



Rowan College

SOUTH JERSEY

Gloucester Campus



ANNUAL SECURITY REPORT

2018



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Introduction and the Jeanne Clery Act

The Jeanne Clery Act requires all colleges and universities which receive federal funding to share information about crimes on campus and their efforts to improve campus security. Colleges and universities are required to:

- Make public its campus security statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, hate crimes and other crimes;
- Collect, report and disseminate to the campus community and the U.S. Department of Education certain crime data;
- Give timely warnings of crimes that represent a threat to the safety of students or employees; and
- Create, maintain and make available for public inspection, a daily crime log.

In compliance with the Clery Act, the Annual Security Report has been prepared for Rowan College at Gloucester County (hereafter “RCGC” or the “College”) by the Office of Safety & Security under the direction of Joseph M. Getsinger, Executive Director.

How the Annual Security Report and Disclosure of Crime Statistics are Prepared

The College’s Clery Compliance Team prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The process includes collecting statistics obtained from multiple reporting sources and then reporting them to the College community by October 1, each year. The report is compiled using information maintained by the College Security Department, by other College offices such as Student Life, Campus Security Authorities (CSAs) and provided by local law enforcement agencies surrounding the College’s campus. These agencies include: Deptford PD, Mantua PD and East Greenwich PD as well as county and state law enforcement agencies. For statistical purposes, crime statistics reported to any of these sources are **recorded in the calendar year the crime was reported**. A written request for statistical information is made on an annual basis to non-police reporting officials at the College known as Campus Security Authorities (CSAs). For a complete description of CSAs, please refer to page 5.

Questions on the Clery Act

The *Handbook for Campus Crime Reporting* assists universities and colleges in meeting the regulatory requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act*. The handbook covers such topics as Classifying and Defining Clery Crimes, Timely Warnings, the Daily Crime Log and Annual Disclosure Requirements. It can be found at U. S. Department of Education, Campus Security webpage, under the title of “The Handbook for Campus Safety & Security Reporting.” <http://www2.ed.gov/admins/lead/safety/campus.html>

For statistical purposes, crime statistics reported to any of the above sources are recorded in the calendar year the crime was reported. Crime statistics are reported for the three calendar years prior to the October 1 publication; i.e., 2016, 2017 and 2018.

For definitions of sexual assault, domestic violence, dating violence and stalking, see **Appendix A**. For a description of RCGC's campus, properties operated or controlled by the College, and adjacent public property, see **Appendix B-1, B-2 and B-3**.

The Annual Security Report is made available to the entire campus community including prospective employees and students. A hard copy may be obtained in person from the Office of Safety & Security or by calling 856-681-6287, see **Appendix C**.

The Annual Security Report is available online at: ***RCSJ.edu//Security-site/Gloucester-site/Documents/AnnualReports/Annual-Report-2018.pdf***

Questions regarding this Annual Security Report may be directed to Joseph Getsinger, Executive Director, Safety & Security by calling 856-681-6287 or emailing: ***jgetsinger@rcsjc.edu***

Reporting Crimes and Other Emergencies

The safety & security of all members of the College and the protection of College property are of the utmost importance to the Board of Trustees and Administration. This safety & security function has been assigned to the Office of Safety & Security.

- **The Office of Safety & Security** is located in the Safety & Security Building (see Campus Map—**Appendix B-1**)

The building is strategically located nearest to the main entrance on Tanyard Road. Contained in the building are the Operations/Dispatch Center, the office of the Executive Director, the Emergency Operations Center (EOC) and the satellite office of the Gloucester County Sheriff's Department.

Safety & Security Building
West College Drive and Roadrunner Way
Telephone: 856-681-6287
856-468-5000, ext. 4444

- For immediate help, anyone on campus may **call 9-1-1** or use the blue light emergency telephones throughout campus by pushing the **RED button**.

- **Gloucester County Sheriff's Department**

In addition to the campus security officers, the College has a long standing contract with the Gloucester County Sheriff's Department which provides law enforcement officers 7 a.m. to 11 p.m. Monday-Friday and 7 a.m. to 5 p.m. on Saturdays.

Gloucester County Sheriff's Department
Satellite Office
Safety & Security Building
West College Drive and Roadrunner Way
856-415-2200

- **Deptford Township Police Department**

Criminal activity may be reported 24/7 by calling 856-845-2220 or dialing 9-1-1. The Police Department is located in the Deptford Township Municipal Building, 1011 Cooper Street, Deptford, N.J. 08096

- The College does **not** have a written memorandum of understanding but works closely with the Deptford Township Police Department.

