

**Fairleigh Dickinson University
Metropolitan Campus
Department of Public Safety**

**Jeanne Clery Disclosure of Campus Security Policies
and Campus Crime Statistics Act**

And

Fire Safety Report

Annual Report 2014

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires colleges and universities to disclose information about campus crime and security policies.

The Clery Act was signed into law in 1990 as the Crime Awareness and Campus Security Act of 1990. This act was spearheaded by Howard and Connie Clery after their daughter was murdered at Lehigh University in 1986. Amendments to the act in 1998 renamed it in memory of Jeanne Clery.

The Clery Act requires colleges and universities to:

- publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non campus facilities. The statistics must be gathered from campus police or Public Safety, local law enforcement, and other University officials who have significant responsibility for student and campus activities.
- Provide “timely warning” notices of crimes that have occurred and pose an ongoing threat to members of the campus community.
- Disclose in a public crime log any crime that has occurred on campus or within the patrol jurisdiction of the campus Public Safety department and is reported to campus police or Public Safety department.

Fairleigh Dickinson University Metropolitan Campus Department of Public Safety is responsible to prepare and distribute the report for the campus. This report is also available on the Fairleigh Dickinson University website at www.fdu.edu. Members of the Metropolitan campus community are sent a notice that describes the report and the web address. For a paper copy of the report, contact the Department of Public Safety at 201 692-2227 or email dmiles@fdu.edu.

Department of Public Safety

The safety and security of the campus and campus community members are the responsibilities of the Department of Public Safety. The department, under the direction of a campus director consists of 33 full time staff members. Public Safety personnel patrol the campus 24 hours a day, 365 days a year. The officers patrol the campus on foot, motor vehicles and bicycles. The officers also man the dispatch area and they answer all calls for assistance as well as emergencies.

The Department of Public Safety members are non sworn university employees who do not have police or arrest powers. These officers enforce university policies. Public Safety officers attend a full week of training through the department's in house training academy. This in house academy provides officers with a basic understanding of campus Public Safety as well as university and department procedures. Officers are also now being registered and trained under the NJ State Police Security Officer Registration Act (SORA). In addition officers attend advanced training courses either on campus or at local police academies. All officers are trained in basic first aid, CPR and AED.

Fairleigh Dickinson University Metropolitan Campus Department of Public Safety has excellent working relationships with both Teaneck and Hackensack Police and Fire departments as well as county and state agencies. Information is shared between the departments in an effort to maintain a safe campus environment. Local police officers are contracted to work at various University events throughout the year. All serious matters are promptly reported to the local police. At the request of any victim, the Department of Public Safety will provide assistance by contacting the local police. In all cases, a report will also be maintained at the Department of Public Safety office.

Reporting of Crimes or other Emergencies

The policies of Fairleigh Dickinson University Metropolitan campus, which are enforced by the Department of Public Safety, are made known to students, faculty and staff either through the Employee Handbook or the Student Handbook.

To report any crime, emergency or campus violation, call the Department of Public Safety at 201-692-2222 or 66 if using an internal campus telephone or come to the Department of Public Safety at 870 River Road in Teaneck. Whenever making a report, please provide a full account of the type of incident, who was involved, what type of incident it was, where it took place, when it took place and why it may have occurred. Also try to provide witnesses or descriptions. In any instance where you witness any serious crime, emergency or other safety or life threatening situation, please call 911. Do not call 911 unless an immediate and true emergency exists.

A. Timely Warnings

Anytime that a serious situation arises either on campus or in the immediate area of the campus that in the judgment of the Director of Public Safety in consultation with the Campus Provost, poses an ongoing or continuing threat to the campus community, a campus “Timely Warning” will be issued. This warning will be issued through the FDU Alert system, voice mail or telephone notification, e mail, posted on the University website, posted notices, public address announcements, and direct contact with individuals.

B. Confidential Reporting

Any member of the campus community may report violations of the law or other matters of concern using the “Silent Knight” witness form on the Metropolitan Campus Department of Public Safety website. All reports received will be investigated. In addition both Teaneck Police and Hackensack Police have an anonymous telephone reporting Crime Stoppers Tip Line. The tip line can be reached at the following numbers: Teaneck Police 201 833-4222 and Hackensack Police at 201 488-4222.

C. Annual Report

The Director of Public Safety is responsible to obtain, review and report all the needed aspects of the annual report. Crime statistics from the required geographical areas to Fairleigh Dickinson University Metropolitan Campus from local law enforcement jurisdictions are requested as required.

D. To whom Crimes should be Reported

The Clery Act requires that persons designated as “Campus Security Authorities” notify the institution about crimes they have learned about from persons believed to be acting in good faith. At the Metropolitan Campus of Fairleigh Dickinson University, “Campus Security Authorities” must report these crimes to the Director of Public Safety. “Campus Security Authorities” include (Public Safety Personnel) staff members who have “significant responsibility for student and campus activities, including but not limited to student housing, student discipline, and campus judicial proceedings”. Fairleigh Dickinson University has deemed all employees as Campus Security Authorities.

Professional Counselors and Pastoral Counselors

Campus Professional Counselors and Campus Pastoral Counselors, when acting as such, are not considered to be “Campus Security Authorities” and are not required to report crimes to be included in the annual report of crime statistics. As part of the Fairleigh Dickinson University policy, these persons are encouraged to inform persons being counseled of all the procedures in place to report crimes on a voluntary basis to be included in the annual report of crime statistics. Fairleigh Dickinson University also encourages Professional Counselors and Pastoral Counselors to report all crimes which they become aware of. This can be done with out identifying any of the individuals involved if they want to remain anonymous but it makes other members of the campus community aware of the crime.

The Clery Act defines counselors as follows:

Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning in the scope of his/her license or certification. At Fairleigh Dickinson University Metropolitan Campus, this means all counselors employed in Student Counseling and Psychological Services (S-CAPS) as well as any consulting psychiatrist.

Pastoral Counselor: An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. At Fairleigh Dickinson University this means all clergy or others appropriately recognized as fitting that definition who are associated with Campus Ministry.

Monitoring and recording criminal activity at off campus locations

The Department of Public Safety through the close working relationships with local law enforcement also deals with crimes and other serious incidents that occur off campus that may involve a Metropolitan campus student. The Department of Public Safety will promptly act on any information that is received from an outside agency concerning members of the Fairleigh Dickinson University community and will conduct an investigation on information received. Findings of that investigation concerning student misconduct will be forwarded to the appropriate campus office, Dean of Students, for any disciplinary action. This includes any students engaged at off campus locations of student organizations officially recognized by Fairleigh Dickinson University, as well as any student organizations with off campus housing facilities.

Campus Daily Crime Log

The Clery Act requires that the campus maintain a daily Crime log covering the most recent 60 day period. The Metropolitan Campus daily Crime log is located in the Department of Public Safety and is available for viewing 24 hours a day, 365 days a year. The log contains information about the nature of the reported crime, the date and time reported the general location and the disposition of the incident. All crimes not just Clery Act reportable crimes are entered into the log. Log entries must be made within two business days of the report being made to the Department of Public Safety. There are two exceptions when entries are excluded from the log, the first when the disclosure is prohibited by law and the second if the disclosure would jeopardize the confidentiality of the victim. There are also four cases where information may be temporarily withheld from the log. This withholding can only take place when there is clear and convincing evidence that the release of the information would (1) jeopardize an ongoing investigation: or (2) jeopardize the safety of an individual: or (3) cause a suspect to flee or evade detection: or (4) result in the destruction of evidence. Any requests for information past the current 60 day period will be provided within two business days.

Access to Buildings and Facilities

Campus academic buildings are generally open from 7AM-11PM, Monday through Friday. Office buildings are generally open from 9AM-5PM, Monday through Friday. Residence Halls are locked 24 hours a day and only open to students registered to live in the building and any guest they have registered. Access to any building after hours and on weekends is limited unless there are classes or other authorized function being held. Public Safety does checks of all buildings and University identification must be provided upon request and authorization to enter any building must be documented and on file. The only exception will be any event that is open to the public.

Emergency Evacuations

Emergency evacuation may be required when there is an actual or potential danger to the occupants of any building as a result of fire or other emergency situation.

When a fire alarm is sounded or an emergency evacuation is declared, all occupants must leave the building(s) through the nearest exit and proceed immediately to the designated staging area and remain a minimum of 50 feet away from any building. When you leave, you should take all belongings with you.

Department of Public Safety personnel, local police and/or fire department personnel will direct the evacuation.

All roadways and walkways must remain clear for emergency vehicles.

