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## DUCTION

icated to providing a safe and secure campus environment. *Fire Safety Report* has been prepared in accordance with: t of 1990; the Drug-free Schools and Communities Act n Act of 1994: and the Higher Education Opportunity Act the Department of Public Safety; policies and procedures and protection programs; victim assistance services; fire maintaining a safe campus community. A copy of this student and employee and in writing to prospective students

## ERENCE GUIDE

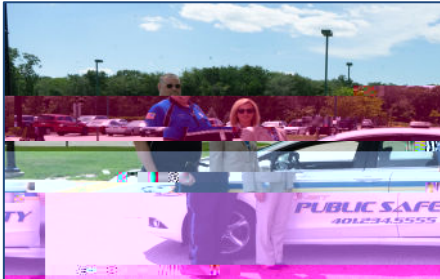
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## I. DEPARTMENT OF PUBLIC SAFETY AND CAMPUS SECURITY

The Department of Public Safety (DPS) officers are non-sworn, they do not carry weapons and do not possess powers of arrest. DPS is under the auspices of the Director of Public Safety who is the campus liaison to the East Greenwich and Warwick Police Departments and works in close relation with all including state and federal law enforcement agencies. DPS members also act as first responders to campus emergencies. DPS does not have any written agreements with local police agencies at this time. Criminal activities including murder, robbery, aggravated assault, burglary and motor vehicle theft require immediate notice to local authorities.



Public Safety have the authority to ask persons for identification and to determine whether individuals have lawful business at NEIT. Their presence on campus is intended to be a deterrent to criminal activity. Any PSO may call local authorities to make an arrest on campus after consulting with his or her supervisor or, at his or her own discretion, if the supervisor cannot be reached.

With the exception of incidences of sexual violence, violations of the law can be reported to local law enforcement agencies, and when appropriate to the Office of Student Support Services for disciplinary review. NEIT has no formal agreement but will coordinate with state and local police in the investigation of alleged criminal offenses occurring on campus. Incidences of sexual violence will only be reported to local law enforcement agencies with the consent of the victim.

With the exception of sexual violence involving a student, NEIT does not provide procedures that allow victims, witnesses or counsel to report crimes on a voluntary, confidential basis.

### REPORTING PROCEDURES

Any time an immediate response is needed on campus, call **911**. After calling **911**, immediately call NEIT Public Safety at 401-234-5555 or at extension 5555 for additional response.

Members of the NEIT community, as well as our visitors, are encouraged to accurately and promptly report suspicious behavior, hazardous conditions, criminal activities, or an emergency situation to the NEIT Department of Public Safety (DPS):

**NEIT Phone: Dial 5555      Non-NEIT Phone: Dial      401-234-5555**

Or by location:

<b>Post Road Campus</b> 401-780-4706	<b>East Greenwich Campus</b> 401-780-4705	<b>Access Road Campus</b> 401-780-4707
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Any criminal action should be reported to NEIT DPS immediately. If a criminal action is witnessed and the victim of the crime elects or is unable to make such a report, any witnesses should report the criminal action to DPS.

## **II. TIMELY WARNING NOTIFICATIONS:**

NEIT will make timely warning notifications to the campus community on any potentially dangerous activity on or near campus which represents a serious or continued threat to students and employees on campus or in the immediate area. Names of victims in such reports shall be withheld as confidential.

In addition to notification through Rave Emergency Notification System (ENS), NEIT, as appropriate, will issue timely warnings via the university e-mail system, in-class announcements, or other appropriate means (Reports). Any such Reports shall be provided to students and employees in a timely manner.

A timely warning notification may be issued after the Executive Vice President confers with the Director of Public Safety, the Vice President of Student Support Services and other University Officials to determine the cont0 Td 0.

In the event of a regional emergency liaison with agencies from two communities and the Rhode Island Emergency Management Agency must be maintained. Many of the events that could affect NEIT may be newsworthy in nature and NEIT must jointly manage the flow of information with local authorities.

## **EMERGENCY RESPONSE TEAM /CONCEPT OF OPERATIONS**

Two specific groups are established to deal with emergencies, potential crises and disastrous occurrences. These two groups, described below, are the Emergency Policy Group (EPG) and the Emergency Operations Group (EOG). The “Emergency Director” oversees both groups and provides overall direction of NEIT emergency/ crisis responses.

The EPG consists of the Executive Vice President, the Vice President and General Counsel, the Vice President for Student Support Services, the Vice President for Finance, the Chief Information Officer, and the Senior Vice President and Provost. The EPG is responsible for:

- Approval or endorsement of overall priorities and strategies
- Issuing media and public information reports and instructions
- Monitor social media and disseminate information as needed
- Liaise with government and external organizations
- Developing recovery plans once a serious emergency occurs or is anticipated.