Campus Security Authorities (CSAs)

A Campus Security Authority (CSA) is a Clery-specific term denoting an official of the College who has significant responsibility for student and campus activities and is required to report crimes that are reported to them. You can report crimes by contacting one of the College's CSAs.

While you may contact any CSA, the College prefers you contact one of the following officials to report a crime:

- Safety & Security Officers 856-681-6287
- Almarie J. Jones, Title IX Officer, Executive Director
Diversity and Equity, College Center Building, room 116 856-415-2154
All reports of sexual misconduct, harassment, discrimination and hate crimes **must** be reported to the Title IX Officer (**See Appendix D**).
- Director, Student and Veteran Affairs 856-468-5000, ext. 6456
- Other CSAs on campus who are obligated to report crimes to the Office of Campus Security and the Title IX Officer include:
 - President
 - Student Advisors
 - Coaches/Assistant Coaches
 - Vice Presidents
 - Athletic Director/
Assistant Athletic Director
 - Athletic Trainers
 - Deans
 - Academic Team Coordinators

CSAs are responsible for reporting any information they receive to the Office of Campus Security or the Title IX Officer or a campus official designated to receive reports of crimes. CSAs are not responsible for reporting or investigating incidents that they overhear in an indirect manner.

CSAs must announce to the victim that they must report the crime statistic to Security or the Title IX officer. CSAs must provide the victim with a written copy of their rights (Title IX brochures) available around campus and from the Title IX officer, Counseling and Wellness Center or People in Transition, all located in the College Center.

Professional counselors whose official responsibilities include providing mental health counseling to students are **exempt** from reporting crimes they learn about through their role as a professional counselor. These confidential positions include: Counseling and Wellness Center and People in Transition directors.

If a crime has been reported to a CSA, but the student or employee would like the report to remain confidential, the individual should contact the Title IX officer.

Confidential Reporting

A victim of a crime who does not want to pursue action within the criminal justice system or through Rowan College may still consider making a confidential report. The purpose of a confidential report is to comply with a victim's wish to keep the matter confidential, while taking steps to ensure the future safety of those involved and others. With such information, the College can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Collection of Crime Statistics

Each year letters are sent out to the following agencies, departments and individuals requesting crime statistics for RCGC: campus at 1400 Tanyard Road; College Services Building at 6 Blackwood-Barnsboro Road, Mantua, N.J.; Gloucester County Fire Academy 200 Shady Lane, Clarksboro, N.J.; Adult Center for Transition 530 Salina Road, Sewell, N.J.; Workforce and Professional Development Institute 1492 Tanyard Road, Sewell, N.J.; and Rowan University 201 Mullica Hill Road, Glassboro, N.J. based on a Clery Map geography of their location. (See **Appendices B to B-4**)

The College encourages accurate and prompt reporting of all crimes to the Office of Campus Security and appropriate police agencies either when the victim of a crime elects to or is unable to make such a report, which include:

Deptford Township Police Department	856-845-2220
East Greenwich Township Police Department (Mickleton)	856-423-4100
Mantua Township Police Department	856-468-1920
Gloucester County Prosecutor's Office	856-384-5500
New Jersey State Police	609-882-2000
RCGC Student and Veterans Affairs Director	856-468-5000, ext. 6456
Rowan University – Dean, University Relations	856-464-5230
Sheriff's Office	856-415-2200

The New Jersey State Police maintain a Real Time Crime Center on campus with sworn officers/troopers occupying the location. In an emergency these officers are available to assist local authorities.

The federally required "daily crime log," crime statistics, evacuation drill information and emergency operations plans are maintained in the Office of Safety & Security. All publicly available record keeping will be maintained without inclusion of personally identifiable information.

The campus crime log for the most recent 60-day period is open to public inspection, free of charge, upon request (written or verbal) during normal business hours. The availability of the campus crime log is posted on the College Portal and posted in the security office.

Notes:

1. While there are student organizations on campus, no student organization owns or controls property on or off campus.
2. A cohort of RCGC's students attend classes and are housed at Rowan University. While Rowan University's Security Department will be responsible for the safety of these students, crimes committed against these RCGC students will be included in the statistics of both institutions (a potential duplication).