Temple Avenue 139	Parking Lot of 131 Temple Avenue
TV Studio	Walkway/Grass Area by University Hall
University Court 1	Lone Pine Parking Lot
University Court 2	Lone Pine Parking Lot
University Court 3	Lone Pine Parking Lot
University Court 4	Lone Pine Parking Lot
University Court 5	Lone Pine Parking Lot
University Court 6	Lone Pine Parking Lot
University Court 7	Grass Area South of Becton Hall
University Court 8	Grass Area South of Becton Hall
University Court 9	Grass Area South of Becton Hall
University Court 10	Grass Area South of Becton Hall
University Hall	Grass Area Front of Library
Williams Hall	Grass Area in University Circle
Woodridge Avenue 1	Parking Lot of 10 Woodridge Avenue
Woodridge Avenue 10	Grass Area by 1 Woodridge Avenue

Crime Prevention Education and Awareness

The Department of Public Safety at the Metropolitan Campus of Fairleigh Dickinson University is responsible for the safety and security of all persons and property that come to the campus. Public Safety has the responsibility of protecting life and property, preventing and detecting crime on campus as well as providing essential safety and services to the campus community. Crime prevention is a high priority of the department as well as the University. All members of the campus community have to assist themselves from becoming a victim of crime by following basic crime prevention practices.

- Walk and park in well lighted areas
- Always lock your room or office
- Do not prop any doors open
- Never leave valuables unattended
- Do not take unnecessary chances
- Report suspicious persons, vehicles or behavior

In an on going effort to prevent crime on the campus, the Department of Public Safety offers several programs and services:

- Operation Identification
- Night Time Safety Escort Service
- Distribution of brochures and pamphlets on crime prevention information
- Emergency Telephones
- Department web page with tips and information
- Building Security Surveys
- Surveillance Cameras
- Lighting and grounds safety surveys
- Guard Tour System
- Fire Equipment Checks

In addition, the Department of Public Safety provides crime prevention presentations and training to members of the campus community;

- Orientation Sessions – Done at all new student orientation sessions
- Resident Assistant Training – Annual
- Hall Security Assistant Training – Annual
- Fire Drills – Twice Yearly
- Wellness Fair – Annual
- Safe Spring Break – Annual
- Alcohol Awareness Week – Annual
- Posting of crime prevention tips and notices – Monthly
- International Student Fair – Twice Yearly
- Freshman Seminar – On Request
- Resident Assistant Program Speakers – On Request

**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS
CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST
WOMEN REAUTHORIZATION ACT OF 2013**

Fairleigh Dickinson University (“the University” or “FDU”) does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Fairleigh Dickinson University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, the University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of the University’s policy governing sexual harassment, to include sexual violence, visit <http://fdu.edu/hr/nondiscriminationandantiharassmentpolicy.pdf>. The policy applies to all employees and students of FDU as well as third parties.

Conduct procedures specific to students as the accused in sexual harassment cases may be accessed by visiting the Student Code of Conduct, at <http://www.fdu.edu/studentlife/2013/5469.pdf>

To report an incident of sexual misconduct, you can call, write or visit FDU’s Title IX Coordinator, Rose D’Ambrosio, Associate Vice President of Human Resources, (email) dambrosi@fdu.edu, (telephone)

(201) 692-2706. The Associate Vice President of Human Resources is located in Dickinson Hall on the Metropolitan Campus.

A. Definitions

There are numerous terms used by Fairleigh Dickinson University in our policy and procedures.

Consent is not defined in New Jersey criminal law. Our Student Code of Conduct does define consent as the following: A person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role. If individuals are between the ages of 13 and 15 they can legally consent to sexual activity with a partner who is not more than 4 years older than themselves.¹⁶

An individual who is physically or mentally impaired, generally, cannot give consent to sexual activity. Physical or mental impairment includes: visual, speech or hearing impaired, a person with a cognitive impairment; a person who is unconscious or sleeping; or a person who is voluntarily or involuntarily under the influence of alcohol or other substance(s).

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

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

Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

New Jersey Criminal Statute – Sexual Assault

2C:14-1 Definitions

- a. "Actor" means a person accused of an offense proscribed under this act;
- b. "Victim" means a person alleging to have been subjected to offenses proscribed by this act;
- c. "Sexual Penetration" means vaginal intercourse, cunnilingus, fellatio, or anal intercourse between persons or insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor's instruction. The depth of insertion shall not be relevant to the question of commission of the crime;
- d. "Sexual Contact" means an intentional touching by th victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor. Sexual contact of the actor with himself must be in view of the victim whom the actor knows to be present;
- e. "Intimate Parts" means the following body parts: sexual organs, genital area, anal area, inner thigh, groin, buttock, or breast of a person;
- f. "Severe Personal Injury" means severe [bodily injury](#), disfigurement, disease, incapacitating mental anguish or [chronic pain](#);
- g. "Physically Helpless" means that condition in which a person is unconscious or is physically unable to flee or is physically unable to communicate unwillingness to act;
- h. "Mentally Defective" means that condition in which a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of provided consent;
- i. "Mentally Incapacitated" means that condition in which a person is rendered temporarily incapable of understanding or controlling his conduct due to the influence of a narcotic, anesthetic, intoxicant, or other substance administered to that person without his prior knowledge of consent, or due to any other act committed upon that person which rendered that person incapable of appraising or controlling his conduct;
- j. "Coercion" as used in this chapter shall refer to those acts which are defined as criminal coercion in section 2C: 13-5(1), (2), (3), (4), (6) and (7).

2C: 14-2a Sexual Assault

a. An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The victim is less than 13 years old.
- (2) The victim is at least 13 but less than 16 years old; and

a. The actor is related to the victim by blood or affinity to the third degree; or b. the actor has supervisory or disciplinary power over the victim; or c. the actor is a foster parent, a guardian, or stands in loco parentis within the household;

(3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson, or criminal escape;

(4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;

(5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;

(6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;

(7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated.

Aggravated sexual assault is a crime of the first degree. - 2C: 14-2b,c Sexual Assault

b. An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least 4 years older than the victim.

c. An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

(1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury;

(2) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated;

(3) The victim is on probation or parole, or is detained in a hospital, prison, or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;

(4) The victim is at least 16 but less than 18 years old and:

a. The actor is related to the victim by blood or affinity to the third degree; or b. the actor has supervisory or disciplinary power over the victim; or c. the actor is a foster parent, a guardian, or stands in loco parentis within the household;

(5) The victim is at least 13 but less than 16 years old and the actor is at least 4 years older than the victim.

2C:14-3a Aggravated Criminal Sexual Contact

a. An actor is guilty of aggravated criminal sexual contact if he commits an act of sexual contact with the victim under any circumstances set forth in 2C:14-2a (2) through (6) - See above.

2C:14-3b Criminal Sexual Contact

a. An actor is guilty of criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a (1) through (5) - See above.

2C:14-4 Lewdness

a. A person commits a disorderly persons offense if he does any flagrantly lewd and offensive act which he knows or reasonably expects is likely to be observed by other nonconsenting persons who would be affronted or alarmed.

b. A person commits a crime of the fourth degree if:

(1) He exposes his intimate parts for the purpose of arousing or gratifying the sexual desire of the actor or of any other person under circumstances where the actor knows or reasonably expects he is likely to be observed by a child who is less than 13 years of age where the actor is at least four years older than the child.

(2) He exposes his intimate parts for the purpose of arousing or gratifying the sexual desire of the actor or of any other person under circumstances where the actor knows or reasonably expects he is likely to be observed by a person who because of mental disease or defect is unable to understand the sexual nature of the actor's conduct.

c. As used in this section: "lewd acts" shall include the exposing of the genitals for the purpose of arousing or gratifying the sexual desire of the actor or of any other person.

Domestic Violence: The term "domestic violence" means 1) Felony or misdemeanor crimes of violence committed—

- (i) By a current or former spouse or intimate partner of the victim;
- (ii) By a person with whom the victim shares a child in common;
- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

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

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

NJ criminal law also defined and prohibits domestic violence. Victim of Domestic Violence means a person protected by the domestic violence act and includes any person:

1. Who is 18 years of age or older, or
2. Who is an emancipated minor, and who has been subjected to domestic violence by:
 - a. spouse
 - b. former spouse
 - c. any other person who is a present or former household member, OR
3. Who, regardless of age, has been subjected to domestic violence by a person:
 - a. with whom the victim has a child in common, or
 - b. with whom the victim anticipates having a child in common, if one of the parties is pregnant,

Or
4. Who, regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship.
 - a. A victim may be below the age of 18.
 - b. The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense.

Dating Violence: The term “dating violence” means violence committed by a person
1) who is or has been in a social relationship of a romantic or intimate nature with the victim and

2) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Relationship Defined in NJ criminal law:

1. A victim of a dating relationship may be below the age of 18.

2. The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense.

3. The New Jersey law does not list any criteria by which an officer can determine what is and what is not a dating relationship. This provision should be liberally construed. If the officer is in doubt about a particular relationship, the officer should review the matter with the officer's supervisor, the department's legal advisor or the on-call judge.

