <https://lawyerwellbeingma.org> (617) 865 5777 heidi@lawyerwellbeingma.org

School provided resources: James F. Cropper, JD, LMHC provides consultation, group discussions, and individual therapy sessions. He graduated from MSLAW in 1992, and has over 39 years of diverse experience, especially in clinical social work.

jimcropper007@gmail.com

Lawyers Concerned for Lawyers of Massachusetts: Law student support groups, mental health & other resources. <http://lclma.org> (800) 525 0210

NAMI Massachusetts: Education, trainings, and support groups.

<https://namimass.org> (617) 580 8541, (800) 370 9085

Suicide prevention:

Free, confidential support, prevention and crisis resources.

<https://www.mass.gov/service-details/suicide-prevention-crisis-hotlines> (877) 870 HOPE (4673)

National suicide prevention lifeline: (800) 273 8255

Local Hospitals and other Health care information:

Holy Family Hospital- Methuen <https://www.holyfamilyhospital.org> (978) 989 0607

Family Services, INC <https://fsmv.org> (978) 327 6600

Greater Lawrence Mental Health Service <https://www.yellowpages.com/lawrence-ma/mip/greater-lawrence-mental-health-13907335> (978) 683 6300

Greater Lawrence Family Health Center <https://glfhc.org> (978) 689 2400

Pentucket Medical - Walk -In Center <https://pmaonline.com> (978) 557 8800

Andover Board of Health <https://andoverma.gov/170/Board-of-Health> (978) 623 8295

Aids Hotline <https://hab.hrsa.gov/get-care/state-hiv-aids-hotlines> (800) 235 2331

STD Hotline <https://www.usa.gov/federal-agencies/cdc-national-std-hotline> (800) 227-8922

MA Dental Society- Referral Service <https://www.massdental.org/About-the-MDS/Contact-Us> (800) 342 8747

MA Prevention Center <https://alternativeaddiction.com/drug-rehab/massachusetts/lawrence-ma/massachusetts-prevention-center-merrimack-valley/> (978) 688 2323

Poison Control <https://www.poison.org>
<https://aapcc.org> (800) 222 1222

Drug & Alcohol Abuse Services:

Alcoholics Anonymous
<https://www.aa.org>
(617) 426 9444

Narcotics Anonymous
<https://www.na.org/meetingsearch/>
(866) NA HELP U

Smoking Cessation Classes
https://www.cdc.gov/tobacco/data_statistics/fact_sheets/cessation/smoking-cessation-fast-facts/index.html
(617) 726 2000

Psychological Center
<https://psychologicalcenter.com>
(781) 666 2012

Domestic Violence & Child Welfare

Women's Resource Center <https://businessfinder.masslive.com/womens-resource-center-haverhill-ma.html>
(978) 373 4041

YWCA <https://www.womenshelters.org/det/the-greater-lawrence-ywca>
(978) 687 0331

Child at Risk <https://www.look4help.org/search/?id=39959681>
(800) 792 5200

Parental Stress Hotline <https://www.parentshelpingparents.org/stressline>
(800) 632 8188

Women, Infants and Children (WIC) <https://www.mass.gov/wic-information-for-participants>
(800) 942 1007

Student support Services:

Accessibility and Accommodations: Pota Kaldis, Assistant Dean, approves applications for accommodation.
Pota@mslaw.edu
<https://www.mslaw.edu/special-accommodations/>

Academic support: Professor Paula Colby Clements is the Director of Academic Services. Pcolby@mslaw.edu

Discrimination based on race, color, religion, sex, sexual orientation, age, national origin, disability, disabled veteran status or veteran of the Vietnam era status. Dean Michael L. Coyne at 978-681-0800 or Coyne@mslaw.edu.

General student complaints and issues: Pota Kaldis, Assistant Dean, pota@mmlaw.edu ; Diane Sullivan, Assistant Dean, dianes@mmlaw.edu

Complaints can be submitted through MSLAW complaint form.
<https://www.mmlaw.edu/student-complaint-form/> which is on [MSLAW Complaint web page](#).

Relocation Information

Housing:

Andover Townsman – Classified

<https://www.andovertownsman.com> (978) 475 7000

Boston Globe - Classified

<https://www.bostonglobe.com> (617) 929 2100

Lawrence Tribune -Classified

<https://www.eagletribune.com> (800) 927 9200

Colonial Village- Methuen & S. Lawrence

<https://www.briarcliffmgt.com> (978) 685 1914

River Pointe @ Den Rock - S. Lawrence

<https://www.riverpointe-aps.com/river-pointe-at-den-rock-lawrence-ma/>(978) 528 1501

Pine Brook Place- Haverhill

<https://www.pinebrookplaceapartments.com> (888) 305 1415

Princeton Reserve

<https://www.princetonreserve.com> (978) 248 0717

University Heights

<https://www.mynewplace.com/apartment/university-heights-dracut-ma-1e0310441880> (888) 357 8180

Apartment Guide

www.Apartmentguide.com

Voter Registration:

<https://andoverma.gov/413/Voting-Information>

<https://www.sec.state.ma.us/ovr/> (978) 623 8255

Religious Organizations

Andover Clergy Association

<https://mhl.org/houses-worship-andover> (978) 475 3528

Employment/ Transitional Assistance

<https://www.mass.gov/orgs/departments-of-transitional-assistance> (617) 755 8611

Lawrence Department of Training & Dev

<https://www.mass.gov/doc/lower-merrimack-valley-brochure/download>

<https://masshiremcc.com> (978) 722 7000

Legal Services

MA Bar Association- Referral Service

<https://www.masslawhelp.com> (617) 654 0400

Merrimack Valley Legal Service

<http://www.neighborhoodlaw.org>

<https://lawyers.justia.com/legalservice/merrimack-valley-legal-services-inc-9336> (978) 458 11465

Victim/ Witness Assistance Program

<https://www.mass.gov/info-details/district-attorney-offices-victim-witness-programs> (978) 683 4300