Security on Campus

Patrols

Security officers patrol campus buildings and grounds to ensure the public welfare. Their jurisdiction covers the main campus and everything within the Clery maps (see **Appendix B-1, B-2 and B-3**). RCGC is located at 1400 Tanyard Road, Sewell, N.J. 08080 which is part of Deptford Township, N.J. It is situated north of Salina Road, west of Route 55 and south of Gloucester County Institute of Technology in Gloucester County New Jersey. The number of officers on duty varies according to the time of day and expected level of activity. All officers are trained to assist in situations ranging from emergency response to general advice on crime prevention and provide escorts to vehicles. Please see **Appendix E** for a complete list of required training.

The security officers conduct foot patrols, assist in monitoring building access and activity, enforce College safety rules and regulations, respond to fire and intrusion alarms, assist the public as appropriate and enforce traffic and parking regulations. Security officers also provide other services to the campus community, including unlocking rooms for authorized members of the student body, faculty, staff and providing a safety escort program.

Security officers are not licensed to carry firearms and do **not** have arrest powers.

Gloucester County Sheriff's Department

The mission of the Office of the Sheriff on the RCGC's campus is to keep students, employees and visitors safe from crime, and to increase the quality of the educational environment. The direct office number is 856-415-2200.

Sheriff's Officers perform law enforcement activities, including the administration of first aid to injured students, assisting with vehicle problems, parking and traffic enforcement, patrolling the campus for criminal activity and assisting with emergency response. Sheriff's Officers are authorized to carry firearms and **have** arrest powers. Their jurisdiction covers the entire campus.

Emergency Blue Light Telephones

There are emergency blue light telephones strategically located throughout the campus to ensure direct communications with the Safety & Security department and to the 9-1-1 Gloucester County Communications Center for a rapid police, fire or other emergency response. The Safety & Security patrol inspects these telephones once each shift. Security personnel are alerted to the exact location of the 9-1-1 activation whether it is from an office or from an emergency telephone. The blue button connects directly to Security and the red button connects directly to the 9-1-1 Center.

Building Inspections

On a nightly basis after all classes are completed, all classroom doors are locked and each campus building is secured and alarmed by personnel from the Facilities department.

Security Camera Systems

The College utilizes and maintains a closed circuit monitoring system throughout the campus. The system is comprised of a network of cameras in both the interior and exterior of campus buildings. The system both deters and records any criminal activities throughout the campus. The system is monitored by security personnel at several monitoring stations.

Overhead Street and Building Lighting

Safety & Security officers inspect all exterior and exit light fixtures on all campus buildings as well as overhead street, path and parking lot lighting.

Emergency Operations Center (EOC)

The Safety & Security building houses an Emergency Operations Center which can be activated during an emergency on campus. This operations center includes telecommunications, radio systems, network connections, camera monitoring system, access to news and weather stations and can be used as a training center. The EOC will be utilized during times of a critical incident and special events.

College Website

RCSJ.edu/gc/Security provides information about the Office of Safety & Security's programs, crime prevention tips and crisis management information. It complies with the Clery Act by providing an Annual Security Report online and timely access to all required crime data.

Township, County, State and Federal Law Enforcement

The Office of Safety & Security fully cooperates with local, county, state and federal agencies, such as the Deptford Township Police and fire departments, the Gloucester County Sheriff's Office, the Prosecutor's Office, County Probation and Parole, the Office of Emergency Management, the New Jersey State Attorney General, New Jersey State Police, FBI, Drug Enforcement Agency (DEA), Secret Service, Alcohol, Tobacco and Firearms (ATF), Federal Bureau of Investigation (FBI) and local, state and federal level Homeland Security branches.

On-Campus Confidential Resources

- **The Center for Counseling and Wellness Services**

The Center for Counseling and Wellness Services is located in the College Center, room 206. The Center supports RCGC students who may be dealing with personal issues that affect College success. The Center has licensed behavioral health staff available to meet confidentially with students to discuss concerns.

The Center for Counseling and Wellness Services staff are available:
Monday – Thursday, 8:30 a.m. to 4:30 p.m., Friday, 8:30 a.m. to 4 p.m.

Contact 856-464-5236 or 856-681-6240 for assistance.

- **People in Transition**

The People in Transition staff are available:
Monday – Friday, 8:30 a.m. to 4:30 p.m.

Contact Crystal Noboa, Director, at 856-415-2264 for assistance.

- **Director of Behavioral Services**

Contact Diane Mussoline, Director, 856-494-5665 for assistance.

Student/Staff Identification

Students obtain their College photo identification badge after they are registered for classes. Employees obtain their College photo identification badge upon confirmation of employment. Employees are required to display their photo identification at all times while on campus. Students must carry their photo identification badge and present it to a Security Officer or law enforcement official who requests to see it.