To assist the supervisor, legal advisor or judge in making this determination, the officer should obtain such information as:

- the length of time of the relationship
- the type of relationship
- the frequency of interaction between the parties, and
- if the relationship has been terminated by either person,
- the length of time elapsed since the termination of the relationship.

Stalking: The term "stalking" means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) fear for the person's safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

(ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

NJ criminal law defines stalking as:

a. As used in this act:

(1) "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats

implied by conduct or a combination thereof directed at or toward a person.

(2) "Repeatedly" means on two or more occasions.

(3) "Emotional distress" means significant mental suffering or distress.

(4) "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

b. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.

d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.

e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.

f. This act shall not apply to conduct which occurs during organized group picketing.

B. Education and Prevention Programs

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

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

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

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

- c. Defines what behavior and actions constitute consent to sexual activity in the State of New Jersey and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- e. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials, as well as mandatory on line training to new students; participating in and presenting information and materials during new employee orientation; and the distribution of materials and programming on an on-going basis to all employees and students.

The University offered the following **primary prevention and awareness programs for all incoming students** in 2014:

- Transfer Orientation: 6/17, DH Wilson Auditorium; S, SA, DoV, DaV
- First Year Orientation: 6/25-6/26; S, SA, DoV, DaV
- First Year Orientation: 7/16-7/17; S, SA, DoV, DaV
- First Year Orientation: 7/30-7/31; S, SA, DoV, DaV
- Transfer Orientation: 8/22; S, SA, DoV, DaV
- Freshman Orientation: 8/22; S, SA, DoV, DaV
- International Student Orientation 8/20 S, SA, DoV, DaV
- New Student Move In, Alcohol & You: 8/24; SUB Hall; C, SA

DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, and C means Consent

The University offered the following **ongoing awareness and prevention programs for students** in 2014:

Ongoing awareness programs for students:

- Title IX Bystander Prevention:
 - 7/17 EOF students
 - 8/18 Resident Assistants

8/20 SUB Staff
 9/3 SGA Members
 9/16 Student Athletes
 All Freshman through Freshman Seminar (www.unitededucators.com)
 Henry’s Law, a play on harassment, bullying and sexual misconduct for all freshman through Freshman Seminar
 Orientation Leader Skits

- Programs
 - 2/13 The Dating Game DoV, DaV, SA, C
 - 2/13 Dating and alcohol: What could go wrong DoV, DaV, SA, S, C
 - 3/12 Safe Spring Break DoV, DaV, SA, S, C
 - 3/13 The trouble with Relationships DoV, DaV, SA, S, C
 - 4/1 Bra Pong DoV, DaV, SA, C
 - 4/1 and 9/23 Condom Bingo DoV, DaV, SA, C
 - 4/23and 9/29 Let’s Talk Sex DoV, DaV, SA, S, C
 - 9/25 REAL conversations DoV, DaV, SA, S, C
 - 11/16 Act like a Lady, Think like a Man DoV, DaV, SA, S, C
 - Women’s History Month Clothes Line Project DoV, DaV, SA, S, C
 - Consent is Sexy Campaign DoV, DaV, SA, S, C

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, and C means Consent

The University offered the following **ongoing awareness and prevention programs** for **employees** in 2014:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Complied with Section B a-e?</u>	<u>Which Prohibited Behavior Covered?</u>
Employee Orientation	ongoing	Dickinson Hall	Yes	DoV, DaV SA, S
CSA and Title IX training	4/14	Dickinson Hall Wilson Auditorium	Yes	DoV, DaV, SA, S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

C. Procedures for Reporting a Complaint

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Students should also contact the Dean of Students and employees should contact Human Resources.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Holy Name Hospital (preferred hospital with forensic evidence recovery services) or Hackensack University Medical Center.

Holy Name Hospital	718 Teaneck Rd, Teaneck, NJ 07666	(201) 833-3000
Hackensack University Medical Center	30 Prospect Ave, Hackensack, NJ 07601	(201) 996-2000

In New Jersey, evidence may be collected even if you chose not to make a report to law enforcement and the professionals at Holy Name Hospital are certified Sexual Assault Nurse Examiners (SANE) trained to collect forensic evidence from victims of sexual assault (and do so in a special confidential setting within the hospital.) It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 72 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. The local police department to the Metropolitan campus is the Teaneck Police Department located at 900 Teaneck Road, Teaneck, NJ 07666. They may be contacted by dialing 9-1-1 or via their general business line at 201-837-2600 or online at <http://www.teanecknj.gov/Police-Department/>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Department of Public Safety or a

Title IX Coordinator or Investigator by calling, writing or coming into the office to report in person and to law enforcement (if the victim so desires.) The University will provide resources, on campus off campus or both, to include medical, health, counseling, victim advocacy, legal assistance, ad visa to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below are the procedures that the University will follow as well. The standard of evidence that will be used during any student judicial hearing on campus arising from such a report is preponderance of the evidence.

Incident Being Reported:	Procedure FDU Will Follow:
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Prohibited Discrimination, Harassment and Related Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

Stalking

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. Institution will provide written instructions on how to apply for Protective Order
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

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

D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In New Jersey, a victim of domestic violence, dating violence, sexual assault or stalking has the right to information about the criminal justice system, compensation, court proceedings, offender release, medical treatment, and the status of investigations. For a complete list of all of the rights afforded to crime victims in the State of New Jersey, visit <http://www.state.nj.us/lps/dcj/agguide/victims.htm> Further, New Jersey affords certain rights to campus sexual assault victims as noted below.

NEW JERSEY CAMPUS SEXUAL ASSAULT VICTIM’S BILL OF RIGHTS

The State of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to insure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

BILL OF RIGHTS NJSA18A:61E-1 et.seq.:

The following Rights shall be accorded to victims of sexual assault that occur:

- On the campus of any public or independent institution of higher education in the State of New Jersey, and
- Where the victim or alleged perpetrator is a student at that institution, and/or
- When the victim is a student involved in an off-campus sexual assault.

HUMAN DIGNITY RIGHTS:

- To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy
- To have any allegations of sexual assault treated seriously; the right to be treated with dignity • to be free from any suggestion that victims are responsible for the commission of crimes against them to be free from any pressure from campus personnel to:
 - Report crimes if the victim does not wish to do so
 - Report crimes as lesser offenses than the victim perceives the crime to be
 - Refrain from reporting crimes
 - Refrain from reporting crimes to avoid unwanted personal publicity

RIGHTS TO RESOURCES ON AND OFF CAMPUS

- To be notified of existing campus and community based medical, counseling, mental health and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities • To have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling to be informed of and assisted in exercising:
 - Any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus and/or pregnancy • any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases

CAMPUS JUDICIAL RIGHTS

- To be afforded the same access to legal assistance as the accused
- To be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused
- To be notified of the outcome of the sexual assault disciplinary proceeding against the accused

LEGAL RIGHTS

- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported
- To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities

- To receive full, prompt and victim-sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault

CAMPUS INTERVENTION RIGHTS:

- To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of a victim by the alleged assailant to be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available

STATUTORY MANDATES:

- Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation

Each campus shall make every reasonable effort to ensure that every student at the institution receives a copy of this document.

Nothing in this act or in any “Campus Assault Victim’s Bill of Rights” developed in accordance with the provisions of this act shall be construed to preclude or in any way restrict any public or independent institution of higher education in the state from reporting any suspected crime or offense to the appropriate law enforcement authorities.

The University complies with New Jersey law in recognizing orders of protection and encourages any person who obtains an order of protection from any U.S. state to provide a copy to Public Safety and the Office of the Title IX Coordinator. Orders of Protection called Temporary Restraining Orders (TRO) are obtained by going to the County Court House in Hackensack and applying for one. A judge will determine if a TRO is to be granted.

