



BROOKLINE COLLEGE

Small College. **Big Future.**

2017 Annual Security Report

New Mexico

Family Educational Rights and Privacy Act (FERPA)

Revised September 2017

INTRODUCTION

Brookline College is concerned about the safety and welfare of all campus members and guests. The following information has been prepared to increase your awareness of current programs that exist to protect your safety and well-being.

All student body, faculty and staff are encouraged to take responsibility for maintaining a secure campus environment by participating in the campus security programs and by reporting all suspected criminal actions and emergencies.

The annual security report is prepared by the Compliance Officer by compiling incident reports from each campus along with working with local law enforcement to gather crime statistics for the campus and surrounding area.

SECURITY INFORMATION

The Clery Act (Public Law 101-542 amended by P.L. 102-26) requires Brookline College to create campus security policies and distribute crime statistics annually to all current students and employees. When a crime is reported, the situation will be evaluated and the proper authorities will be contacted. All information will remain confidential. The institution will respond administratively if a criminal offense involves a student or employee as an alleged offender.

Brookline College campuses are open and available to students from 7:30 am to 10:00 pm. For safety reasons, it is not recommended that students stay on campus after hours. Students and employees are subject to Brookline College's Policies and Procedures.

Brookline College has open campuses with facilities available during working hours to all students and members of the academic community. All members of the community have a responsibility to report any suspicious behavior or incidents to campus security or to the local police. Access to campus facilities is restricted to employees in administrative buildings and open to members of the college community in campus instructional facilities. All buildings are open during regular business hours and security personnel are onsite at all campuses during these hours as well. Campus buildings have alarms and security cameras are in place throughout the campuses and parking lots.

All parking lots and campus facilities have exterior lighting in the evening. Security guards regularly check the lighting for any faults or lights that are out throughout the campus on regular rounds. Any burnt bulbs, faulty locks, broken items, or other issues are reported to campus management for the facility operator to address.

AWARENESS & PREVENTION

Brookline College takes advantage of many opportunities to remind students and employees of campus security issues. Students are informed of Brookline College's campus security policy during orientation. Employees are informed during faculty meetings and all-staff meetings. In order to protect the health and safety of students and employees, Brookline College may have to disclose the identity of the individuals who have been involved in criminal activities on campus. Students involved in criminal activities on campus will be referred to a disciplinary committee made up of the Campus Director, Director of Education, Admissions Director and Financial Aid Director. Victims or witnesses' voluntary or confidential reports will be included in the annual disclosure of crime statistics.

Brookline College has campus security on site at all locations for the safety of students, faculty and staff in the case of any security issues. Brookline College does not have a written Memorandum of Understanding with local police and campus security does not have the authority to make arrests but is empowered to contact local police if they feel the issue needs to be escalated beyond campus staff.

SECURITY AWARENESS

Brookline College offers security awareness programs to inform the campus community of the security available on and off campus. Students are given the information upon enrolling; employees are given the information upon hire and again each year through presentations, pamphlets and the annual security report.

CRIME PREVENTION

Brookline College offers crime prevention programs to inform the campus community of possible criminal activity and how to prevent it. The information is given to the students upon enrolling and to employees upon hire and again each year through presentations, pamphlets, and the annual security report.

Brookline College is dedicated to providing ongoing crime prevention and awareness for all of its employees and students. Through annual security reports such as this one, guest speakers at each of the campuses, and community involvement, Brookline College seeks to identify areas of concern within the campus communities and address potential risks. Each campus hosts local law enforcement multiple times each year with different topics on the agenda varying from emergency action plans to canine law enforcement techniques. Each visit also addresses the college's continuing policies on dating violence, domestic violence, sexual assault, and stalking. Through law enforcement and community involvement, the campus community can learn how to better prevent the circumstances that lead to security breaches.

AUTO THEFT

Never leave your keys in an unattended car or attach a tag with your name and address to a key ring. Never leave the title in your vehicle. At night park your vehicle in a well-lit area with pedestrian traffic.

DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

Brookline College prohibits Dating and Domestic Violence, Sexual Assault and Stalking. Violations to Brookline's policy will result in disciplinary action. Brookline College defines Dating and Domestic Violence, Sexual Assault and Stalking as the following:

- Dating Violence: is controlling, abusive or aggressive behavior in a romantic relationship
- Domestic Violence: is violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or partner
- Sexual Assault: is any type of sexual contact or behavior that occurs without the explicit consent of the recipient
- Stalking: is the act of pursuing or harassing another person

Brookline College offers a number of prevention and awareness programs to its students, faculty and staff each year. These programs are designed to provide information on dating and domestic violence, sexual assault, and stalking and to help prevent it happening to our community. The prevention and awareness programs are designed to reduce risk to students and employees. At the time of enrollment new students are directed to the annual security report to view information, as listed below, on reducing the risk of dating violence, domestic violence, sexual assault, and stalking. New employees who begin with Brookline College are also directed towards this information.

Campuses have information in the learning resource center on the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking and reducing the risk to students and employees.

DATING AND DOMESTIC VIOLENCE

Dating and Domestic Violence is violence between two people who have been in a romantic or closer personal relationship. It is important to remember that family violence is a crime and that there is no need to suffer in silence. Help is available for both the victim and the offender. New Mexico Family Violence Protection Act, Chapter 40 Article 13 NMSA 1978 or the Crimes

Against Household Members Act (30-3-10 to 30-3-16 NMSA 1978) applies to household members who are related to one another as:

- Husband/Wife (Ex-husband/Ex-wife)
- Parent/Child
- Brother/Sister
- Grandparent/Grandchild

Offenses covered under this law include assault of any kind, threatening or intimidating behavior, criminal damage, custodial interference, kidnaping or false imprisonment, and trespassing. The law also protects family members against fighting, unreasonable noise, abusive language and reckless use of a weapon or dangerous instrument.