The EOG usually consists of the Director of Auxiliary Services, the Director of Public Safety, and the Environmental, Health & Safety Officer and other staff members whose expertise will be needed to deal with the incident. They perform their duties under the direction of NEIT’s Emergency Director. The EOG has the responsibility for:

- Coordinating all emergency response measures.
- gathering, confirming and evaluating incident information
- defining and implementing tactics/actions to resolve specific priority situations
- identifying resource needs

A major emergency is an event that completely disrupts one or more university functions and may exceed the university's capability to respond and recover. External emergency services as well as maximum effort

In the event that a situation arises on campus that in the judgment of NEIT's administration constitutes an ongoing or continuing threat to the health or safety of students and/or employees, the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate a campus wide "emergency notification" through NEIT's *Rave Emergency Notification System (ENS)*, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

NEIT's *Rave*



**Procedures Prior to an Emergency Situation:** Every employee and student should familiarize him/herself with the emergency exits and evacuation routes from his/her respective area.

**When Alarm Sounds**

When a fire alarm sounds, do the following:

- a. Evacuate the building quickly. Faculty and supervisors should ensure the orderly evacuation of students and employees.
- b. Do not use elevators. An interlock between the fire alarm and elevator control will automatically return the car to the ground floor.
- c. Report to your building's Assembly Area and mainta



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Electrical/Marine

North side of parking lot – Assembly Point B



**Fire Alarms**

Fire alarms are located near exits in all NEIT buildings. Signs labeled "Exit" are posted above the doors in all areas of the building where the exit way is not immediately visible to occupants; they point to the exit to be used. If the fire alarm has been activated, if smoke or fire is evident, if you smell irritating chemical odors, or if any conditions threaten your safety, EVACUATE the building. (If you are disabled, let others know if you will need assistance.)

**False Alarms**

A fire alarm will not only disrupt the activities of the university but will also result in dispatch of emergency equipment to the university by the Fire Department. Anyone witnessing the initiation of a false alarm should notify Public Safety immediately. The operation of a fire alarm in the absence of a fire is a criminal offense.

**V. MONITORING NON-CAMPUS BUILDINGS/HOUSING**

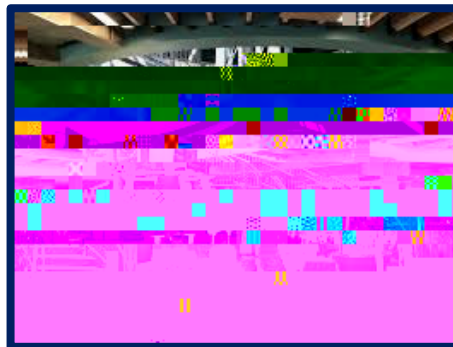
Currently, there are no off-campus student organization locations officially recognized by NEIT and no monitoring and recording through local police agencies of criminal activity engaged in by students at locations off-campus.

**VI. SECURITY AND ACCESS TO CAMPUS FACILITIES**

The Department of Public Safety is responsible for opening and closing all university buildings. September 22, 2017, NEIT opened its first Residence Hall (Meltzer Hall) for residential students at the East Greenwich Campus. NEIT Public Safety Officers provide 24/7 security coverage at the East Greenwich campus to provide additional security for its residents. Security Officers will be on campus at both the Access Road and Post Road campuses whenever the university is open for business (from approximately 6:30 a.m. to 12 a.m. Monday through Friday; selected departments are open Saturday mornings). There is no access to buildings and facilities when the university is not open for business. Normally, labs are locked when classes are not in session. Students may use laboratories only when they are supervised by faculty members or by designated laboratory assistants.

DPS Officers patrol the East Greenwich campus on foot and in a marked vehicle 24/7. DPS Officers at the Post Road and Access Road campus, patrol the inside of their perspective campuses and monitor video surveillance for any breeches. Each campus, Post Road, Access Road and East Greenwich may have individual business hours, and the hours may vary at different times of the year. The University often hosts invited guests, and visitors to each campus. Academic buildings stay open during normal business hours and often into the evening hours for night classes or activities. Only students, their registered guests, necessary University employees, and others specifically authorized by the University will have access to residential buildings.

**MELTZER HALL ACCESS:** Meltzer Hall operates under a computerized Access Control and Security Monitoring System. Identification cards are coded so that only students who are residents are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. In addition, there is a video camera system throughout the non-living areas of the building that DPS monitors for breeches of security or safety.



**SECURITY CAMERAS:** The DPS utilizes security cameras, in a professional and ethical manner, consistent with accepted legal rights of privacy. Over 90 security cameras are in use in both internal and external locations at all three campuses.

**ELECTRONIC ACCESS:** All university buildings and or offices can be secured by a key or electronic card access. Students are given electronic card access to their residence halls, and authorized faculty and staff are issued keys and or card access to their workplaces. After-hours access to locked academic buildings is restricted to authorized persons holding keys or electronic access cards for the facilities.

**EMERGENCY BLUE PHONES:** Currently, NEIT has four emergency blue phones which are located on the East Greenwich campus. Two emergency blue phones are located in the WB Mason Lot, the third is located in the walkway between Meltzer Hall and Tech Way and the fourth is located at the basketball court.