Whether or not you receive an order of protection, a complainant may then meet with Public Safety to develop a Safety Action Plan, which is a plan for Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cell phone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a

complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. Students should contact the Dean of Students and employees should contact HR.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus

- Counseling Center: T-SC1-01 914 River Road, Teaneck, NJ 07666; x2174
- Student Health Center: Student Union Building, x2437
- University Public Safety: 870 River Road, Teaneck, NJ 07666; x2222
- Office of Diversity & Inclusion: 285 Madison Ave, Madison, NJ 07940 973-443-8876
- Office of the Title IX Coordinator: H-DH3-05, Human Resources, Dickinson Hall; x2706
- Director of Health: x2174
- Dean of Students T DS1-01 X2290
- General Counsel H DH3-03 Dickinson Hall X 7071
- International Student Services T IS1-01 X2743

Off Campus

- Local Police: Teaneck Police Department; 900 Teaneck Rd, Teaneck, NJ 07666; (201)837-2600
- Holy Name Hospital: 718 Teaneck Rd, Teaneck, NJ 07666; (201) 833-3000
- Counseling and Mental Health: Corner of Lone Pine Lane and Residence Drive (201)692-2174
- Rape Crisis Center & YWCA Advocacy Group: 214 State Street, 207, Hackensack, NJ 07601; (201) 487-2227

- LGBTQ Alliance: 85 Raritan Ave, #100, Highland Park, NJ 08904 (732) 846-2232
- Local County Courthouse: 10 Main St. Hackensack, NJ 07601 (201) 527-2730
- Victim Advocacy: (703) 535-6682
- Legal Assistance: 375 Cedar Lane, Teaneck, NJ 07666; (201) 907-5000
- International Student Services TIS1-01 X 2743

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

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

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

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

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

Recognizing that only a rapist is responsible for rape and with no intent to victim blame, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

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

or family can then come to get you or make up an excuse for you to leave.

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

E. Adjudication of Violations

Whether or not criminal charges are filed, the university or a person may file a complaint under the Prohibited Discrimination, Harassment and Related Misconduct policy alleging that a student or employee violated the University's policy.

The Associate Vice President of Human Resources serves as the University's Title IX Coordinator, and the individuals noted below have been designated as Deputy Title IX coordinators to address student vs. student cases that occur on their respective campuses. These individuals are responsible for providing education and training about discrimination and harassment to the University community and for receiving complaints and overseeing investigations surrounding reports and complaints about discrimination and harassment in accordance with the policy. The Associate Vice President of Human Resources is located in Dickinson Hall on the Metropolitan Campus and can be reached at (201) 692-2706.

The following positions have been designated Deputy Title IX Coordinators:

Assistant Dean of Students at the Florham Campus (973) 443-8936
 Assistant Dean of Students at the Metropolitan Campus (201) 692-2190
 Campus Provost at the Vancouver Campus (604) 692-4462

INVESTIGATING OFFICERS

Those designated to investigate claims shall be the Investigating Officers. The following positions have been designated Investigating Officers:

Director of Employee Benefits and Training (201) 692-2704
 Harassment cases involving employees.

Assistant Dean of Students at the Metropolitan Campus (201) 692-2190
Harassment cases student vs. student

Director of Student Services at the Vancouver Campus (604) 648-4465
Harassment cases student vs. student

Director of Public Safety at the Metropolitan Campus (201) 692-2222
Assault Cases

The Title IX Coordinator is authorized to designate appropriately trained individuals to receive complaints and investigate discrimination and harassment complaints as deemed appropriate.

The Investigating Officer serves as an impartial fact finder to investigate the complaint and can appoint a "designee" to assist him or her in carrying out any of his or her functions described hereunder. The function carried out by the Investigating Officer is under the responsibility of the Office of the President.

REPORTING AND ADJUDICATION PROCEDURES

Reporting of Complaint: Any University student or employee who feels subjected to harassment or discrimination in any manner, should immediately report the matter to the Title IX Coordinator or Deputy Title IX Coordinator. Employees may also report it to his/her supervisor or anyone employed in a supervisory capacity at the University.

Informal Procedure: The Investigating Officer may suggest voluntary mediation of the complaint in the form of discussions with the complainant, respondent and other parties, as necessary, with the aim of reaching an agreement acceptable to all parties. Neither the complainant nor the respondent shall be under any compulsion to participate in an informal resolution, and no complainant or respondent will be subject to adverse action for refusing to participate. *Mediation is never appropriate in cases of sexual assault, domestic violence, dating violence or stalking or when a power differential exists between the parties.*

A formal complaint can be filed at any time during the informal process, but the complainant should file a formal complaint within 15 working days from the circulation by the Investigating Officer of a proposed informal agreement if the result is unacceptable to the complainant.

Formal Procedure:

When a formal complaint is filed, the Investigating Officer will interview the complainant to ascertain the details behind the complaint and will then interview the respondent(s). The Investigating Officer may conduct other fact finding and/or discussions with any witnesses who may have knowledge of the allegations in the

complaint.

Determinations and Report: The Investigator will provide a report of findings to the respective Deputy Title IX coordinator. The Investigation Officer shall issue their report within a reasonable promptness after the filing of the formal complaint to:

- University Title IX Coordinator – for cases involving University employees
- Deputy IX Coordinator – for University students. Any sanctions will be in accordance with the University’s Prohibited Discrimination, Harassment and Related Misconduct policy

Action of the Title IX Coordinator: In their review of the Investigating Officer’s report, the Title

IX Coordinator shall review the record developed by the Investigating Officer. The Title IX Coordinator may accept the report or ask the Investigating Officer to conduct additional investigation and resubmit the report.

Upon receipt of the Investigating Officer’s final report, the Investigating Officer’s conclusion on the claim of harassment or discrimination, but not the report, shall be provided to the claimant, the respondent and the Vice President or the Provost of the department in which the respondent works. In addition, the respondent, and his/her supervisor shall be informed of the proposed disciplinary action, if any.

APPEALS

Either party may appeal the outcome. The limited grounds for appeal are as follows: • A substantive or procedural error that substantially affected the outcome; and • Any evidence that could substantially affect the outcome and that was not reasonably available through the exercise of due diligence at the time of the investigation; Dissatisfaction with the outcome of the investigation is not grounds for appeal. A Reporting Party or Responding Party must submit a written appeal within five (5) business days of receipt of the Notice of Outcome to the Title IX Coordinator. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted within five (5) days from receipt of the appeal. The Title IX Coordinator will refer the appeal, and any response to an Appeals Officer, who will decide the appeal in an impartial manner. For students, the Appeals Officer shall be one of the Associate Campus Provosts. Typically, the Associate Campus Provost from the Responding Party’s home campus will be assigned, but depending on the circumstances of the matter, the Associate Campus Provost from either campus may review the appeal. For employees, the Appeals Officer will be an Associate Vice President appointed at the discretion of the President, but not the Associate Vice President of Human Resources. The Appeals Officer, in his/her sole discretion, may make a determination based on the written record or may request to speak with the Investigating Officer, the Adjudicator, the Reporting Party or the Responding Party. Appeals are not intended to be full rehearing of

the report (de novo). The Appeals Officer may not substitute his/her judgment for that of the Adjudicator merely because he/she disagree with the finding and/or sanctions. The Appeals Officer can: 1) affirm the findings, or 2) alter the findings only where there is clear error based on the stated appeal grounds. The Appeals Officer shall communicate a written decision, which shall be deemed final and binding, to the Reporting Party and the Responding Party and the University Title IX Coordinator. The Appeals Officer will conclude the appeal within fifteen (15) calendar days of the receipt of the appeals documents.

Confidentiality

Every effort will be made to respect and safeguard the privacy interests of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects.

Confidentiality means that information shared with designated campus or community professionals will only be disclosed with the individual's express written permission, unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g. where there is suspected abuse or neglect of a minor). An individual can seek confidential assistance and support by speaking with specially designated confidential resources (Listed in Appendix I: Campus and Community Resources).

Sanctions and Protective Measures

In responding to a report, the University has an interest in providing care to the Reporting Party and to the broader campus community. For this reason, after receiving a report, the University, through its Response Team, will offer and establish reasonable and appropriate Interim Measures to protect a Reporting Party and facilitate the Reporting Party's continued access to University employment or education programs and activities. Interim Measures may be both remedial (designed to address a Reporting Party's well-being and continued access to educational and employment opportunities) or protective (involving action against a Responding Party). Remedial and protective measures, which may be temporary or permanent, may include no-contact orders, counseling and emotional support, residence modifications, academic modifications and support, work schedule modifications, voluntary leave of absence, interim suspension, suspension from employment, restrictions on campus activities, and other immediate remedies as reasonable and appropriate. Remedial measures are available regardless of whether a Reporting Party chooses to pursue an investigation or disciplinary action under this Policy. The University will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures reported to the University. The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any Interim Measure based on all available information, and is available to meet with a Reporting or Responding Party to address any concerns

about the provision of Interim Measures. Retaliation is expressly prohibited by this Policy, and the University will take immediate and responsive action to any report of retaliation or any violation of Interim Measures.