Security Awareness and Crime Prevention Programs

On Going

The following programs, presentations, services and materials are provided on a regular and on-going basis to students and employees:

- **New Student Orientation:** Crime prevention material is provided to students through brochures and the RCGC website as a standard part of the new student orientation at the start of the academic year.
- **New Employee Orientation:** New employees are provided with campus safety and security information.
- **Personal Safety Escort Program:** Officers from the department of Safety & Security provide safety escorts for persons walking from one point on campus to another point on campus and will assist any individual with special needs.
- **Printed Crime Prevention Materials:** Brochures and posters carrying crime prevention and awareness information related to Safety & Security are widely distributed at crime prevention presentations and at the campus Safety & Security Office.
- **Safety & Security website:** The department's website provides up-to-date crime prevention programs, tips and general information.
- **Brochures on Substance Abuse** are placed throughout the campus.

Mandated Training

- **Preventing Discrimination and Sexual Violence: Title IX, VAWA and the Clery Act —** Faculty and Staff
- **Student Empower: Title IX, VAWA and the Clery Act**

In Service — Clery/VAWA and Title IX Training

These programs are offered to students, faculty and staff.

- Uncovering Unconscious Bias
- Addressing Violence in the Digital Age
- Offered National Portrait of Sexual Violence Prevention Efforts
- Opioid Addiction and Administering Narcan training
- Viewing the movie "The Hunting Ground" about sexual assault on college campuses and the use of Title IX in sexual assault cases
- November 8, 2017 — Heroin & Opioid Presentation – presented by NJ Governor's Council on Alcoholism and Drug Abuses

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. The College wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Below is a list of some ways to be an active bystander. (*Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault and Relationship Abuse*). If you or someone else is in immediate danger, **dial 9-1-1**. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- **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 okay.
- **Confront** people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- **Speak up** when someone discusses plans to take sexual advantage of another person.
- **Believe** someone who discloses sexual assault, abusive behavior, or experience with stalking.
- **Refer** people to on or off campus resources listed in this document for support in health, counseling or with legal assistance.
- **Speak up** when you hear people making jokes about abuse, rape, stalking, etc.

Risk Reduction

Sexual assault is most often a predatory crime. Prosocial bystanders can impact the predator's ability to complete acts of violence. The College does not tolerate any acts of sexual violence. As a community of bystanders we can be alert to the following predatory behavior:

- Predators will work to isolate their victims.
- Predators take advantage of or create vulnerability by using impairment from drugs/alcohol; freshman status on campus; desire for acceptance and belonging and isolation from friends and/or public situations.
- Predators often use attention to engender trust, attraction and submission.
- Predators often engage in behavior that is inappropriate as a way to gauge how "charmed" the potential victim is and to see if someone will confront the inappropriate behavior.
- Predators will use guilt and blame to shut down any hesitation or assertiveness by the potential victim.

Bystanders who have knowledge of these “red flags” and intervene in situations that elicit concern can reduce the likelihood of a sexual crime happening. As a community we can reduce the overall likelihood that sexual assault occurs if we reduce vulnerability and access to potential victims.

- When awareness is lost, vulnerability increases. Increase awareness by knowing your surroundings and people you can access for help as well as who you can potentially assist if needed.
- Trust your instincts. If you feel “something isn’t right,” don’t be afraid to act on that feeling and leave, ask for help or check in with someone to see if they need assistance.
- Alcohol is the most frequent drug used to create vulnerability. Predators may look for unattended drinks or offer someone a drink that has been spiked in some way. Punch bowls or large, open containers can be filled with a mixture of alcohol that can be used to incapacitate people. Drink spiking is against the law. If you suspect that either you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by **calling 9-1-1** in most areas of the U.S.). It is important to get medical attention. Be explicit with doctors so they can give the correct tests.
- Look out for each other. If a predator is aware that a potential victim has a friend group which is aware and willing to intervene, they are less likely to act. Similarly, if a predator knows that an establishment or party has vigilant employees or hosts, they are less able to follow through with a crime.
- Use call boxes and cell phones to access help. If you or someone else needs help, contact law enforcement by using call boxes on campus and/or **calling 9-1-1** directly by using your cell phone.