## **VII. MAINTENANCE OF CAMPUS FACILITIES**

Security and fire safety considerations go into the planning and design of all campus buildings. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings, and to Meltzer Hall. DPS encourages NEIT community members to promptly report any security concerns, including concerns about locking mechanisms, lighting, or landscaping to the communications center. DPS works closely with Facilities Management to ensure prompt repair of maintenance issues that pose a safety or security concern to the community.

## **VIII. CRIME PREVENTION EDUCATIONAL PROGRAMS**

The DPS Officers and Residence Life work together to enforce security measures in Meltzer Hall. Security programs are presented at least annually to NEIT residents to increase their awareness of safety and security in the residential facilities.

All students and employees are encouraged to be responsible for their own security, to secure their belongings, and to report all criminal activities to appropriate authorities. Security procedures and crime prevention are reviewed at orientation for new students. Employees should talk to their supervisor about security procedures and crime prevention.

Annually, all students and employees are provided with copies of the Annual Security and Fire Safety Report and NEIT's Drug Free Campus Policy.

## **IX. THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA) OF 1989**

The Drug-Free Schools and Communities Act (DFSCA) of 1989 requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program.









**HELP IS AVAILABLE**

Breaking free of the cycle of abuse is a difficult move for the drug user or alcoholic. But help is nearby - within NEIT and within your community. When the user reaches out for help, everyone benefits from better relationships, health and safety, and the ability to work together as a team.

Within NEIT, all faculty, students and staff are invited to use the confidential resources of the Office of Student Support Services. NEIT'S Director of Student Life will act as a resource person to refer individuals

**XI. FIRE SAFETY REPORT FOR ON-CAMPUS RESIDENTS:** By October 1 of each year the NEIT Department of Public Safety will make the “Annual Security and Fire Safety Report” available to all students, prospective students, and employees. A copy of the Fire Safety Report will be distributed to all current students and employees via email. Also, a paper copy of the report will be provided upon request to the Department of Public Safety.

**Fire Log:** The Department of Public Safety maintains a Fire Log that includes the nature, date, time, and general location of every fire that occurs in an on-campus student housing facility. Entries or additions to the log must be made within two business days of receipt of the information. The log is available for the most recent 60-day period for inspection during business hours on weekdays. Older portions of the log will be made available within two business days of a request for public inspection.

**FIRE STATISTICS 2022**

Meltzer Hall	Total number of Fires in Meltzer Hall	Total number of Fires outside Meltzer Hall	Cause of Fire	Number of injuries
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NEIT advises all residents to familiarize themselves with the emergency exits and evacuation routes from their locations. Evacuation diagrams are posted in all residence hall rooms. If for any reason there is no evacuation diagram in your area, immediately notify the Office of Auxiliary Services. Residents should also familiarize themselves with the location of fire alarm boxes.

Students should immediately report any fire by calling 911 or pulling a fire alarm. Extinguished fires must be reported to the Department of Public Safety. Students should also report any hazardous or potentially hazardous conditions to the Department of Public Safety.

Students who fail to comply with NEIT's Fire Safety Policy for Resident Students are subject to disciplinary action which may jeopardize their residency status.

### **FIRE ALARMS**

All students and guests are required by Rhode Island state law to evacuate the residence hall building when a fire alarm sounds. If a fire alarm sounds, follow these instructions:

Feel the door of your room to see if it is hot. If it is not hot, slowly open the door to check for smoke. If there is no smoke, close the windows, leave the light on, and walk briskly to the nearest exit.

Do not use an elevator; use the nearest stairway.

If the door is hot or the corridor is filled with smoke, return to your room and notify The Department of Public Safety. **WAIT FOR A FIREFIGHTER BY THE WINDOW.**

Once outside, move away from the building to a designated assembly area (listed below).

Assembly areas are marked. Students will remain at the assembly area until informed by the fire department, when a fire alarm sounds.

**EVACUATION OF RESIDENTS WITH DISABILITIES**

Obstructing, tampering with or causing fire alarm and firefighting equipment to become inoperable will lead to disciplinary action, a fine and possible criminal prosecution.

## **MELTZER HALL FIRE SAFETY SYSTEMS**

Meltzer Hall is completely protected by sprinkler and fire alarm systems. The sprinkler is a wet system in all occupied spaces, with a dry system in the unheated attic area. The sprinkler system is tied into the fire alarm system. The fire alarm system is comprised of smoke detectors and manual pull stations located throughout the building. The fire alarm system also is equipped with a microphone allowing emergency instructions to be given via a speaker system.

If either system is activated, the alarm is immediately transmitted to the municipal fire department via a radio box. The system also sends an alarm to the University's Public Safety Dispatch center. The sprinkler system is inspected semi-annually, and the fire alarm system is inspected quarterly in compliance with the Rhode Island State Fire Code.

Meltzer Hall also has a manual standpipe system in each of the three stairwells for use by firefighters. There are twenty-one fire extinguishers located within the public and utility spaces of the building. The extinguishers are serviced semi-annually by a service professional and are inspected monthly by the Environmental Health & Safety Officer.