It may be necessary to move away from your abuser for a while. There are a number of family shelters in the Albuquerque area that can provide safe, supportive, short-term housing for you and your children. Contact the New Mexico Domestic Violence Resource Center (505.768.2104).

A final step to safeguarding you and your family against repeated violence is to ask for an Order of Protection. The police department can assist you. An Order of Protection is an official court document notifying the offender that he or she has been placed under specific restrictions.

If you feel you are a victim of dating or domestic violence, you can contact your Campus Director or other Director on campus for help. The Directors are there to help you determine your best course of action up to and including contacting local authorities. If the matter pertains to another member of the Brookline community, the Directors will meet to interview and review the parties involved to determine any disciplinary action and if the matter needs to be further escalated.

SEXUAL ASSAULT

Most sexual assaults occur outside, on the street, in a park, playground or school yard. Be alert to your surroundings and the people around you when you're outside - try these tips:

- Stay in well-lit areas as much as possible.
- Walk on the side of the street facing traffic.
- Walk close to the curb.
- Avoid doorways, bushes and alleys.
- If you think you are being followed, walk quickly to areas where there are lights and people.

Should a sex offense occur on campus, notify any campus security personnel or Director immediately. The staff is trained to follow specific procedures prescribed for this type of crime. Call the police right away, get help from a friend, your doctor, or a hospital emergency room, or contact a rape or other crisis service. The most important thing to remember after an attack is that

you should not touch anything, change your clothes, wash or douche until you have contacted the police and have been to a hospital.

www.nmsexoffender.org The New Mexico Department of Public Safety keeps information regarding sex offenders at <http://www.nmsexoffender.dps.state.nm.us/>

STALKING

Stalking can be:

- Following a person
- Making harassing phone calls
- Constant contact through electronic means (email, text messaging, social media)
- Going to a person's home, class or work

According to New Mexico State Law (NM Stat Ann 30-3A-3), stalking consists of a person who knowingly pursues a pattern of conduct, without lawful authority, directed at a specific person when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.

If you feel you are a victim of stalking, you can contact your Campus Director or other Director on campus for help. The Directors are there to help you determine your best course of action up to and including contacting local authorities. If the matter pertains to another member of the Brookline community, the Directors will meet to interview and review the parties involved to determine any disciplinary action and if the matter needs to be further escalated.

CONSENT

Lack of consent to a sexual contact may be demonstrated in the following ways: (1) forcible compulsion including the use of physical force or threat (express or implied) which places the person in fear of physical injury to self or another; (2) incapacity to consent on the part of the victim; (3) circumstances in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or (4) circumstances in which the victim clearly expressed by words or actions that he or she did not consent to engage in such sexual act and a reasonable person would have understood such person's words or actions as an expression of lack of consent to such conduct. A person is deemed incapable of giving consent if she/he is (a) under the age of 17, (b) mentally incapacitated (which may include incapacity due to the victim's ingestion of alcohol or drugs), (c) physically disabled or (d) physically helpless (asleep, unconscious or for any other reason

physically unable to communicate unwillingness to act, which may also include incapacity due to the victim's ingestion of alcohol or drugs).

BYSTANDER INTERVENTION

Brookline College encourages all community members, including faculty, students and visitors to take reasonable and prudent actions to prevent and stop an act of sexual harassment gender-based harassment or sexual violence that she/he may witness. Although these actions will depend on circumstances, may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. In addition, Brookline College encourages all community members to report an incident of sexual harassment, gender-based harassment, or sexual violence that they observe or become aware of to the Campus Director or the Title IX Coordinator. Community members who chose to exercise this positive option will be supported by the College and protected from retaliation.

REPORTING ACTIVITY

The security authorities at each of the campuses are the following: Campus Director, Director of Education, Admissions Director and Financial Aid Director. The Campus Director, who oversees everything, takes action to ensure that timely notification is provided to students, faculty and the police department to prevent similar crimes from occurring. Brookline College does not have any off-campus facilities or noncampus locations that are officially recognized by the institution.

In the event that a victim feels uncomfortable with the current academic, living, transportation, or working situation, regardless of whether or not he or she wishes to report the incidence of sexual assault, domestic violence, dating violence, or stalking, Brookline College will provide written notification of the availability of protective measures to make accommodations for the victim and notify the victim of the options available for assistance and how to request changes to living situations, academic situations, working situations, or transportation.

Through the use of local authorities, campus, and community resources, Brookline College will provide protective measures for any victim who is in need. This can be done by allowing the victim to complete a class without in the same classroom as the accused, allowing the victim to switch classes to another time or location, or any other reasonable request by a victim to make a change in the academic situation. The victim can also potentially be allowed to make a change in the work location, find another work opportunity in the college, be helped in finding alternative transportation, gain assistance in finding an alternative living situation, or any other reasonable request. Any requests for protective measures should be directed to the campus Director, or human resources department.

EMERGENCIES

In an emergency situation in which the response of the police department, the fire department or medical assistance is required first dial 911, then notify the appropriate security authority below as soon as the crime had been committed or discovered.

NON-EMERGENCIES

To report non-emergency criminal offenses occurring on campus, please notify one of the following individuals or your instructor as soon as a crime is committed or discovered.