Where there is a finding of responsibility, the Adjudicator may impose one or more sanctions. Sanctions for students may include any of the sanctions that are available for violations of the University's Code of Student Rights, Responsibilities and Conduct, including: Administrative reassignment of housing Campus restriction Campus Standard probation Co-curricular restriction Community restitution Community service Counseling assessment/support Disciplinary Reprimand Disengagement notice Educational sanctions * Fines Housing dismissal Housing probation Housing suspension Social restriction University dismissal University suspension * exercises, class, assignments / essay Sanctions for employees may include any of the sanctions that are available for violations of the University's Employee Handbook and Faculty Handbook, including a letter of reprimand being placed in their personnel file, additional training, written letter of apology, suspension (paid or unpaid), dismissal, work schedule modifications, voluntary leave of absence, restrictions on campus activities, and termination from the University. Sanctions for faculty covered by the Faculty Handbook will be reviewed with the University Provost and/or the University President. Prohibited Discrimination, Harassment and Related Misconduct – 7-1-2015 Page - 24 When determining sanctions, the Adjudicator will consider the following factors: • The nature and severity of the Prohibited Conduct • The impact of the Prohibited Conduct on the Reporting Party; • The impact or implications of the Prohibited Conduct within the University community; • Whether the Responding Party has accepted responsibility for the Prohibited Conduct; • The maintenance of a safe and respectful environment conducive to learning; and • Any other mitigating, aggravating, or compelling factors.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In the State of New Jersey, that information may be accessed here via the New Jersey State Police website: http://www.state.nj.us/njsp/info/reg_sexoffend.html

Alcohol and Drug Policy

Many students already have used alcohol by the time they arrive on campus. Some students have only limited experience with the effects of alcohol. Many already have had

problems related to alcohol use. A third group of students have not used alcohol at all. For each of these groups of students, it is important to establish and follow personal guidelines for choices about alcohol use and nonuse.

As you think about your choices, it is helpful to remember that there are benefits to using alcohol safely and wisely and benefits from abstaining from alcohol use. For many people, alcohol is a complement to social events, good food and conversation with friends or family. For others, alcohol may be part of family tradition or ritual. Some people simply like the taste of wine with a meal or a cold beer on a hot summer afternoon. Abstaining from alcohol also has benefits. Alcohol-free lifestyles allow people of all ages to be free to grow in their ability to manage stress and develop life skills without the interference of alcohol. People who abstain have no risk of developing alcoholism. For those with a family history of alcoholism, a choice to remain abstinent will help break the cycle of addiction. Lastly, abstinence from alcohol is a lifesaving choice for people recovering from chemical dependency. Choosing to use or not to use alcohol is a personal choice for which each student is responsible. At any age, we are responsible for the consequences of our decisions. For example, nationwide a high percentage of date or acquaintance rapes on campus are alcohol-related.

Alcohol use affects judgment and can result in vandalism and aggressive or even violent behavior. Sexually transmitted diseases and unplanned pregnancies occur more often when judgment is impaired by alcohol. Driving after drinking can result in legal hassles and crashes causing serious injury or death. For students, excessive alcohol use is a major factor in academic problems. Many times people who have been drinking too much say and do things that can hurt people they care about or love. College is a time for building relationships and alcohol can make that difficult.

Guidelines

Safe and wise choices about using or abstaining from alcohol will enhance health and reduce the risk of experiencing the wide range of alcohol-related problems that some college students have experienced.

Here are a few guidelines to help you think about your choices:

1. The use of alcohol is a personal choice.

No one should feel pressured to drink or be made to feel uneasy or embarrassed because of a personal choice. However, peer pressure and internal pressure to fit in and successfully integrate into the college scene can exist. Many people will choose to use alcohol safely, moderately and appropriately. Others will simply have no desire to experience the effects of alcohol. A small percentage of students may use alcohol unsafely or appear to use it excessively. Everyone has the right to decide how they want to use, or not use, alcohol. If a student feels he/she is struggling with this decision or the pressure of self/others, he/she can always speak to his/her resident assistant or a counselor at Student Counseling and Psychological Services (SCAPS).

2. Alcohol use is not essential for enjoying social events.

The real value of parties and other social activities is meeting new people, being with friends and taking time out from the pressures of school and work. Drinking alcohol should not be seen as a necessary component for having fun and being with friends. If alcohol is used, it can be an enjoyable complement to other activities, not the only reason

for socializing. Actually, focusing on alcohol use as the main reason for a party can result in intoxicated people who get sick, cannot carry on a conversation and generally aren't much fun to be with after a while.

3. Know when to abstain from alcohol.

- When under the legal drinking age
- When pregnant or breastfeeding
- When operating equipment: cars, motorcycles, boats, firearms, machinery, etc.
- When studying or working
- When performing in fine arts or competing in athletics
- When taking certain medications

Each of these situations presents specific risks and are times when alcohol use should be avoided. As caring friends, we can help each other choose not to use during these times.

4. Drinking that leads to impairment or intoxication is unhealthy and risky.

Getting drunk is not a condition to be admired, laughed at or taken lightly. Rude, destructive or just plain foolish behavior triggered by alcohol use is socially unacceptable. It also may indicate an alcohol-use problem. Drinking games often result in drunkenness and can present serious risks for those involved. Alcohol poisoning is a potentially fatal condition that is the result of drinking too much, too fast. Warning signs of alcohol poisoning are vomiting, slow or irregular breathing (less than 8–12 breaths per minute or more than 10 seconds between breaths); cold, clammy skin, bluish-skin color or paleness; mental confusion, stupor, coma or unable to rouse a person; no response to pinching the skin; and/or seizures. A person seeing or knowing anyone with these signs must get help immediately.

5. Know personal limits of moderation.

Everyone who chooses to drink alcohol should know his or her personal limit of moderation. It is important that each person set the limit before having any alcohol. It is also important to know a few facts about alcohol and its effects before establishing personal limits.

- Drinking on an empty stomach can have a greater effect on judgment and behavior than expected.
- Alcohol's effects can be greater than expected when a person is feeling tired, stressed out, angry, lonely or other strong emotions.
- Because of differences in body composition and chemistry, females are affected more than males of equal weight after drinking the same amount of alcohol.
- The effects of alcohol vary with body weight and the strength and number of drinks.

6. There are ways to minimize health and safety risks when serving alcohol.

Examples include:

- Emphasize other activities besides drinking.
- Offer a variety of attractive nonalcoholic drinks that are easily available.
- Provide a variety of foods.
- Be sure to have designated drivers who abstain from alcohol.
- Inform guests whether beverages such as punch contain alcohol.

- Stay alert and assume responsibility for helping a guest who may have had too much to drink.
- Create an environment that allows guests to feel comfortable making a personal choice about alcohol use or nonuse.
- Avoid drinking games that can quickly lead to intoxication.

7. Avoid situations where someone else’s alcohol or other drug use may put you at risk.

- Make an alcohol-intake plan for the day/evening ahead of time and stick to it. Think about the goal ahead of time and how to achieve it.
- Make a plan for getting to and from an event.
- Eat before drinking, and eat while drinking.
- Space and pace the drinks.
- Drink water between drinks.
- Avoid drinking games.

What to Do on the Metropolitan Campus

- If you have questions about developing your own personal guidelines;
- If you are concerned about someone else’s use/abuse of alcohol; or
- If your life already has been affected by alcohol-related problems:

The Wellness Center (Student Counseling and Psychological Services [SCAPS] and Student Health Services), (201) 692-2437, serves as a campus resource to assist you with questions about psychoactive substance use and abuse. You can drop in or schedule an appointment. (An appointment is recommended as you can talk privately without interruption.) All conversations are strictly confidential and focus on offering information, sharing feelings and making you feel comfortable in exploring your choices and personal guidelines. Counseling and treatment for alcohol and drug abuse is available through the Wellness Center (Student Counseling and Psychological Services and Student Health Services [SCAPS]) and off-campus sources.

Alcohol Violations

I.2C:33-15 Possession or Consumption of Alcoholic Beverage by Person Under Legal Age

- Knowingly possesses without legal authority or knowingly consumes an alcoholic beverage in any school, public or private conveyance, public place, public assembly or motor vehicle.

—Disorderly Persons Offense (not less than \$500.00 fine)*

—In addition to the sentence authorized from the offense, the court shall suspend or postpone for six months the driving privileges of the defendant.*

II.2C:33-16 Possession of Alcoholic Beverage on School Property

- Any person of legal age to purchase alcoholic beverages, who knowingly and without express written permission of the school board, its delegated authority or any school principal, brings any alcoholic beverage on any property used for school purposes, which is owned by any school or school board.

—Disorderly Persons Offense

III.2C:33-17 Offering Alcoholic Beverages to Underage Person

• Purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink an alcoholic beverage.

—Disorderly Persons Offense

General Requirements of the Drug-free Schools and Communities Act: Amendments of 1989

The Drug-free Schools and Communities Act Amendments of 1989 (the Act) requires an institution of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students (and employees). The following describes the Act's provisions as applied to students.