The fire alarm and other safety features of the building are powered by a generator in the event of a power failure. The University is committed to keep all systems current with technological improvements and compatible with other new systems installed on campus.

## **STUDENT ROOMS**

### **ELECTRICAL**

NEIT prohibits all electrical wiring other than that which it provides.

Extension cords are not allowed. UL approved power strips with a surge protector are allowed.

Decorative LED string lights (miniature) are allowed. Not more than three (3) sets may be connected together, and they must be UL approved. All string lights must be hung properly and safely, ensuring intact cord insulation (no thumb tacks)

### **FURNITURE**

The following types of furniture are prohibited:

Upholstered furniture of any kind other than that provided by NEIT.

Beanbag chairs.

Inflatable furniture.

Mattresses other than those provided by NEIT; and

Egg crate foam (commercial mattress pads are allowed).

**POSTERS, TAPESTRIES, AND OTHER DECORATIVE FURNISHINGS IN MELTZER HALL ROOMS:** Bulletin boards, posters, and paper attached directly to the wall shall not exceed 20 percent of the wall area to which they are applied. Tapestries or large wall hangings must be flame retardant and shall not exceed 50 percent of the wall to which they are applied. All items must be mounted at least 12 inches below the ceiling.

**PROHIBITED ITEMS:** The following items are prohibited in Meltzer Hall:

Natural trees, candles, incense, warmers, flammable liquids, and flame lamps.

Hookahs, electronic cigarettes, and other smoking devices. No smoking of any sort is allowed.

Plug-in air fresheners (free-standing freshen

**East Greenwich Police**  
General Information: 401-884-2244

**Student Support Services**

will work with Public Safety. Cooperative efforts may include:

- Check of the missing student's residence hall room
- Contact attempts via cell phone, email or other means
- Identification of and contact with other individuals who may have knowledge of the missing student's whereabouts

Public Safety will gather all essential information related to the missing person and conduct a thorough investigation. No later than 24 hours after the missing person report is first received, Public Safety will



- a. **Quid Pro Quo Sexual Harassment** occurs when an employee of NEIT conditions the provision of an aid, benefit, or service of NEIT on an individual's participation in unwelcome sexual conduct.
- b. **Hostile Environment Sexual Harassment** occurs when unwelcome conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to NEIT's education program or activity.
- c. **Sex-Based Crimes** occur when conduct constitutes "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).

**Sexual Assault** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.

- o **Rape** is the carnal knowledge of a person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- o **Sodomy** is oral or anal sexual intercourse with another person, without the consent of that person, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- o

a person who is cohabitating with or

Confidentiality exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. NEIT makes available to students a Behavioral Health Counselor as a Confidential Resource for consultation regarding reports of Title IX Prohibited Conduct or other offenses, and those individuals are not required to report to or share any information with NEIT. Consultation with Confidential Resources does not constitute notice to NEIT.

**When to Report Title IX Prohibited Conduct:** There is no specific time frame for individuals who have experienced Title IX Prohibited Conduct to make an initial report pursuant to this process. Individuals are, however, encouraged to make a report soon after the incident in question in order to maximize NEIT's ability to investigate and reach a finding because NEIT's ability to respond fully may be limited with the passage of time.

**Reporting Incidents of Title IX Prohibited Conduct:** Any person may report Title IX Prohibited Conduct to the Title IX Coordinator, regardless of whether the person reporting is the person alleged to be a Complainant. Such a report may be made at any time (including during non-business hours) by telephone, electronic mail, or mail, using the contact information listed for the Title IX Coordinator below.

A reporting party may request that NEIT not investigate and/or adjudicate the report under the formal complaint procedures described herein. NEIT will make all reasonable efforts to honor the Complainant's request. However, in certain circumstances, NEIT may have to pursue a formal complaint. These circumstances include, but are not limited to, instances when NEIT has received multiple reports of misconduct by the same individual or when the conduct reported poses a compelling risk to the health and safety of NEIT community.

Upon receiving a report of sexual harassment, if the Title IX Coordinator is made aware of the identity of a Complainant, the Title IX Coordinator or designee will make all reasonable efforts to promptly contact the Complainant to discuss the availability of supportive measures (see Section "X" below), consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. For purposes of this policy, NEIT will be deemed to have Actual Notice of allegations only when notice of said allegations are made to the Title IX Coordinator or to a NEIT official who has authority to institute corrective measures on behalf of NEIT.

Upon receiving a report of sexual harassment, if the Respondent is unknown or is not a faculty, staff, or student member of NEIT, the Title IX Coordinator will make all reasonable efforts to provide the Complainant with supportive measures, as well as information and options regarding potential criminal processes. The Title IX Coordinator may also take appropriate actions to protect the Complainant, such as providing assistance in obtaining no-trespass and restraining orders. If requested, NEIT will assist in filing/applying for orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

#### **Title IX Coordinator Contact Information**

Name: Scott Freund

Role: Title IX Coordinator

Office Location: Executive Offices, 1 New England Tech Blvd, East Greenwich, RI

Phone Number: (401) 739-5000

Email Address: [sfreund@neit.edu](mailto:sfreund@neit.edu)  
Office Mailing Address:  
New England Institute of Technology  
One New England Tech Boulevard  
East Greenwich, Rhode Island 02818

**Option of Confidential Reporting:** Individuals have the option to speak confidentially to NEIT's Behavioral Health Counselor.