If someone makes you feel uncomfortable or scared or you see something scary happening, your body may react in a way that is out of your control. Each person may react differently given the hormonal reaction in their body. Some people may be able to yell, fight back or run away. Many people will “freeze” and not be able to act at all. It is not your fault. Under stress, the body goes into survival mode and you may not be able to think clearly or act purposefully. If you are able to think clearly and act on those thoughts, here are some options:

- Breathe and settle. We all startle under stress but we may be able to shorten our startle response by breathing and reducing our panic so we can start to think more clearly.
- Look for an escape route. Where are the doors, windows or exits? Are there people around who might be able to help you? Is there a phone or call box nearby?
- Set a clear boundary. Tell the person what you want or don’t want in a strong clear voice.
- Lie. If you are worried about hurting someone’s feelings or scared of being hurt, lie about a situation as a strategy to get away or reduce vulnerability. Say that you need to take care of a friend; that you are not feeling well or your friend is coming to meet you.
- Have a code word with your friends or family. Call or text that word if you don’t feel comfortable with the person you are with. Someone can then come to get you or make up an excuse for you to leave.

If you freeze and are unable to do any of these things, remember that it is not your fault and you did the best you could under an extremely terrible situation. Talk to someone you trust and tell them what happened. If someone comes to you about an assault:

- Be compassionate
- Help them get to a safe place immediately
- Tell them you believe them
- Encourage them to seek medical attention if needed
- Offer to accompany them to a counselor to talk about what happened and review their options

Reasons to talk to a Counselor

If you or a friend has been a victim of sexual violence, it is helpful to talk to a counselor who has the expertise with this issue. In response to a traumatic event, people can have a range of responses including but not limited to:

- Depression
- Anxiety
- Loss of interest in activities
- Fear of reminders related to the assault
- Lack of emotion
- Dissociation or zoning out
- Problems with attention and concentration
- Academic difficulties
- Thoughts of hurting oneself
- Increased use of drugs and alcohol to forget or change one's feeling
- Anger and/or aggression
- Problems with eating and sleeping
- Nightmares
- Fatigue

Even if you don't have any of these responses, talking to a counselor can help you understand your options for medical care, reporting the crime and coping with what happened.

Registered Sex Offender Information (Megan's Law)

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. Information about registered sex offenders may be obtained by visiting: ***njsp.org/sex-offender-registry***

Emergency Operations Plan

The purpose of the **Emergency Operations Plan** is to provide the College response to an emergency or widespread disaster that exceeds the capacity of any one department.

While the College's Emergency Operations Plan is a voluminous and comprehensive document, a "Quick Reference" chart is provided in **Appendix F**.

The College utilizes the Rowan College Text Alert System, a mass notification system that includes text messaging, email and social media platforms for campus notification. Other methods include public address systems, fire alarm system, emergency vehicles equipped with public address systems, mega phones and the College webpage.

As soon as the Office of Safety & Security confirms, after deliberation or notification from first responders or the National Weather Service, that there is an emergency or dangerous situation that poses an immediate threat to the health and safety of the campus, the Office of Safety & Security will notify the President who will approve the content of the message and the mass notification system to be used. The content of the notification will be developed through the College's media department.

The process for confirming a significant emergency or dangerous situation will be put in place based on the emergency. This will be confirmed by members of the security department or law enforcement in the field or at the scene by hand held radio or cell phone.

The President will approve the content of the message and will direct it to the Vice President and Chief Information Officer or his/her designee to be disseminated via the College's notification systems.

In the event the President is unavailable, the Vice President and Chief Operating Officer will assume control. The existing chain of command will be utilized should the President and Vice President and Chief Operating Officer be unavailable:

- Provost and Vice President, Academic Services
- Vice President, Student Services
- Vice President and Chief Information Officer

Note: The Executive Director of the Office of Safety & Security will have the discretion to contact the College community without consulting the President when the individuals in the chain of command are not available and there is an imminent threat to the health or safety of the College community. The public's safety is the single most important determining factor in influencing which communication protocol is chosen.

In an emergency, the College will, **without delay**, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The larger community including Gloucester County Institute of Technology, will be notified through Gloucester County 9-1-1 Center in cooperation with the Deptford Police department and the Gloucester County Sheriff's department of any emergency which may impact the larger community.

Emergency Notification Process:

An incident that occurs on the campus, or near the campus even if on public property, may require an **Emergency Notification** to the College community, especially if **the incident represents an imminent threat to the health or safety of the community** according to the Clery Act. An Emergency Notification to the community for any serious event that is occurring currently or a disaster, whether natural, or man-made will be determined after the President is briefed by security personnel and law enforcement. In the event the President is unavailable, the chain of command will be utilized. Upon the mobilization of RCGC's Emergency Operations Center (see below) and after the President of the College is briefed, the emergency notification will be made. In the event the President is unavailable, the chain of command as described will be utilized.