CAMPUS	DIRECTOR	ADDRESS	PHONE	EMAIL
Albuquerque	Leslie Gonzalez Campus Director	4201 Central Ave. NW Ste J Albuquerque, NM 87105	505-880- 2877	Leslie.gonzales@brooklinecollege.edu
Albuquerque	Amanda Cervantes Director of Career Services	4201 Central Ave. NW Ste J Albuquerque, NM 87105	505-880- 2877	amanda.cervantes@brooklinecollege.edu
Albuquerque	Jason Ramon Director of Admissions	4201 Central Ave. NW Ste J Albuquerque, NM 87105	505-880- 2877	Jason.ramon@brooklinecollege.edu
Albuquerque	Melissa Gutierrez Manager of Financial Aid	4201 Central Ave. NW Ste J Albuquerque, NM 87105	505-880- 2877	Melissa.gutierrez@brooklinecollege.edu

ACCURATE, PROMPT AND CONFIDENTIAL REPORTING

To report any crime activity, you can contact your Campus Director or other Director on campus for help. The Directors are there to help you determine your best course of action up to and including contacting local authorities. If the matter pertains to another member of the Brookline community, the Directors will meet to interview and review the parties involved to determine any disciplinary action and if the matter needs to be further escalated.

All reporting will remain confidential throughout the process, except in cases where information needs to be further escalated to local authorities outside of Brookline College. The reporting will protect the confidentiality of victims and other necessary parties by not including any personally identifiable information with the consent of the individual. Warnings will be issued to the individuals involved regarding the ongoing investigation. They will be issued in written format by the Campus Director as soon as the information becomes available. The warnings will include the consequences of disciplinary action from suspension up to and including termination from the College.

DISCIPLINARY PROCEDURES AND WRITTEN NOTIFICATION

Brookline College has the following disciplinary procedures in place for any crime and security issue that occurs on campus. A review of the reported incident by the disciplinary committee comprised of the Directors at the campus. The Directors will review the information reported and conduct interviews of those involved. The initial review will be completed within a week of the reported incident. If the Directors feel the incident needs to be reported to the local authorities, they will discuss with the person who brought about the complaint and pass along the necessary information. All reviews will be prompt, fair and impartial, and conducted by the Directors who have received annual training on such issues. The accuser and the accused will be afforded the same opportunities throughout the review process and confidentiality in any accommodations or protective measures provided to the victim or accused will be maintained throughout the process. A preponderance of evidence standard will apply to all proceedings. The accuser and the accused will have the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. There will be no limit to the choice of advisor or presence for either the accuser or the accused in any meeting or disciplinary proceeding. Once the review process has been completed, written notification will be sent to all parties involved at the same time with the results, disciplinary action and procedures for an appeal. The proceedings require simultaneous notification, in writing, to both the accuser and the accused, of any changes to the result and when such results will become final. If requested reasonable accommodations, such as academic changes, will be granted to those involved for a safer Brookline environment.

Dating Violence, sexual assault, domestic violence, and stalking are criminal acts which carry criminal and civil penalties under state and federal law. Any evidence of these actions will be reported and turned over to law enforcement authorities. These actions are also violations of the Brookline College code of conduct policy for employees and can lead to disciplinary action or sanctions by the college including suspension, demotion, or termination as deemed appropriate by the executive team. Students of Brookline College that are responsible for committing these crimes can also be subject to expulsion or suspension as deemed appropriate by the disciplinary committee. Should one of the parties involved received an unfavorable result and would like to appeal; they can do so by contacting the Campus Director to file a formal appeal. The appeal will be reviewed by Brookline's Executive Team.

Brookline College does not have pastoral or professional counselors on staff but can provide outside professional counseling services as needed as a result of event occurring on campus or involving campus staff or a student. As part of the final result, written notification regarding counseling resources will be provided to help those involved in the incident.

Brookline College will also provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measure. Upon request, such accommodations or protective measures

shall be provided to any victim regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

EMERGENCY NOTIFICATION POLICY

In the case of an emergency, it is the Campus Director decision to determine the severity of the situation and determine if outside authorities or the community is required to be notified. Once the Campus Director determines who needs to be notified, how quickly they need to be notified and in what form action will be taken. Notification can be written or verbal. The Campus Director can enlist the help of other Directors to help disseminate the emergency information.

COMMUNICATION DURING EMERGENCY/CRISIS SITUATIONS

In the event of an emergency, Campus Directors, and other designated individuals will attempt to contact and notify all those that might be immediately impacted by the situation.

Instructions/suggestions will be provided as clearly and expeditiously as possible, given the uniqueness of each individual situation Communication modes may include:

- Announcements over (P.A.) system if your campus has one;
- Telephone calls to individual classrooms and offices;
- Word of mouth; going room to room to pass along information;
- Notes/memos;
- Global use of the e-mail system;
- Any other means of communication deemed appropriate and feasible given the uniqueness of each situation.

EMERGENCY DRILLS, TESTING AND EVACUATION

Brookline College has a policy to test the emergency response plan and evacuation procedures at the minimum of once per calendar year. This test may be announced or unannounced. Results of the emergency test will be held at each campus location and available upon request.

Brookline College is dedicated to a safe and orderly learning environment. This *EMERGENCY ACTION PLAN* is intended to be a guideline for faculty and staff to possibly prevent and resolve unexpected or unplanned events that physically or emotionally threaten staff and/or students. The best preparation for an actual emergency, however, is awareness in advance, and proper preventive measures all staff members are expected to review and know the information presented in this *EMERGENCY ACTION PLAN*.

Familiarization and practical exercises are the keys to preparedness in an emergency situation. Campus Directors should share appropriate drill and safety information with all students with whom they work.

This document is available on demand through electronic means. Campus Directors are to ensure a copy of this document along with the Brookline College Safety Manual is located on the front desks of every campus. All employees will receive an electronic copy of this plan. Campus Directors should ensure that the location of the Plan is available for all designated adjunct faculty and other visiting faculty members. All training for the Emergency Action Plan will be governed by the Safety Team Committee and the Campus Directors.