**Option of Reporting to Law Enforcement:** Individuals who have experienced criminal violations are encouraged to report the incident to local law enforcement and have the option to do so. Formal reporting options include contacting the police department in the jurisdiction in which the incident occurred. If a Complainant chooses to report to law enforcement or pursue a criminal process, the Complainant may simultaneously pursue a formal complaint under this policy. Individuals are advised that if there is concurrent law enforcement activity, NEIT may temporarily delay its investigative or adjudicative process.

NEIT can provide Complainants with information and support in the process of reporting criminal conduct to law enforcement.

Regarding the involvement of law enforcement, the Complainant has several options, including: (1) to notify law enforcement authorities; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) to decline to notify such authorities. NEIT will comply with the Complainant's request for assistance in notifying law enforcement to the extent it is consistent with law. The Complainant's choice to report to law enforcement will not impact the provision of supportive measures.

#### **4. Interim Measures:**

**Emergency removal from campus:** Nothing in this part precludes NEIT from removing a Respondent from NEIT's education program or activity on an emergency basis, provided that NEIT undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Prohibited Conduct justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

**Supportive Measures:** When a report of Title IX Prohibited Conduct is received, the Title IX Coordinator or designee will offer supportive measures. Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to NEIT's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter Title IX Prohibited Conduct.

Supportive measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual

restrictions on contact between the parties, chang

As required by the Clery Act, the Grievance Process will also be implemented by officials who, at a minimum, receive annual training on relevant issues related to sexual assault, dating and domestic violence, and stalking, and on how to conduct the Grievance Process.

### **Conflicts of Interest, Bias, and Impartiality**

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes will make all reasonable efforts to ensure the formal complaint grievance process is facilitated in an impartial manner.

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of informal resolution processes may not have a conflict of interest for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The parties are expected to promptly report concern(s) regarding conflict of interest or bias regarding the above listed personnel to the Title IX Coordinator as soon as reasonably possible once they become aware of the conflict of interest or bias. Upon receiving a report of conflict of interest or bias, NEIT will evaluate the report, and if it is determined that a conflict of interest or bias exists, NEIT will appoint another individual to serve in the role.

## **6. Filing a Formal Complaint**

A Complainant (see Appendix A for definition) may file a formal complaint alleging Title IX Prohibited Conduct against a Respondent (see Appendix A for definition) and requesting that NEIT investigate the allegation of Title IX Prohibited Conduct. A Complainant also has the option to elect to proceed with an informal resolution process, rather than an NEIT investigation, if both parties have voluntarily agreed to do so and have met the requirements described in the “Informal Resolution Process” section below.

A formal complaint is a document signed by a Complainant, or signed by the Title IX Coordinator, against a Respondent. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party. The formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above for the Title IX Coordinator. For purposes of this definition, “document signed by a Complainant” means a document or electronic submission that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

After receiving a written notice of formal complaint, both the Complainant and the Respondent will be asked to identify any academic or other significant conflicts that would affect the timing of the investigation and/or live hearing.

## **7. Consolidation of Formal Complaints**

NEIT may consolidate formal complaints under this policy when allegations arise out of the same facts or circumstances. In addition, a formal complaint of Title IX retaliation described herein may be consolidated with a formal complaint of Title IX sexual harassment under Title IX. Where the formal grievance process involves more than one Complainant or more than one Respondent, references made to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

## **8. Initial Assessment of a Formal Complaint**

Upon receipt of a formal complaint, the Title IX Coordinator will evaluate whether the alleged conduct, if proven, would constitute a Title IX violation because it meets or could meet the definition of Title IX



If the parties choose informal resolution, NEIT shall provide the parties a written notice, prior to initiating an informal resolution process that includes:

- 1) The allegations alleged by the Complainant.
- 2) The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 3) Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

If the parties elect to engage in an informal resolution, the time frames set forth herein will be suspended during the pendency of that process.

#### **11. Formal Complaint Grievance Process Overview:**

Once a formal complaint (as explained above) is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the formal grievance process will commence (unless the parties have voluntarily chosen to and have met the requirements to proceed with an informal resolution process as described herein). The grievance process will include written notice of allegations, investigation with interviews of all parties and relevant witnesses, a live hearing that includes all parties and relevant witnesses led by a Decision-Maker(s), a written determination of responsibility, and the option for appeal.