As part of its drug prevention program for students and employees, Fairleigh Dickinson University annually distributes in writing to each student (and employee) the following information:

- standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by regularly matriculated students (and employees) on its property as a part of any of its activities;
- a description of applicable local, state and federal legal sanctions pertaining to the unlawful possession, use or distribution of illicit drugs and alcohol;
- a description of health risks associated with the use of illicit drugs and the abuse of alcohol;
- a description of available drug and alcohol counseling, treatment, rehabilitation and re-entry programs; and
- a clear statement of the disciplinary sanctions that the University will impose on students (and employees) who violate the standards of conduct.

The University will conduct a biennial review of its drug prevention program to determine its effectiveness, implement needed changes and ensure that disciplinary sanctions are consistently enforced.

State and Federal Legal Sanctions Concerning Drugs and Alcohol

Federal law penalizes the manufacture, distribution, possession with intent to manufacture or distribute and simple possession of drugs ("controlled substances") [Controlled Substances Act 21 U.S.C. Sections 841, 843 [b], 844, 845, 846 (1988)]. The following is a list of the punishments prescribed for each crime/offense:

Crime/Offense	Jail Time	Fine (\$)
1st Degree Crime	10–20 years max	\$100,000
2nd Degree Crime	10 years max	\$100,000
3rd Degree Crime	5 years max	\$7,500
4th Degree Crime	up to 18 months max	\$7,500
Disorderly Persons (offense)	up to 6 months max	\$1,000
Petty Disorderly (offense)	up to 30 days max	\$500

Controlled Dangerous Substances

Controlled dangerous substances (CDS) are classified into five different schedules (I–V):

New Jersey Laws: Criminal Statutes

I.2C:35-3 Leader of a Narcotic Trafficking Network

- Conspires with others as an: organizer (or) financier, supervisor (or) manager
- To manufacture or distribute: Methamphetamine, Lysergic Acid Diethylamide (LSD), and Phencyclidine

- Any CDS in Schedule I or II

—*First Degree Crime (Life Term)*

II.2C:35-4 Maintaining or Operating a CDS Production Facility

- Knowingly maintains or operates a premise used to manufacture: Methamphetamine, Lysergic Acid Diethylamide

- Any CDS in Schedule I or II

—*First Degree Crime*

III.2C:35-5 Manufacturing, Distributing or Unlawfully Dispensing Controlled Dangerous Substances

- Knowingly or purposely: manufactures, distributes or dispenses (or possesses with intent to dispense) a

CDS (or analog); or creates, distributes or possesses (or possesses with intent to distribute) any counterfeit CDS. Possession with intent to distribute.

—*Degree of crime dependent on drug and amount involved*

IV.2C:35-5.1 Distribution, Manufacture or Possession with Intent to Distribute Anabolic Steroids

—*Third Degree Crime*

V.2C:35-6 Employing a Juvenile in a Drug Distribution Scheme

- Any person 18 years of age who knowingly uses, solicits, directs, hires or employs

—*Second Degree Crime*

VI.2C:35-7 Distribution or Possession with Intent to Distribute a CDS Within 1,000 Feet of School

Property or School Bus

- Violates 2C:35-5 within 1,000 feet of school property or school bus

—*Third Degree Crime — three-year minimum*

—*Marijuana less than one ounce — one-year minimum*

VII.2C:35-8 Distribution to Person under 18 or Pregnant Female

—*Twice term of imprisonment*

—*Twice the fines*

—*Twice the term of parole ineligibility*

VIII.2C:35-9 Strict Liability for Drug-induced Deaths

- Any person who manufactures, distributes or dispenses Methamphetamine, Lysergic Acid Diethylamide,

Phencyclidine, or any other Schedule I or II, or controlled analog thereof is strictly liable for a death that results from injection, inhalation or ingestion of that substance.

—*First Degree Crime*

IX.2C:35-10 Possession, Use or Being under the Influence

—Violation of this section by a person while on any property used for school purposes, or within 1,000 feet of any school property, school bus or on any school bus, who is not sentenced to a term of imprisonment, shall be required to serve not less than 100 hours of community service.

—Degree of crime dependent on drug and amount involved.

X.2C:35-11 Imitation CDS

- Distribution, possession, manufacturing, etc.

—Third Degree Crime

New Jersey Laws: Drug Paraphernalia

XI.2C:36-1 Drug Paraphernalia Defined:

- All equipment, material and products of any kind, used or intended for use in planting, growing or harvesting, manufacturing, compounding, testing, preparing or introducing a CDS into the human body.

- Drug paraphernalia includes kits, scales, balances, dilutants, adulterants, sifters, blenders, grinders, spoons, capsules, balloons, envelopes, water paper, roach clips, ceramic pipes and chillers.

XII.2C:36-2 Use or Possession of Drug Paraphernalia with Intent to Use

—Disorderly Persons Offense

University Policy and Procedures on Alcohol and Other Drugs

The use, possession or distribution of alcohol or alcohol containers is not permissible on University grounds except at authorized University functions. Only those students aged 21 and older would be permitted to consume alcohol at any such functions.

It is illegal for students under 21 years of age to possess or consume alcoholic beverages on campus. It also is a violation of University policy for any student to have actual or constructive possession of alcohol or be in the presence of alcohol in or around the residence halls or in any other campus area not designated for alcohol consumption.

Possession, use or distribution of alcohol by students on University property, or as part of any other University-regulated activity is prohibited. Any student found responsible for violating Article X, Item K of the Code of Student Rights, Responsibilities and Conduct or Section 1, Item 20 of the Residence Hall Community Code is subject to the judicial procedures from the residence halls or the University. Article X, Item K of the Code of Student Rights, Responsibilities and Conduct reads,

- “1. Underage purchase, possession, consumption or distribution of alcohol;
2. the providing of alcohol to underage individuals and/or the enabling or encouraging of underage individuals to purchase, possess, consume or distribute alcohol;
3. violation of the alcoholic beverages policy;
4. and/or public intoxication” will be subject to disciplinary actions.

The use, possession or distribution of illegal drugs and drug paraphernalia is not permissible on University grounds, including the residence halls. Use and possession of drugs in any vehicle on campus is likewise prohibited.

It is unlawful for any person, knowingly or purposely, to obtain or possess, actually or constructively, an anabolic steroid, unless the substance was obtained directly or pursuant to a valid prescription. Any person who violates this section is guilty of a crime of the

fourth degree and subject to charges of violation of the Code of Student Rights, Responsibilities and Conduct.

Parents and/or guardians may be contacted when a student violates University alcohol and/or drug policy.

University Policy Statement for Illegal Drugs

Illegal drugs are not permitted on University property, including in the residence halls or in any vehicle on campus. Any student found responsible for violating Article X, Item E of the Code of Student Rights, Responsibilities and Conduct is subject to suspension from the residence halls or the University. Section E of the Code of Student Rights, Responsibilities and Conduct prohibits, "Enabling of or actual illegal use, possession, illegal distribution, transfer or sale of narcotics, hallucinogenic agents, other controlled or dangerous substances and drug paraphernalia on or off campus." Students found in violation of the aforementioned policy will also be subject to criminal prosecution.

Sexual Assault

Reporting a Sex Offense

If you are the victim of sexual assault or rape:

- Get to a safe place and consider contacting the Department of Public Safety (201) 692-2222 and/or the local police (911).
- Get immediate medical attention to:
 - identify external and internal injuries that may require treatment;
 - be tested and receive preventative treatment for venereal diseases;
 - receive treatment to prevent unwanted pregnancy;
 - obtain and preserve evidence should you choose to prosecute. (Don't bathe, shower, douche, eat, drink, smoke or urinate, if possible, as these acts may destroy potential evidence.)

Call FDU Student Health Services (201-692-2437), Hackensack University Medical Center (201-996-2300) or Holy Name Hospital (201-833-3210).

- Contact the Bergen County Rape Crisis Center 24-hour Hotline Confidential Service at (201) 487-2227. Advocates are available 24 hours a day to offer information to all survivors of sexual assault companionship through medical exams and procedures and/or emotional support to survivors wishing to report the crime.

- Utilize Available Campus Services:

—**Public Safety** at (201) 692-2222, 24 hours a day

To report the assault, for assistance in reporting to local police authorities, for transportation to medical facilities and for assistance contacting specific FDU staff on weekends or after office hours.

—**Student Health Services** at (201) 692-2437, 9 AM. to 5 PM, Monday through Friday
Confidential service offers treatment of minor injuries, information and referral related to your specific medical needs.

—**Student Counseling and Psychological Services** at (201) 692-2174,
9 AM. to 5 PM, Monday through Friday

Confidential service offers short-term counseling, information and referral related to your specific emotional needs. Counselors also are available to serve as student advocates within the campus community.

—**Dean of Students** at (201) 692-2190, 9 a.m. to 5 PM, Monday through Friday

To file campus disciplinary charges against your assailant, to discuss options regarding limiting on-campus contact with your assailant, changing residence and/or specific academic accommodations.