The types of incidents that may cause an immediate threat to the College could include, but not limited to emergencies such as:

- Active Shooter(s) on campus
- Hostage/barricade situation
- Riot
- Suspicious package with confirmation of a device
- Tornado
- Fire/Explosion
- Suspicious death
- Structural damage to a College building, or building owned and controlled by the facility
- Biological threat (anthrax, etc.)
- Significant flooding
- Gas leak
- Hazardous materials spill, etc.

Emergencies will be reported to the **9-1-1 County Operations Center**. The operator will dispatch a Sheriff's officer to the scene to assess the situation. The Sheriff's officer will identify and confirm the emergency and relay that information to the 9-1-1 Center and Security. If the Sheriff's officer deems the situation as being critical, he or she will request that surrounding municipal police departments assist in the response. If the situation is severe enough, the dispatcher will mobilize the County Emergency Response Team (ERT), which will arrive on campus and establish an on-site unified command and mobilize within the RCGC's Emergency Operations Center. Responders will work to provide assistance and guidance on how to work in a higher education environment.

The Emergency Notification will work as follows:

1. The President will be briefed as discussed above and approve the content and mass notification system to be used; and
2. If the President is unavailable, the College chain of command as described above will be utilized.
3. The President will notify the Executive Director of the Office of Safety and Security by text message (prearranged code) to authorize release of the Emergency Notification by the Vice President of Information Technology to the portion of the College affected.

RCGC will hold a series of information sessions and post updates on the College Portal. Press releases will also be provided to the media. This will be followed up with a thorough after action review of the incident.

Depending on the circumstances, RCGC may send emergency notification messages to the entire campus community or only a segment of the population. If a confirmed emergency situation seems likely to affect a limited segment of the campus community, emergency notification messages may be limited to that group. If the potential exists for a very large segment of the campus community to be affected by an incident or when a situation threatens the operation of the campus as a whole, then the entire campus will be notified. In any case, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

Emergency Notification may consist of

- Rowan College Alert (text, voice, email)
- Public Address System
- Fire Alarms

The College will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Timely Warning Process:

A **Timely Warning** will be released to the campus community for any crime that represents a serious or continuing threat to the students and employees of the College. The major incidents that require a timely warning according to the Clery Act are murder/non-negligent manslaughter, manslaughter by negligence, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson or incidents if the crime represents a serious or continuing threat to the campus. Additionally, all hate crimes including larceny-theft, simple assault, intimidation and destruction/vandalism of property or any of the previously listed crimes that represent a continuing threat to the campus require a timely warning. Any other crimes that represent a serious or continuing threat to the community may also have a timely warning issued for them and they will be assessed on a case-by-case basis.

The Timely Warning will be issued by the division of Innovation and Technology (IT) under the direction of the Vice-President of IT. The content of the notification will be developed by the Vice President of IT with input from the Director of Security and/or Senior Security Supervisor/Security Officer/Law Enforcement Officer at the scene. Once the content is approved by the President or his/her designee, the message will be initiated through texts, emails, voice mail, social media and the public-address system.

A timely warning can be issued in many ways, including the following:

- Rowan College Alert (text messaging, voice, email , social media)
- College Webpage
- Public address systems
- Fire Alarms
- Mega phone
- Press releases will be issued to the media to notify the surrounding communities.

The intention of a timely warning is to aid in the prevention of similar type incidents and enable people to protect themselves. A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or time frame of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s) when deemed appropriate and if there is sufficient detail (see note below).
- Office of Safety & Security contact information.
- Other information as deemed appropriate by the President or Vice Presidents.

The description of subjects in a case will only be included in the alert if there is sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, this information will not be included in the alert.

The **Timely Warning** will work as follows:

1. The Director of the Office of Safety & Security will confirm the emergency as discussed previously;
2. The President will be notified and approve the content and mass notification system to be used; and
3. If the President is unavailable, the College chain of command as previously described will be utilized.

Timely warnings are issued in a manner to students and employees that is timely and withholds the names and any other personally identifying information of the victims as confidential, and that will aid in the prevention of similar occurrences.

Note: Campus Security Authorities have a duty to report sexual misconduct for federal statistical reporting purposes. As explained prior, **all personally identifiable information is kept confidential**, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on- or off-campus, in the surrounding area, etc — with addresses withheld), for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Victims of sexual misconduct should also be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of a criminal incident that affects the safety of people or property, bodily harm or danger to members of the College community to aid in the prevention of similar occurrences. The College will withhold the names and other personally identifiable information of victims as confidential, while still providing enough information for community members to make decisions related to their safety in the light of the danger.