NEIT will make all reasonable efforts to provide a prompt, equitable, fair and impartial resolution of student and employee complaints (as defined under Title IX and in the Clery Act), including providing a grievance process that treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following its grievance process before imposition of any disciplinary sanctions or other actions that are not supportive measures. Remedies will be designed to restore or preserve equal access to NEIT's education program or activity. Such remedies may include the same individualized services offered as

have methe 7 pr



- d. Information regarding the parties' right to have an advisor of their choice, who may be, but is not required to be an attorney.
- e. A statement that the parties may inspect, and review evidence as described in the "Investigation" section of this policy; and
- f. A statement that NEIT prohibits knowingly making false statements or knowingly submitting false information in bad faith at any point in the grievance process. Individuals who engage in this misconduct may be subject to disciplinary actions (see Appendix B below). Disciplinary action pursued against a party for knowingly making false statements or submitting false information in bad faith does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or provided materially false information in bad faith.
- g. If in the course of an investigation, NEIT decides to investigate allegations about the Complainant or Respondent that are not included in the written notice of allegations described above, the Title IX Coordinator will provide written notice of the additional allegations to the parties whose identities are known.

## 12. Investigation of Formal Complaints of Title IX Prohibited Conduct

**Overview of the Investigative Process:** Once a formal complaint is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the Title IX Coordinator will appoint an Investigator to conduct a formal investigation into the allegations.

The Investigator will contact the parties whose participation is invited or expected for an investigative interview and will provide written notice of the date, time, location, participants, and purpose of the meeting. Parties will be given reasonably sufficient time to prepare to participate.

The Investigator will make all reasonable efforts to complete the investigative report within 60 business days of the date the written notice of formal complaint is sent to the parties. This time frame may vary depending on the size of the formal complaint, the amount of evidence to be considered, the number of persons to be interviewed, and additional factors. If the investigative report is going to take longer than the time frame designated herein to complete, the parties and their advisors will be given notice.

The parties and their advisors are not authorized to disseminate any portion of the investigative report sent to them through electronic or hardcopy means.

Unauthorized video or audio recordings of investigative interviews are not permitted by the parties or their advisors.

**Equal Opportunity Given to the Parties:** All parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Both the Complainant and Respondent have the right to meet separately with the Investigator.

Both the Complainant and Respondent are permitted to provide names of potential witnesses to the Investigator. The Investigator will determine which of those potential witnesses, or other persons, may have relevant information about the alleged conduct; and the Investigator may request statements, either orally or in writing.

Both the Complainant and the Respondent are pe

**Live Hearing Schedule:** Promptly after receiving the parties' written responses, a Decision-Maker will provide the parties, their advisors, and witnesses with written notice of the live hearing date, time, and location. In this notice, the parties will be asked to inform the Decision-Maker right away if there is a scheduling conflict that would make it impossible to attend the live hearing.

**Live Hearing Location and Attendance:** At the request of either party, NEIT will provide for the live hearing to occur with the parties located in separate rooms. Live hearings may be conducted with all parties physically present in the same geographic location; or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. In either of the aforementioned situations, NEIT will provide technology that enables the participants to simultaneously see and hear each other.

The only persons permitted to attend the live hearing are the parties, their advisors, the witnesses, and designated NEIT personnel. The witnesses are only to be in attendance at the live hearing during the time in which they are offering information or answering questions. Otherwise, the witnesses are to be waiting in a designated room (or virtual room) until called upon.

**Recording of Live Hearing:** NEIT will create an audio or audiovisual recording, or transcript of any live hearing. The choice of whether it is an audio or audiovisual recording, or transcript is made in the sole discretion of NEIT. The audio or audiovisual recording, or transcript will be made available to both parties for inspection and review. In compliance with disability laws, NEIT will ensure that all parties are properly accommodated with respect to use of technology and reliance on visual, audio, or written communication.

**Standard of Evidence:** Clear and convincing is the standard of evidence to be used to determine whether a Respondent is responsible for the prohibited conduct alleged in the formal complaint (see Appendix A for definition). This is the standard of evidence that will be applied to all formal complaints of prohibited conduct described in this policy, regardless of whether the Respondent is a student or employee of the institution.

**Advisors:** The Complainant and the Respondent are entitled to the same opportunity to be accompanied to any related meeting or proceeding, including the live hearing, by the advisor of their choice, who may be, but is not required to be, an attorney; and NEIT may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding, including the live hearing. Notwithstanding, the advisor must comply with the restrictions established by NEIT regarding the extent to which the advisor may participate in the proceedings. The restrictions are set forth below:

- *Meetings and Investigation Interviews:* Advisors may not speak for or on behalf of any Complainant or Respondent during any meetings and/or investigation interviews. While an advisor cannot speak for or on behalf of the Complainant or Respondent during any meetings and/or investigation interviews, time will be granted for the advisor and the party to confer, if deemed appropriate, by the Investigator or NEIT personnel facilitating any meeting. The Investigator and NEIT personnel reserve the right to exclude an advisor from any meeting or investigation interview for failure to abide by these restrictions.