- **Know Your Rights** — Read the New Jersey Campus Sexual Assault Victim’s Bill of Rights (below).

New Jersey Campus Sexual Assault Victim’s Bill of Rights

The following rights shall be accorded to victims of sexual assaults that occur on the campus of any public or private institution of higher education in the state and where the victim or alleged perpetrator is a student at the institution or when the victim is a student involved in an off-campus sexual assault.

A. The right to have any allegation of sexual assault treated seriously; the right to be treated with dignity; and the right to be notified of existing medical, counseling, mental health or student services for victims of sexual assault, both on campus and in the community, whether or not the crime is reported to campus or civil authorities.” Campus authorities” as used in this act shall mean any individuals or organizations specified in an institution’s statement of campus security as the individuals or organizations to whom students and employees should report criminal offenses.

B. The right to have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the crime occurred, and the right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities. The provisions of this subsection shall be in addition to any campus disciplinary proceedings that may take place.

C. The right to be free from pressure from campus personnel to refrain from reporting crimes, or to report crimes of lesser offenses than the victims perceive the crimes to be, or to report crimes if the victim does not wish to do so.

D. The right to be free from any suggestion that victims are responsible for the commission of crimes against them; to be free from any suggestion that victims were contributory negligent or assumed the risk of being assaulted; to be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy; and to be free from any suggestion that victims should refrain from reporting crimes in order to avoid unwanted personal publicity.

E. The same right to legal assistance and the right to have others present in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of any disciplinary proceedings against the accused.

F. The right to full, prompt and victim-sensitive cooperation of campus personnel in obtaining, securing and maintaining evidence, including a medical examination if it is necessary to preserve evidence of assault.

G. The right to be informed of, and assisted in exercising, any rights to be confidentially or anonymously tested for sexually transmitted diseases or human immunodeficiency virus; the right to be informed of, and assisted in exercising, any rights that may be

provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

H. The right to have access to counseling under the same terms and conditions as they apply to other students seeking such counseling from appropriate campus counseling services.

I. The right to require campus personnel to take reasonable and necessary action to prevent further unwanted contact of victims with their alleged assailants, including but not limited to, notifying the victim of options for and available assistance in changing academic and living situations after an alleged sexual assault incident if so requested by the victim and if such changes are reasonably available.

Campus Sex Crimes Prevention Act of 2000

The Campus Sex Crimes Prevention Act of 2000 which became effective October 28, 2002, requires state law enforcement agencies to inform colleges and universities about students and employees who are registered sex offenders. Any college or university that receives federal funding must make this information available to any member of the campus community who requests it. Fairleigh Dickinson University is a recipient of federal funding. Information about registered sex offenders may be requested at the Department of Public Safety at the Metropolitan Campus.

Missing Persons Policy

The Higher Education Act requires that all institutions that provide on campus student housing must establish a missing student notification policy and procedures.

Fairleigh Dickinson University Metropolitan Campus takes student safety very seriously. The following policy and procedure has been established to assist in locating Fairleigh Dickinson University Metropolitan campus students who live in Fairleigh Dickinson University on campus housing, who, based on the facts and circumstances known to Fairleigh Dickinson University Metropolitan campus have been determined to be missing.

Dean of Students Information to Resident Students

At the beginning of each academic year, Fairleigh Dickinson University Metropolitan Campus Dean of Students will inform all students residing in on campus housing that the Dean of Students will notify either a parent or an individual selected by the student not later than 24 hours after the time that the student is deemed to be missing. The information provided to the resident students will include the following:

- Resident students have the option of identifying an individual to be contacted by the Dean of Students not later than 24 hours after the time that the student has been

determined to be missing. Students can register this confidential contact information through the Dean of Students Office.

- If the resident student is under 18 years of age, and not an emancipated individual, the Dean of Students is required to notify a custodial parent or guardian not later than 24 hours after the time that the student is determined to be missing.
- The Department of Public Safety will notify the appropriate local law enforcement agency not later than 24 hours after the time that the student is determined to be missing.
- If the Department of Public Safety and/or the local law enforcement agency has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to campus, the Dean of Students will initiate the emergency contact procedure in accordance with the student's designation.

Department of Public Safety

The Department of Public Safety upon notification of a missing student will conduct a thorough investigation and obtain all necessary information. The person's description, clothes, who they may be with or where they may be, vehicle description and the physical and mental well being of the individual will be obtained.

The Department of Public Safety will conduct a quick, but thorough search of the campus buildings and parking lots using the student's class schedule.

The Department of Public Safety will also check access card logs to determine the last time the ID card was used as well as any surveillance video.

The Department of Public Safety may also request assistance from Resident Assistants or others to assist in a search on campus. The Department of Public Safety may issue an ID card photograph to assist in the identification of the missing student.

After a search has been conducted with negative results, the Department of Safety will notify the local law enforcement agency.

Notification Procedure

Fairleigh Dickinson University Metropolitan Campus will follow the following notification procedure for a missing student who resides in on campus housing:

- Any reports of missing students are to be referred immediately to the Department of Public Safety and after investigating the report it is determined that the student has been missing for more than 24 hours, the Dean of Students will contact the individual identified by the student or the custodial parent or legal guardian if the student is under the age of 18 and not emancipated.

- The Dean of Students and/or Public Safety will notify the Campus Provost of any missing student.

Campus Communications

In all cases of a missing student, local law enforcement agency will provide information to the media that is designed to obtain public assistance in the search for any missing student. The local law enforcement agency will consult with Fairleigh Dickinson University Public Relations. Any media requests to the university will be directed to Public Relations.

University Crime Statistics

The following chart outlines the Metropolitan campus crime statistics. The following is a summary explanation of crime definitions. All definitions are taken from the Federal Bureau of Investigation's Uniform Crime Reporting Handbook as required by the Clery Act regulations.

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

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 consent of victim.

Forcible Fondling: Touching of the private parts of another person for the purposes of sexual gratification, without consent of victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Nonforcible sexual intercourse with a person who is under statutory age of consent.

Domestic Violence: Felony or misdemeanor crimes of violence committed by (i) by a current or former spouse or intimate partner of victim, (ii) by a person with whom the victim shares a child in common, (iii) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred: or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, type of relationship, and the frequency of interaction between the persons involved in the relationship.

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

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

Aggravated Assault – Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary Unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft – Theft or attempted theft of a motor vehicle.

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

Arrests for Clery Act purposes is defined as persons processed by arrest, citation or summonses.

Referred for disciplinary action is the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

January – December 2014

Type of Offense	On Campus	On Non campus University Controlled property	In contiguous Public Areas	Campus Residences	Hate Crimes
1. Alleged Crimes					
Aggravated Assault	0	0	0	0	0
Arson	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Murder	0	0	0	0	0
Robbery	0	0	0	0	0
Rape	3	1	0	2	0
Forcible Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	1	0	0	1	0
Dating Violence	0	0	0	0	0

Stalking	0	0	0	0	0
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II. Arrests

Liquor Law Violations	0	0	0	0	0
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Drug Abuse Violations	11	0	0	8	0
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Weapon Law Violations	0	0	0	0	0
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III. Non Arrest Campus Referrals

Alcohol	21	0	0	21	0
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Drugs	7	0	0	6	0
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Weapons	0	0	0	0	0
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January – December 2013

Type of Offense	On Campus	On Non campus University Controlled property	In contiguous Public Areas	Campus Residences	Hate Crime
1. Alleged Crimes					
Aggravated Assault	1	0	0	0	0
Arson	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Murder	0	0	0	0	0
Robbery	1	0	0	0	0
Rape	1	0	0	1	0
Forcible Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0

Stalking	0	0	0	0	0
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II. Arrests

Liquor Law Violations	0	0	0	0	0
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Drug Abuse Violations	3	0	0	1	0
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Weapon Law Violations	0	0	0	0	0
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III. Non Arrest Campus Referrals

Alcohol	5	0	0	5	0
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Drugs	10	0	0	10	0
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Weapons	0	0	0	0	0
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January – December 2012

Type of Offense	On Campus	On Non campus University Controlled property	In contiguous Public Areas	Campus Residences	Hate Crime
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I. Alleged Crimes

Aggravated Assault	0	0	0	0	0
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Arson	0	0	0	0	0
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Burglary	0	0	0	0	0
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Motor Vehicle Theft	0	0	0	0	0
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Murder	0	0	0	0	0
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Robbery	1	0	0	0	0
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Sex Offenses Forcible	0	0	0	0	0
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Nonforcible	0	0	0	0	0
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II. Arrests

Liquor Law Violations	0	0	0	0	0
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Drug Abuse Violations	0	0	0	0	0
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Weapon Law Violations	0	0	0	0	0
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III. Non Arrest Campus Referrals

Alcohol	16	0	0	16	0
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Drugs	15	0	0	15	0
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Weapons	0	0	0	0	0
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Note: The robbery listed was a cleaner who was approached by two males and stated one had a handgun as the cleaner came out of her vehicle by 139 Temple Avenue.