The Safety Team Representative is instructed and required to notify the Campus Director and the Safety Team Committee Co-Chair whenever an unusual event, emergency or crisis arises. During day time operations, several administrators will be available; during evening hours, the night school administrators should be advised of any unusual events. All injuries, emergencies, and accidents must have the documentation completed within 24 hours of the incident as described in the Brookline Safety Manual and forwarded to the Corporate Office; attention: Safety Team Committee Chair.

EMERGENCY NUMBERS

Fire.....911
Ambulance.....911
Police.....911

REQUESTING EMERGENCY ASSISTANCE

Whenever contacting a governmental or other emergency response unit, those making such contact should be certain to provide the requested service with the following information:

1. Caller name.....Provide YOUR NAME
2. Location of Road..... Major cross streets
3. College Phone Number.....Give Main Line
4. Emergency Cellular NumberProvide a Cell Number if possible
5. Nature of Emergency.....Fire, Earthquake, Bomb Threat, etc.
6. Where to reportMain Entrance - meet Public Safety

ASSISTANCE TO DISABLED PERSONS

Faculty and staff members are required to assist people with disabilities during evacuations and/or emergency situations. The College maintains that all students are encouraged and should assist individuals with disabilities whenever evacuation of an area is required; as some disabled individuals may require physical assistance, others may not. Assistance may be especially important in the event someone is on the second floor if the elevator is inoperable. Individuals with disabilities include people who use wheelchairs, have hearing, visual or mental impairments, and utilize crutches or walkers or others whose mobility is restricted or impaired in some manner.

ACCIDENTS RESULTING IN PHYSICAL INJURY

Brookline College requires all employees to perform their job functions as safely as possible. If safety training and/or protective equipment is deemed necessary by an employee, they should immediately contact their immediate supervisor to have the need met.

When an accident occurs that involves physical injury, such must be reported immediately to the Campus Directors, and the incident/injury report form must be completed and forwarded to the Safety Team Committee Chair at the Corporate Office.

Follow the steps below to ensure proper handling of an injury:

1. All accidents resulting in physical injury are to be reported to the campus Safety Team Representative (STR), Campus Directors, and Safety Team Committee Chair.
2. Ensure that faculty/staff, students, and guests are moved away from any dangers posed at an accident scene; if required utilize Standard Universal Precautions.
3. Do not approach an accident scene unless it is safe to do so. If the scene area is unsafe, keep everyone away and wait for the Campus Director, and or Police/Fire Department/Ambulance to arrive.
4. Law prohibits dispensing medication or the treatment of injuries by anyone except a licensed or certified medical person Faculty and staff members may administer basic First Aid, if trained to do so, when obviously needed.
5. The decision to call Paramedics and/or the students' family should be made by the STR or Campus Director or by a Senior Faculty member.
6. Any Accident or Personal Injury to a student, employee, or faculty members will be reported to the Safety Team Committee Chair at the Corporate Office within 24 hours.

FIRE ALARM PROCEDURES

At any time the fire alarm is activated, all non-administrative faculty and staff should promptly proceed to the nearest exit while assisting and directing all other faculty/staff, students and guests out of the building in accordance with the Campus Evacuation plan. Once outside, faculty and staff should work to quickly and efficiently move all individuals to a safe distance away from the building. Care should be taken to not allow people to stand in driveways, lanes, or other areas of ingress or egress to allow all people to evacuate the building and to allow emergency services vehicles and staff adequate and unobstructed access to the building(s). All faculty and staff should, prior to exiting the building if it is safe to do so:

- Close all windows and doors (leave doors unlocked)
- Lead the class and follow the evacuation route for the specific room or area
- Discourage talking so that emergency commands may be given
- Exit immediately
- Do not permit re-entry into the building until the all clear has been given by a fire department official, Campus Director, STR; or a College Executive Director.

In the event of a fire alarm after 5:00 p.m., Monday through Friday, Senior Faculty member will oversee evacuation for any emergency situation.

GUNS AND WEAPONS

In the event someone is known to have a firearm or other deadly weapon, Call 911. Contact the Campus Directors and the STRs immediately. Do not confront the individual yourself. If a firearm or other deadly weapon is pulled, remain calm, without endangering yourself, do what you can to notify the Campus Director, STR, a faculty member, an administrator or other employee. Talk in a controlled manner with the individual.

In the event of an active shooter situation, all individuals should evacuate the building/area immediately to an area of safety and immediately call 911.

There are five additional suggestions offered in the event of an active shooter:

1. If you are in a room without a safe exit, shut the door, lock it and barricade it if possible. Once the door is secure, move away from it and lie on the floor. If the gunman begins shooting through the door, lying on the floor will minimize your chances of being struck by a projectile.
2. If you cannot get to a room with a lockable door, find concealment - that is, hide and lie as flat on the floor as possible to avoid being struck by random bullets that may be sprayed by a shooter.
3. If you cannot find a lockable room and/or concealment and the shooter is immediately present, play dead.
4. If all else fails, give in to whatever demands are made by the shooter.
5. Also know that the College affirms your right to defend yourself against imminent danger. While such is not generally recommended in an armed encounter, if you are certain you will be harmed, fighting an attacker may be required and the right to self-defense is affirmed.

HAZARDOUS CHEMICAL/BIOLOGICAL WARFARE EXPOSURE

All members of the College community are reminded to always be aware of the potential for exposure to hazardous chemicals and/or biological agents. Individuals who have responsibility for handling hazardous chemicals should insist upon proper training prior to working with hazardous chemicals. Likewise, supervisors are required to provide proper training to their employees prior to assigning them to a job duty that requires handling hazardous chemicals. The Campus Directors and STRs maintain information on chemicals known to be stored and utilized on campus. All SDS books are located in the laboratories and a copy is maintained at the front desk of every campus.