- *Live Hearings*: Each party must have an advisor present at the Title IX live hearing. If a Complainant or Respondent does not have an advisor present at the live hearing, NEIT will provide one. NEIT reserves sole discretion to select the advisor provided. The advisor selected will be provided without cost to the Complainant or Respondent. The role of the advisor during the live hearing is solely to conduct questioning on the Complainant's or Respondent's behalf. At the live hearing, the Decision-Maker will permit each party's advisor to ask the other party and any witnesses relevant questions and follow-up questions, including challenging the credibility. It is the expectation of NEIT that the advisor will at all times act in a respectful and non-aggressive manner. The Decision-Maker reserves the right to exclude an advisor from the live hearing for failure to abide by these restrictions. Should an advisor be excluded from the live hearing, the party will be able to choose a new advisor, or one will be provided by NEIT.





Either after receiving the other party's written response to the appeal, or after the time for the other party to submit a written response has expired, the Appeal Officer will make a determination regarding the outcome of the appeal within 10 calendar days. The Appeal Officer's decision shall be final.

Upon a determination of the outcome of the appeal, the Appeal Officer will provide written notice of the decision to both parties and will make all reasonable efforts to simultaneously notify said parties. This written notice will describe the rationale for the result of the appeal.

**17. Potential Delays in the Informal Resolution Process or Formal Grievance Process**

NEIT will make all reasonable efforts to abide by the timelines described throughout this policy. If the timeline for any stage of the informal resolution process or the formal complaint grievance process

measures on behalf of NEIT. Officials of NEIT with authority to institute corrective measures are the Title IX coordinator.

Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of NEIT with actual



be participating in or attempting to participate in the education program or activity of NEIT. For purposes of this policy, employment by NEIT constitutes participation in the education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by NEIT.

**“Notice”** includes, but is not limited to, a report of Title IX Prohibited Conduct to the Title IX Coordinator.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute Title IX Prohibited Conduct.

**Sanctions** are individualized measures implemented after a hearing that may be disciplinary in nature, as described in Appendix B.

**Supportive measures** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to NEIT’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter Title IX Prohibited Conduct.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. NEIT must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of NEIT to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

## **Appendix B – Title IX - Remedies and Sanctioning Guidelines**

### **A. Remedies**

Following a determination of responsibility under the formal Title IX Grievance procedure that the Respondent engaged in Title IX Prohibited Conduct directed at the Complainant, remedies are provided to a Complainant. Remedies must be designed to restore or preserve access to NEIT’s educational program or activity. Remedies may include disciplinary sanctions or other actions against a Respondent. They may include the same individualized services as those offered as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

The Decision-Maker(s) will decide on the remedies as the Decision-Maker(s) deems appropriate for the particular case and may consult with the Title IX Coordinator or other appropriate NEIT office in crafting remedies.

The Decision-Maker(s) should provide remedies that will remediate a hostile environment for the Complainant and/or provide safety protections for the Complainant or for NEIT community members.

#### **1. Remedies Relating to the Respondent**

Remedies relating to all Respondents could include the following restrictions:



NEIT offers the following guidance for disciplinary sanctions for all findings of Title IX Prohibited Conduct. The Decision-Maker(s) may consult with the Title IX Coordinator or other appropriate NEIT office in crafting sanctions.

The Decision-Maker(s) will decide on the sanctions as the Decision-Maker(s) deems appropriate for the particular case.

### **1. Most Serious Offenses, Termination/Expulsion**

While any incident of Title IX Prohibited Conduct is cause for concern and may lead to separation/termination or expulsion depending on the individual circumstances of the case, NEIT considers the following offenses to be particularly egregious and likely warrant separation/termination or expulsion unless there are significant mitigating circumstances that overcome the presumption:

- a. Rape, sodomy, sexual assault with an object including an aggravating factor
- b. Domestic or dating violence with a serious injury
- c. Any violation including two or more aggravating factors

### **2. Aggravating Factors**

While any incident of Title IX Prohibited Conduct is cause for concern, NEIT considers the following factors to be aggravating factors that warrant increased sanctions:

- a. The act is accomplished by force, violence, duress, or menace
- b. Inducing incapacitation through involuntary ingestion or knowingly taking advantage of an incapacitated person
- c. Past violations of NEIT policy by the Respondent, especially relating to Title IX Prohibited Conduct (or prior policies)
- d. More than one perpetrator
- e. Acts committed in the context of an initiation into membership and/or hazing
- f. Knowingly using the Respondent's power/authority within NEIT to obtain submission or to accomplish the violation

Decision-Makers may consider past disciplinary outcomes for similar matters but are not required to give any weight to past outcomes.

### **3. Mitigating Factors**

- a. The Respondent did not have an intent to violate NEIT policy
- b. The Respondent has taken responsibility for their actions
- c. Other considerations that a reasonable Decision-Maker(s) would rely on

### **4. Other Sanctions**

Following a determination that termination/expulsion is not appropriate, a Decision-Maker(s) may consider other sanctions. The offenses listed above in Section B.1. are extremely serious and (in instances in which termination/expulsion is not warranted), for student and faculty Respondents, separation from NEIT for some period of time is expected.