A Final Word

Your safety and well being is of utmost importance to the University. Any suggestions or ideas you may have on how Fairleigh Dickinson University can promote improved safety standards will be welcomed. You are also invited to contact the campus Department of Public safety at any time if you have a question or need any additional information.

Metropolitan Campus
Department of Public Safety
870 River Road
201 692-2222

**Fairleigh Dickinson University
Metropolitan Campus
Department of Public Safety**

Campus Fire Safety

Annual Report 2014

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, and requires institutions that maintain on campus housing facilities to publish an annual fire safety report which outlines fire safety practices, standards, and all fire related on campus statistics. The following public disclosure report details all information required by this law as it relates to the Metropolitan Campus of Fairleigh Dickinson University.

General Statement of College Owned Student Housing

At the Metropolitan Campus of Fairleigh Dickinson University all residence halls are completely covered by a sprinkler system and a fire alarm system that is monitored by the local fire department 24 hours a day, seven days a week.

All Residence Hall residents are issued a copy of the Metropolitan Campus Resident Handbook which includes information on fire safety and what appropriate action to take during a fire alarm or fire emergency. The interior of every student room has a fire safety notice posted on the rear of the entry door which also gives information as to what to do in the event of a fire.

Additional information on fire safety can be found on the Department of Public Safety section of the University website, www.fdu.edu.

Campus Fire Emergencies

Steps to follow if you become aware of a fire:

1. In a building, activate the nearest fire alarm and call the Department of Public Safety at 201 692-2222 or 911. Do not attempt to extinguish the fire yourself. Sounding the lives and making the call can save lives and property by giving firefighters the maximum amount of response time and building occupants the maximum amount of time to evacuate the building.
2. Calmly assist others to evacuate the building by following exit signs to the nearest safe exit. The nearest exit may not be the one you use to enter the building. DO NOT use any elevator.
3. If possible, assist any person with disabilities who may need assistance in evacuating the building.
4. Remain outside the building at a safe distance to wait for Public Safety, police and fire departments.

5. Give any information you have to the responding Public Safety, police or fire officials and then report to the designated staging area.

BUILDING**STAGING AREA**

Administration	Grass Area in University Circle
Alumni Hall	Walkway/Grass Area by University Hall
Bancroft Hall	Fitness Center Rear Plaza
Becton Hall	Southside Grass Area
Chapel	Front of Student Union Building
Dickinson Hall	North side by Pedestrian Bridge
Edward Williams	East Section of Parking Lot
EOF	Front of Student Union Building
Field House	Southeast Section of Parking Lot
Fitness Center	Grass Area in University Circle
International Student Services	Front of Student Union Building
Library	Grass Area in Front
Linden 1	South Parking Lot
Linden 2	South Parking Lot
Linden 3	South Parking Lot
Linden 4	Rear of Student Union Building
Linden 5	Rear of Student Union Building
Linden 6	Rear of Student Union Building
Linden 7	Rear of Student Union Building
Linden 8	Rear of Student Union Building
Lone Pine Residence	Front of Student Union Building
Muscarelle	Alumni Hall Loading Dock Area
North Pointe Residence Hall	Fitness Center Rear Plaza
Residence Life Director's House	South Parking Lot
River House	Lone Pine Parking Lot
Robison Hall	Alumni Hall Loading Dock
Robison Annex	Fitness Center Rear Plaza
Rothman Center	Grass Area Rear of Dickinson Hall
Student Union Building	Student Union Parking Lot
Temple Avenue 131	Parking Lot of 139 Temple Avenue
Temple Avenue 139	Parking Lot of 131 Temple Avenue
University Court 1	Lone Pine Parking Lot
University Court 2	Lone Pine Parking Lot
University Court 3	Lone Pine Parking Lot
University Court 4	Lone Pine Parking Lot
University Court 5	Lone Pine Parking Lot
University Court 6	Lone Pine Parking Lot
University Court 7	Grass Area South of Becton Hall
University Court 8	Grass Area South of Becton Hall
University Court 9	Grass Area South of Becton Hall
University Court 10	Grass Area South of Becton Hall

University Hall
 Williams Hall
 Woodridge Avenue 1
 Woodridge Avenue 10

Grass Area Front of Library
 Grass Area in University Circle
 Parking Lot of 10 Woodridge Avenue
 Grass Area by 1 Woodridge Avenue

Steps to follow if you hear a fire alarm:

1. Remain calm. DO NOT panic.
2. Before opening a door, feel it with the back of your hand. If it is hot, do not open the door. Go to another means of egress. If you cannot exit the room, seal the cracks around the door with towels, linen, clothes (soaked in water if possible). Open your window for air and hang objects out the window to attract attention. Shout for help. If a telephone is available, call 911 and advise them where you are trapped. If smoke is filling the area where you are, keep low to the floor. Take short breaths to avoid inhaling smoke. Place a wet towel over your nose and mouth.
3. If the door is not hot, brace yourself and open it slowly. If hot air or fire rushes in close the door and follow instructions in number 2.
4. If you can leave, close all the doors behind you and proceed to the nearest safe exit. The nearest exit may not be the one you use to enter the building. Once you leave the building, report to the designated staging area.
5. It is New Jersey state law that when every a fire alarm goes off for any reason in the building that you are in, you must evacuate and remain outside until told by campus authorities that you may re enter.

Residence Halls – Fire Protection Systems

Linden: Each of the eight buildings is equipped with a sprinkler system with flow and valve tamper switches monitored by the fire alarm panel. Non-addressable fire alarm panel with hard wired smoke/heat detectors. Fire alarm panel annunciates directly to the local fire department.

University Court: Each of the ten buildings is equipped with a sprinkler system with flow and valve tamper switches monitored by the fire alarm panel. Non-addressable fire alarm panel with hard wired smoke/heat detectors. Fire alarm panel annunciates directly to the local fire department.

Northpointe: The building is equipped with a sprinkler system with flow and valve tamper switches monitored by the fire alarm panel. Non-addressable fire alarm panel with hard wired smoke/heat detectors. Fire alarm panel annunciates directly to the local fire department.

Specific Fire Prevention Related Policies

Fairleigh Dickinson University does not allow smoking in any campus building or Residence Hall. Smoking is only permitted outside buildings and away from any exterior doors.

It is the policy of the Metropolitan Campus of Fairleigh Dickinson University to provide faculty, staff, students and visitors with the safest possible environment, free from potential fire hazards. Periodic fire inspections of all campus buildings are conducted by the Department of Public Safety, Campus Facilities and the local fire departments.

To minimize the potential for fires, it is Fairleigh Dickinson University's policy to prohibit the open burning at all times. Open burning as defined by Fairleigh Dickinson University is any open/exposed flame or combustion that produces heat, light or smoke, and has the potential to cause a fire. Examples of open burning are, but not limited to, candles, incense, campfires and related accessories such as gasoline, propane, lighter fluid, pyrotechnics and fireworks.

In addition, the following items are prohibited in the Residence Halls.

1. Cooking including the use of toaster ovens and any appliance with an open heating element.
2. Space heaters except when issued by Campus Facilities for emergency heat outages.
3. Extension cords.
4. Fireworks.
5. Torchiere halogen lamps or halogen light bulbs.

Fire Safety Training

Fire drills are conducted twice per year by the Department of Public Safety in coordination with the local fire departments and the Metropolitan Campus facilities Department. Each member of the campus community is required to participate in the drill.

Fairleigh Dickinson University currently and routinely contacts the local fire departments for training and advice.

Plans for future improvements in fire safety

Fairleigh Dickinson University continually evaluates the fire protection systems in all campus buildings. Upgrades occur through ongoing testing and inspection of the life safety systems and equipment with deficiencies being repaired or replaced through building renovations.

Statistics for on campus buildings and student housing facilities

Building Year	Academic Buildings			Residence Halls		
	2012	2013	2014	2012	2013	2014
Total Alarms	28	26	15	6	6	4
FIRES	0	1	0	0	0	0
Damages	0	0	0	0	0	0
Injuries	0	0	0	0	0	0
Fatalities	0	0	0	0	0	0
False Alarms	28	25	15	6	6	4
Malicious	1	0	2	0	0	0
Carbon Monoxide	1	0	0	1	4	0
Sprinkler System	0	0	0	0	0	2
Cooking	4	2	1	0	1	1
Other	22	23	12	5	1	1

Other could be accidental, bad detector, dust from workers, or unknown reasons.