Testing of the Notification System

Rowan College at Gloucester County's Division of Innovation and Technology performs an audible test of the College's public address speaker system once per semester. This test is coordinated by an authorized employee of the Division of Innovation and Technology who activates the public address speaker system throughout the campus. Each test occurs in coordination with Security and Facilities personnel, as well as members of the Division of Innovation and Technology in order to properly canvas each building on campus and check the functionality of speakers in each building. The notification is as follows "This is a test of the Emergency Broadcast System, this is only a test," and will be announced twice campus-wide or by building depending on staffing. Upon finding non-functioning speakers, the individuals assisting report back to the coordinator and document in the report. The coordinator then submits a report to the Vice President of the Division of Innovation and Technology and or the Vice President's designee who coordinates repair or replacement of the defective units. Upon completion of repairs, the system is tested again. This system is activated in accordance with the College's Emergency Response Plan and at the discretion of select members of the campus' Emergency Response Team.

Additionally, all emergency evacuation exercises are recorded. **See Appendix G.**

Evacuation Procedures

To evacuate means to **leave your home or workplace** during an emergency and **follow an Evacuation Route to a safe shelter**.

Upon hearing the alarm, seeing fire or smoke, everyone should leave the building immediately. In the event of a fire, the following steps should be taken to ensure the safety of all building occupants:

1. Activate the fire alarm.
2. Call 911 immediately and provide information.
3. Assist injured personnel or notify emergency responders of the medical emergency.
4. Exit the building following emergency maps away from the source of the fire or smoke.
5. Assist physically impaired individuals to a secure area and notify emergency responders.
6. Ensure all personnel are out of the building.
7. Do not use the elevators.
8. Use a fire extinguisher only if safe to do so and you have been trained.
9. Assemble personnel at a remote location noted on evacuation maps 200 feet from the building.
10. Report hazardous conditions.
11. Stay low if confronted with smoke. Check closed doors for heat before opening.
12. Stay away from the building until it is announced safe to return by Emergency Personnel.

RCGC Alert

RCGC Alert is an emergency and outreach notification system for students and employees. In the event of an emergency, the College will contact you by phone, email and/or text message in a timely manner to ensure your safety as required by federal regulations. The College also may wish to contact you by phone, email and/or text message for outreach notifications, including registration reminders, eLearning alerts and more.

How to Register

- To register for the RCSJ Alert: ***RCSJ.edu/TS/gloucester/Alerts***
- To register for the Gloucester County Alert System for weather alerts and emergency information: ***gloucesteralert.com***

SEXUAL MISCONDUCT AND THE RIGHTS OF VICTIMS: Policy and Administrative Procedure

The College's position on sexual misconduct and its student code of conduct are provided in full on the following pages. Please note that these policies may from time to time be revised and the College's Portal should be consulted for any revisions.

Plain and simple, sexual misconduct in any of its forms is prohibited, will not be tolerated and will be met with decisive administrative action.

In addition to the College's policy and administrative procedure on Sexual Misconduct, a copy of the Campus Sexual Assault Victim's Bill of Rights is included in **Appendix H**.

The following policies and administrative procedure are related to campus Safety & Security and are provided in **Appendix I**. These are essential reading for all students and employees.

Alcohol and Other Drugs (Policy # 7015)

Anti-Bullying and Intimidation (Policy # 8003)

Conscientious Employee Protection (Whistle-blower, Policy # 7017)

Employee Conduct and Work Rules (Policy # 7009)

Harassment and Discrimination (Policy # 7011)

Interim Safety Suspension (Administrative Procedure # 8007.1)

Minors on Campus (Policy # 2001)



Rowan College of South Jersey

Policy: 7013
Title: **SEXUAL MISCONDUCT AND THE RIGHTS OF VICTIMS**
Area: Human Resources
Approved: 07/01/19

All acts of sexual violence including dating violence, domestic violence, sexual assault, and/or stalking (“sexual violence”) are forms of sex discrimination prohibited by Title IX of the Education Amendments of 1972. These acts of sexual violence have been defined by the federal Clery Act and New Jersey State (2C) Statute and detailed in administrative procedure, *7013 Sexual Misconduct and the Rights of Victims*.

The College will not tolerate sexual misconduct in any of its forms.