Individuals should also be aware of the potential for exposure to chemical warfare that may include biological agents should the College be targeted for a chemical or biological attack. Individuals should follow the steps listed below to help minimize exposure and release of chemical or biological agents. Chemicals and hazardous materials should be labeled in accordance to the Brookline Safety Manual.

1. Do not open any container, envelope or package with unknown, suspicious or no return address. Do not attempt to investigate containers or packages that are leaking oil or powder residues.

2. If in doubt about an envelope or package, contact the Campus Director or STR. Leave the package untouched and undisturbed. Shut off all fans and/or ventilation that may be in the area.
3. If such an item is opened and it is reasonably believed to be biologically or chemically contaminated, shut off all fans and/or ventilation that may be in the area and contact the Campus Directors or STRs who will notify public authorities. A building evacuation may be instituted using the same instructions as written in the fire alarm policy.
4. Secure the hazardous area and wait for further instructions from public authorities.
5. Students and other staff in the building need to remain in an area away from the building until released by medical personnel.
6. Remain calm and follow all instructions.

HOSTAGE SITUATIONS

In the event of a hostage situation, if you are not involved, quietly remove yourself from the area and notify the Campus Director and/or the STR immediately. Employees should stay away from the scene but attempt to establish a wide perimeter to prevent others from wandering into the situation. If you are part of the situation, remain calm, avoid quick movements and cooperate with the hostage-taker.

If a hostage situation occurs in your classroom or area of supervision:

1. Remain calm and controlled. Help your students stay calm. Avoid quick movements. Don't panic!
2. Follow the directions of the hostage-taker. Tell your students to do the same. Do not try to attack or disarm the hostage-taker.
3. Do not bargain or negotiate with the hostage-taker. If you wish to talk to the hostage-taker, ask for permission to speak. Face the hostage-taker when speaking and do not crowd his/her space. Be respectful, never critical. Do not argue.
4. Try to make a mental list of what happens during the incident.
5. Trust the police negotiators! Follow their instructions completely.
6. Stay alert. Evacuate students, staff, and employees as quickly as you can, and attempt escape ONLY if the hostage-taker falls asleep from exhaustion.

ODD/SUSPICIOUS/CONCERNING BEHAVIOR

As a professional who has chosen to work within the field of higher education, you may occasionally encounter a student or colleague who displays behavior that may be considered odd, suspicious or frightening. Such behavior may include a sudden change in appearance and/or hygiene, threatening or inappropriate comments, disturbing or frightening ideas or thoughts expressed in writings and class assignments and rumors or gossip about a particular student or group of students. If you feel the student may be a danger to himself/herself or others, you should report the information to the Campus Director and/or STR. Any supporting information and/or documentation should be provided at the time of the report to help in the evaluation of the situation.

The Campus Director will evaluate the situation, and make a determination as to how to proceed. While there are no sure and certain predictors of violence, there may be certain indicators that are observed to help guide the administrator in his/her decision making process.

Warning signs of impending violence may include but are not limited to:

1. A known past history of violent behavior;
2. Displays of violence in writing or art. Sometimes, violent or bizarre depictions can be products of a psychotic mind;
3. Loneliness and social isolation which suggests few may be in a position to identify and report violent tendencies or extreme behavior;
4. Stalking and other antisocial or extreme behavior;
5. Hallmark behaviors of paranoia which may suggest mental illness Paranoid behaviors may include whispering to oneself; taking an inordinately long time to answer a question, expressed suspicion that one is being followed, their conversations recorded or that people are watching them;
6. Sometimes evident is a bizarre and inappropriate facial affect.

Certainly, not all individuals that exhibit odd behavior are psychotic or violent... However, professionals should "trust their gut" and report behavior and situations that do not seem "right". Administrative and other professionals must deal carefully with situations involving behavior as described above Oftentimes, disabilities that manifest themselves in the form of odd behavior may simply be a byproduct of a disability and such may need to be accepted and accommodated in the normal course of the educational process Administrators and staff must also understand the unique position in which they are in and the protections afforded disabled persons Disabilities cannot usually be disclosed to members of the College community even to satisfy concerns over odd behavior These situations require delicate and sensitive handling and due regard for not only the safety of the community, but for the privacy and wellbeing of the student who is the subject of the report For these reasons as well as others, executive and administrative staff should take every report seriously and consider how best to deal with each situation When dealing with a report of odd behavior, overreactions and under-reactions must be guarded against.

For faculty and staff who report concerning behavior to members of the administration, remember, information cannot always be returned or provided to the reporting individual about a student's known situation. Privacy laws usually shield students' mental illness from disclosure to most individuals Even if a student is believed, by institutional officials, to be a threat to himself or others and is required to undergo a psychological evaluation, the written opinion of a licensed physician/psychiatrist is usually the deciding factor as to whether or not a student is committed for medical treatment and/or whether or not they will be allowed to continue in school.

POWER FAILURE

In the event of a power failure that is not related to any other type of emergency/crisis situation, instructors should, during the day and if their classroom is equipped with windows, open the blinds and continue with their lecture/class discussion with as little interruption as possible. Normally, power is restored to campus buildings within a fairly short amount of time and a disengagement of the learning process is normally not warranted for a non-weather related power outage.

A flashlight or other battery lighting devices should be kept at the front desk at all times.

The decision regarding whether or not classes will be canceled will be made by the highest ranking academic executive or administrator. Once power is restored, all operations should return to normal as quickly as possible, report any problems, concerns or issues that arise during a power outage to the Campus Director or STR.