A Decision-Maker(s) should consider the aggravating factors listed above in Section B.2. when imposing sanctions. When one or more aggravating factors are present, the Decision-Maker(s) should impose a sanction that includes a reflection of the seriousness of the aggravating factor(s).

#### **a. For Students**

Aside from expulsion, other sanctions could include the following:

Suspension from NEIT for a period of between one and twelve (12) quarters (that is, up to three academic years)

(28%), or relative (7%). Though only a potential perpetrator can prevent sexual assault by not committing the act, there are steps you can take to improve your safety and reduce your risk of becoming a victim.

## **XVI. EDUCATIONAL PROGRAMS TO PROMOTE THE AWARENESS OF RAPE, ACQUAINTANCE RAPE, SEXUAL ASSAULT, DOMESTIC AND OR DATING VIOLENCE, STALKING AND OTHER FORCIBLE AND NON-FORCIBLE SEX OFFENSES**

Primary prevention and awareness programs to promote the awareness of rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking are conducted with incoming students and employees. On-going prevention and awareness campaigns to promote the awareness of rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking for students are conducted by the Office of Student Support Services.

## **XVII. SAFE AND POSITIVE OPTIONS FOR BYSTANDER INTERVENTION IN INCIDENTS OF SEXUAL VIOLENCE**

There is no universal response when intervening to prevent sexual violence--every situation is different. Safety is key in deciding when and how to respond to sexual violence. Every person must decide for him/herself the safest and most meaningful way to become an engaged bystander. The following are ideas on how one can maintain safety while being an engaged bystander:

If you witness sexual violence, get support from people around you. You do not have to act alone. Practice with friends and family about what you would say and how you would say it.

When intervening, be respectful, direct, and honest.

If you see or hear something and you do not feel safe, contact the police.

*(Adapted from National Sexual Violence Resource Center – Info & Stats for Journalists  
“Engaging Bystanders” 2013)*

## **XVIII. STATE OF RHODE ISLAND CRIMINAL DEFINITIONS OF SEXUAL VIOLENCE**

### **Sexual Assault:**

**First degree sexual assault** – A person is guilty of first-degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:

- (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
- (2) The accused uses force or coercion.
- (3) The accused, through concealment or by the element of surprise, is able to overcome the victim.
- (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

**Second degree sexual assault** – A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:

- (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled or physically helpless.
- (2) The accused uses force or coercion.
- (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification or stimulation.

**Third degree sexual assault** – Commonly known as ‘*statutory rape*’ - A person is guilty of third-degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

**First degree child molestation sexual assault** – A person is guilty of first-degree child molestation sexual assault if he or she engages in sexual penetration with a person fourteen (14) years of age or under.

**Second degree child molestation sexual assault** – A person is guilty of a second-degree child molestation sexual assault if he or she engages in sexual contact with another person fourteen (14) years of age or under.

**Rape:** 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.

**Domestic Violence:** Domestic Violence includes, but is not limited to, any of the following crimes when committed by one family or household member against another: Simple assault; Felony assaults; Vandalism; Disorderly conduct; Trespassing; Kidnapping; Child-snatching; Sexual assault; Homicide; Violation of a protective orders; Stalking; Refusal to relinquish or to damage or to obstruct a telephone; Burglary and Unlawful Entry; Arson; Cyber-stalking and cyber-harassment; Electronic tracking of motor vehicles and Assault by strangulation.

**Stalking:** Any person who:

(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(2) "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress or be in fear of bodily injury.

**Dating Violence:** Dating Violence means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

## **XIX. SEX OFFENDER REGISTRATION**

The Campus Sex Crimes Prevention Act of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. NEIT is required to inform the campus community that law enforcement agency information provided by the State of Rhode Island under section 170101(j) of the Violent Crime Control and Enforcement Act of 1994 concerning registered sex offenders may be obtained from the Rhode Island Parole Board Sex Offender Community Notification Unit website, [http://www.paroleboard.ri.gov/level3\\_notification.htm](http://www.paroleboard.ri.gov/level3_notification.htm) or by contacting the Warwick Police Department, tel. 401-737-2244 or East Greenwich Police Department, tel. 401-884-2244.

Questions or Concerns about this Report?

Contact Pamela Moffatt-Limoges, Director of Public Safety and NEIT's Clery Compliance Coordinator  
[pmoffatt-limoges@neit.edu](mailto:pmoffatt-limoges@neit.edu) or 401-780-4347

**INCIDENCES OF CRIMINAL OFFENSES REPORTED BY CAMPUS**

**Appendix C**

Richard I. Gouse, East Greenwich, RI, Campus

	On-Campus			Meltzer Hall			Public Property			Non-Campus Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
<b>Crimes Reported</b>												
Murder/Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	1	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0
<b>VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES</b>												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0



**INCIDENCES OF CRIMINAL OFFENSES REPORTED BY CAMPUS**  
**Julian B. Gouse – Post Road Campus, Warwick, RI**

	<b>On-Campus</b>			<b>Public Property</b>			<b>Non-Campus Property</b>		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0