THREATS/THREATENING PHONE CALLS

In the event of a threatening phone call, **DO NOT HANG UP ON THE CALLER**. Try to get as much information as possible. Be certain to write down the following:

1. Time
 2. Phone number received from if known
 3. Name of caller if provided or known
 4. What type of threat (Bomb Threat, Death Threat, Biological Attack, etc)
 5. If a bomb or gun threat, where is the bomb or gun located?
 6. If it is a bomb, when will the timer start or when will it explode?
 7. Listen to surrounding noise (Music, traffic, background noise) to see if anything sounds familiar to help narrow down where the caller is calling from.
 8. Ask why he or she is doing this. Carefully document the answer.
- If the threat is made in writing, do not handle the document more than necessary and do not allow multiple people to touch the note. The Campus Director and/or the STR will determine if a building or the campus is to be evacuated. The Campus Director will make all decisions regarding the cancellation of classes
 - No one other than the Campus Director, STR, and the Safety Committee Chair at Corporate Office should be notified about the threat until an initial evaluation of the situation is complete and local authorities and emergency responders notified. If evacuation of a building and/or the campus is deemed necessary, various methods may be used to avoid panic and to minimize danger to the College community.

ROBBERY

In the event one demands the surrender of cash or other valuable goods with the use of or threat of physical violence, the cash and/or goods being demanded should be surrendered immediately, particularly when the perpetrator is armed with a gun, knife or other deadly weapon. After a robbery has taken place, the victim and/or any other employee involved in or witness to the robbery should immediately contact 911. Inform the Campus Director and STR of this matter. If possible, take note of the individual's height, approximate weight, hair color and length, eye color, facial hair, approximate age, any tattoos, scars or marks and any distinguishing speech pattern such as a lisp, stutter or repeated use of a word or phrase. Also make a mental note of the individual's clothing, the color and general condition of any clothes and shoes being worn.

EARTHQUAKE

In the event of an earthquake, seek shelter under a hard surface such as a sturdy desk, counter, table, or stand in a doorway or corner of a room. If you are outside, move to an open area away from buildings, trees, light poles and power lines. After a quake, gather your valuables and leave the building quickly. If necessary, assist those with mobility impairments or disabilities. Assist those with injuries but do not move seriously injured people unless remaining in the building poses a greater risk than their apparent injuries. Following a quake, aftershocks will likely follow and while aftershocks are usually less powerful than the original quake, they may still be strong enough to bring down weakened structures. For this reason, evacuation to a safe zone away from buildings, power lines, trees, etc., is indicated – this could be the same location as designated for a fire emergency.

TORNADO

In the event of an approaching tornado personnel should take cover immediately in an interior area away from windows. Individuals should assume a protective posture against a wall or locate cover under a hard surface such as a sturdy desk, counter or table. A protective posture includes:

1. Sitting with one's back to a wall
2. Knees should be tightly drawn up to one's chest
3. Face should be positioned between the knees
4. Hands or books should cover the head if one is unable to take cover beneath a desk, table or counter
5. Staff and faculty should try to keep everyone as quiet as possible so instructions may be given

Following a tornado, avoid downed power lines and provide first aid to injured individuals if indicated.

DEATH OF A STUDENT

If a student passes away on campus or during a College sponsored and/or controlled event, the Executive Leadership will make the determination, at that time, as to who will contact the student's next of kin. Faculty and staff members are prohibited from releasing information of a student's death, when known, until proper notification is made to the next of kin. When a student death occurs, the scope of the response will depend on the situation and the circumstances surrounding the death. Each situation will be different and the institutional response will be in a manner subjectively deemed appropriate by relevant members of the administration. Efforts will be made to provide wellness sessions and, possibly, counseling sessions with licensed therapists if such need is apparent. Faculty and staff members are reminded that FERPA, HIPAA and other

privacy laws continue to protect a student's privacy, even after their death, and, therefore, disclosure of information about a student's grades, attendance, health, etc., remain protected by relevant legislation. The release of personal data and/or information following the death of a student may violate applicable privacy laws and College employees are cautioned to continue to follow institutional policies and privacy laws from the local, state and federal levels.

EMERGENCY/CRISIS SITUATION AFTERMATH

Once a crisis has concluded, everyone should work together to make every effort to return to normal operations as quickly as possible. Students will need the routine of normal procedures to provide the positive environment in which they are accustomed to learning. If deemed necessary and appropriate, the College will provide wellness advising services and counseling services may be arranged if it is believed the situation warrants such. The administration's response will be based on subjective professional judgment. These subjective judgments will determine the extent to which this procedure will be implemented and the length of time after the crisis that advising and/or counseling will be available. All faculty and staff members should continue to monitor the College community for any problems or situations that may occur during a period of aftermath. Problems/situations that do emerge should be immediately reported.

CONCLUSION

Brookline College will strive to operate the safest institution possible by planning for and taking preventative measures against emergency/crisis situations. To plan for each and every emergency or crisis situation would be practically impossible and the scope of this Plan is not intended to address every possibility. This Plan does seek, however, to provide College faculty and staff members a framework of actions and responses that may help mitigate the damage and trauma that may be associated with a given event.

PROGRAM POLICY STATEMENTS

Brookline College has the following program policy statements in place.

SECURITY AWARENESS

Brookline College offers security awareness programs to inform the campus community of the security available on and off campus. Students are given the information upon enrolling; employees are given the information upon hire and again each year through presentations, pamphlets and the annual security report.

CRIME PREVENTION

Brookline College offers crime prevention programs to inform the campus community of possible criminal activity and how to prevent it. The information is given to the students upon enrolling and to employees upon hire and again each year through presentations, pamphlets and the annual security report.

ALCOHOL AND DRUG POLICY STATEMENTS

Brookline College supports the Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-225). For a full description of our drug free policy, please refer to the school catalog.

LAWS REGARDING ALCOHOL AND DRUGS

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

21 U.S.C.853 (a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment. (See special sentencing provisions re: crack.)

21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations.)

18 U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc, are vested within the authorities of individual Federal agencies.

In addition to the Federal laws, the State of New Mexico has its own laws regarding controlled substances.

A. It is unlawful for any person intentionally to possess a controlled substance unless the substance was obtained pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice or except as otherwise authorized by the Controlled Substances Act. It is unlawful for any person intentionally to possess a controlled substance analog.

B. Any person who violates this section with respect to: (1) one ounce or less of marijuana is, for the first offense, guilty of a petty misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100) and by imprisonment for not more than fifteen days, and, for the second and subsequent offenses, guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) or by imprisonment for a definite term less than one year, or both;

(2) more than one ounce and less than eight ounces of marijuana is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) or by imprisonment for a definite term less than one year, or both; or

(3) eight ounces or more of marijuana is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

C. Except for those substances listed in Subsection D of this section, any person who violates this section with respect to any amount of any controlled substance enumerated in Schedule I, II, III or IV or a controlled substance analog of a substance enumerated in Schedule I, II, III or IV is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) or more than one thousand dollars (\$1,000) or by imprisonment for a definite term less than one year, or both.

E. Any person who violates Subsection A of this section while within a posted drug-free school zone, excluding private property residentially zoned or used primarily as a residence and excluding any person in or on a motor vehicle in transit through the posted drug-free school zone, with respect to: (1) one ounce or less of marijuana is, for the first offense, guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) or by imprisonment for a definite term less than one year, or both, and for the second or subsequent offense, is guilty of a fourth degree felony and shall be sentenced

Alcohol

A. Violations involving sales to minors or intoxicated persons within a twelve (12) month period.

(1) The first offense will result in a fine ranging from \$1,000 to \$2,000 and suspension of all alcohol sales for one business day.

(2) The second offense will result in a fine ranging from \$2,000 to \$3,000 and suspension of all alcohol sales for seven business days.

(3) Three or more offenses shall result in a fine of \$10,000 and revocation of the liquor license.

B. Any combination of three offenses involving sales to minors and/or sales to intoxicated persons occurring within a twelve month period shall result in a fine of \$10,000 and revocation of the liquor license.

Illegal sale or possession of alcoholic beverages- Penalties imposed for the following violations will be determined by the director depending upon the facts and circumstances of each case and, unless enhanced, will include administrative fines ranging from \$500 to \$10,000

Federal law holds that any person, who distributes, possesses with intent to distribute, or manufactures a controlled substance in, or within one thousand feet of an educational facility, is subject to a doubling of the applicable maximum punishments and fines. A similar state law carries sanctions of up to five years of imprisonment and up to \$100,000 fine for similar violations.

Federal law holds that any person, who distributes, possesses with intent to distribute, or manufactures a controlled substance in, or within one thousand feet of an educational facility, is subject to a doubling of the applicable maximum punishments and fines. A similar state law carries sanctions of up to five years of imprisonment and up to \$100,000 fine for similar violations.

FEDERAL FINANCIAL AID PENALTIES FOR DRUG LAW VIOLATIONS

A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment in which federal student aid was received shall not be eligible to receive federal student aid (including any grant, loan, or work assistance) during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving		
The possession of a controlled substance:		
Ineligibility period is	First offense	1 year
	Second offense	2 years
	Third offense	Indefinite
The sale of a controlled substance:		
Ineligibility period is	First offense	2 years
	Second offense	Indefinite

Rehabilitation - A student whose eligibility has been suspended may resume eligibility before the end of the ineligibility period if the student satisfactorily completes a drug rehabilitation program that is approved by the U.S. Secretary of Education.

ADDITIONAL RESOURCES AVAILABLE*

Abuse or Neglect Hotline	855.333.7233
AGORA UNM Crisis Center	505.277.3013
Al-Anon and Alateen	505.262.2177
Albuquerque Indian Center	505.268.4418
Alcoholics Anonymous	505.266.1900
Catholic Charities	505.247.0442
Crime Stopper Commission	505.841.9232
Crime Victims Reparation Fund	505.841.9432
Rape Crisis Center	505.266.7711
Salvation Army Family Services	505.881.4292
Shelter for Woman/Domestic Violence Hotline	505.247.4219
United Way (information and referral)	505.247.3671

*This information was provided by the Crime Prevention Program.

CAMPUS STATISTICS AND REPORTING

CRIMINAL ACTIVITIES ON BROOKLINE COLLEGE CAMPUSES

	Albuquerque		
	2014	2015	2016
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate Crimes	0	0	0

ARRESTS FOR LIQUOR LAW VIOLATIONS, DRUG LAW VIOLATIONS, AND ILLEGAL WEAPONS POSSESSION:

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

PERSONS SENT FOR DISCIPLINARY ACTION FOR LIQUOR LAW VIOLATIONS, DRUG LAW VIOLATIONS, AND ILLEGAL WEAPONS POSSESSION:

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

CRIMINAL ACTIVITIES ON PUBLIC PROPERTY SURROUNDING BROOKLINE COLLEGE CAMPUSES

	Albuquerque		
	2014	2015	2016
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	3	0
Aggravated Assault	0	4	0
Burglary	0	0	0
Motor Vehicle Theft	0	5	0
Arson	0	0	0
Hate Crimes	0	0	0

ARRESTS FOR LIQUOR LAW VIOLATIONS, DRUG LAW VIOLATIONS, AND ILLEGAL WEAPONS POSSESSION:

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

PERSONS SENT FOR DISCIPLINARY ACTION FOR LIQUOR LAW VIOLATIONS, DRUG LAW VIOLATIONS, AND ILLEGAL WEAPONS POSSESSION:

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

**VIOLENCE AGAINST WOMEN ACT (VAWA) ACTIVITIES ON BROOKLINE
CAMPUSES**

	Albuquerque		
	2014	2015	2016
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

**VIOLENCE AGAINST WOMEN ACT (VAWA) ACTIVITIES ON PUBLIC
PROPERTY SURROUNDING BROOKLINE COLLEGE CAMPUSES**

	Albuquerque		
	2014	2015	2016
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

NOTICE OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

(1) The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

(2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to an appeal regarding the request for amendment. Additional information regarding the appeal procedures are provided in the College Catalog.

(3) The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent (i.e., directory information*). The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education**

400 Maryland Avenue, SW
Washington, DC 20202-5901

*Directory Information is information on a student that the College may release to third parties without the consent of the student. Brookline has defined directory information as the student's name, address (es), telephone number(s), email address, birth date and place, program undertaking, dates of attendance, honors and awards, and credential awarded. If a student does not want some or all of his or her directory information to be released to third parties without the student's consent, the student must present such a request in writing to the Campus Director within 10 days after the date of the student's initial enrollment or by such later date as the institution may specify.

The only exception to this FERPA policy is that Brookline College will disclose personally identifiable information from a student's education record to necessary or appropriate parties if it is in connection with an emergency where knowledge of the information is necessary to protect the health or safety of the student or any other individual. This is a required health and safety exemption.

Any questions regarding the aforementioned notice should be directed to the Campus Director or Director of Education at the school the student is attending.

BROOKLINE COLLEGE INFORMATION & SECURITY PROGRAM

General Privacy Policy:

Brookline College carefully protects all nonpublic personal information in our possession regarding students and their families. The college will not release nonpublic, private, personal, or financial information about our students or applicants to any third party, except as specifically provided in this policy. The college will release certain nonpublic personal information to federal and state agencies, government contractors, student loan providers/servicers, and other parties as necessary for the administration of the federal student aid programs, for enforcement purposes, for litigation, and for use in connection with audits or other investigations. Disclosure is permitted to law enforcement or emergency services agencies in the performance of their duties or when student safety or health may be in jeopardy. The School will not sell or otherwise make available personal information for marketing purposes to any third party at any time.

Protection of Personally Identifiable Information: The college employs office procedures and password-protected computer systems to ensure the security of paper and electronic records. The School does not disclose specifics of its internal security procedures to students or the general public to protect the effectiveness of those procedures.

Access to social security numbers and other Personally Identifiable Information (PII) is strictly limited to those college officials with a need-to-know. Each department director is responsible for enforcement of this policy with regard to the information within his/her office. Brookline College will be responsible for overall control of information release and will resolve any disagreements and make final decisions as necessary in accordance with this policy.

Brookline College's information is an important asset that is critical to providing an effective and comprehensive learning environment, openly communicating ideas, providing outstanding community service, and supporting the college's operations. This information includes sensitive and personal student, faculty, and staff data as well as the college's operational data. To maintain effectiveness and protect individuals, the college's information assets must be protected from misuse, unavailability, destruction, and unauthorized disclosure or modification.

The executive leadership of Brookline College is committed to protecting the value of the college's information assets. The IT Department is charged with establishing and maintaining a program that preserves the confidentiality, integrity, and availability of information and information systems. This responsibility is addressed by:

- Continually assessing risks and defining appropriate protection strategies
- Complying with applicable legal and regulatory requirements
- Protecting the reputation, image and competitive advantage of the college
- Supporting Brookline College's strategic mission and goals
- Maintaining partnership with administrative units, faculty, and staff to ensure a collaborative approach to information security

The IT Department deals with numerous threats and challenges including data loss or theft, malicious software (e.g., viruses, worms, Trojan horses), identity theft, social engineering, phishing scams, and risks associated with new technologies. Security measures also must be implemented to comply with several laws and regulations that address student information (FERPA), financial information, individuals' privacy data and individuals' health information.

The IT Department offers a wide range of products and services to address information security risks and requirements. These offerings are designed to balance strategic, tactical, and operational needs, and they include the following specific products and services:

- Security policies, procedures, standards, and methodologies
- Password change and enforcement policies
- Security awareness and training
- Legal and regulatory compliance
- Security strategy, architecture, and technologies (including technologies to protect against malicious software)
- Technical system configurations and vulnerability management
- Response to information security incidents or breaches
- Security requirements for software development and acquisition
- Disaster recovery, offsite backups, and continuity planning
- Firewalls with anti-virus protection and strict limited remote access

Policies and procedures provide the foundation of an effective information security program and define minimum requirements for protection of information. The IT Department of Brookline College has developed and implemented policies that specify appropriate controls and conduct. These policies have been approved by the college's senior executives, are applicable to all faculty, staff, and students, and they are required to be followed. They are available for review in the Brookline College Policy Manual. Any suspected information security breach or issue should be reported immediately to the IT Department.

COPYRIGHT NOTICE

Students, staff, and faculty must be cognizant of and avoid copyright infringement. Copyright infringement is using someone else's ideas or material, which may include a song, a video, a movie clip, a piece of visual art, a photograph, and other creative works, without authorization or compensation, if compensation is appropriate. The use of copyright material without permission is against federal law. Violators may be subject to civil and criminal penalties and penalties may include fines and/or imprisonment.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq

Copyrights & File Sharing

Brookline College strictly prohibits the practice of file sharing* within the organization and the use of any illegal software on any college systems. Violation of this policy could lead to dismissal.

***File sharing** is the practice of distributing or providing access to digital media, such as computer programs, multimedia (audio, images and video), documents or electronic books. It involves various legal aspects as it is often used to exchange intellectual property that is subject to copyright law or licensing.