Under the direction of the President, the Special Assistant to the President Diversity and Equity/Title IX Compliance (“Title IX Officer”) shall implement and ensure compliance with this policy.

The College strives to maintain a safe and welcoming environment free from acts of sexual misconduct and relationship violence. It is the intent of the College to provide safety, confidentiality, and support to victims of sexual misconduct. No person should bear the effects of sexual misconduct alone.

Definitions of Prohibited Conduct

The following behaviors constitute sexual misconduct and are prohibited under this policy. All forms of sexual misconduct are serious offenses and will result in College disciplinary consequences.

1. Non-Consensual Sexual Intercourse or Penetration (Rape) means 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 consent. Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
2. Non-Consensual Sexual Contact (Fondling) means any intentional sexual touching, however slight, with any body part or any object, without consent. Examples of non-

Policy: 7013 Sexual Misconduct and The Rights of Victims

consensual sexual contact may include, but not limited to, genital-genital or oral-genital contact not involving penetration; contact with breasts, buttocks, or genital area, including over clothing; removing the clothing of another person; and kissing.

3. Sexual Exploitation means the behavior that takes, or facilitates the taking of, non-consensual sexual advantage of any person to benefit any other person when the behavior does not otherwise constitute a sexual misconduct violation. Examples of sexual exploitation include, but not limited to:
 - trafficking another person;
 - taking a non-consensual video, photograph, or audio recording of sexual activity without the other's permission; taking a photograph or video of someone's private parts (including genitals, groin, buttocks, or breasts) without permission; the transmission or dissemination (including, but not limited to, distribution via social media) of such video, photograph, or audio recording without permission;
 - allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images);
 - frottage which means the act of obtaining sexual stimulation by rubbing against a person or object;
 - voyeurism or spying on persons where they have a reasonable expectation of privacy;
 - knowingly transmitting a sexually transmitted infection to another person without the other's knowledge; and
 - revenge porn which means the sharing of private, sexual materials, either photos or videos, of another person without their consent and with the purpose of either causing embarrassment or distress.
4. Intimate Partner Violence includes dating and domestic violence.
 - a. Domestic violence means a felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the student or employee;
 - By a person with whom the student or employee shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the student or employee as a spouse or intimate partner;
 - By any other person against an adult or youth student and employee 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.
 - b. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the student or employee. The existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but not limited to, sexual or physical abuse or the threat of such abuse.

5. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.
 - 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.
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the reporting student or employee.
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
6. Other Sexual Misconduct means inappropriate sexual behaviors not covered previously in this section, for example, sexual activity in public places.
7. Sexual/Gender-Based Harassment is unwelcome sexual or gender-based verbal or physical conduct that unreasonably interferes with or deprives others of their right to access and benefit from the programs and services of the College. Sexual harassment offenses fall into two general categories;
 - a. Hostile Environment which means harassing conduct that is sufficiently severe, pervasive/persistent, and objectively offensive that it substantially interferes with the conditions of education or employment, from both a subjective (the student's or employee's) and an objective (reasonable person's) viewpoint. The determination of whether an environment is "hostile" will be based on the circumstances. These circumstances could include, but not limited to:
 - the frequency of the conduct;
 - the nature and severity of the conduct;
 - whether the conduct was physically threatening;
 - whether the conduct was humiliating;
 - whether the conduct was directed at a specific individual or more than one person;
 - whether the conduct arose in the context of other discriminatory conduct;
 - whether the conduct unreasonably interfered with the alleged Complainant's educational or work performance;
 - whether the statement is an utterance of an epithet which offends an employee or student, or offends by discourtesy or rudeness; or
 - whether the speech or conduct is excluded from the protections of free speech or academic freedom.
 - b. Quid Pro Quo ("this for that") means a violation of this type exists when there are:
 - Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and
 - Submission to unwelcome advances, etc., results in preferential treatment, e.g., promotion, higher grade than earned. Rejection of

sexual advances, etc. results in adverse educational access or employment action; e.g., failing grade or employment termination.

8. Retaliation means harassment or adverse action taken against a person because of that person's participation in a complaint or investigation of sexual misconduct. This will be treated as a separate violation of this policy and will result in immediate action by the College to stop the retaliatory behavior, prevent further violations by the perpetrator, and remedy any adverse impact of the violation.
9. False Reports means intentionally making a report of prohibited conduct to a College official knowing, at the time the report was made, that the prohibited conduct did not occur and the report was false.
10. Attempted Violations means a person commits an attempted violation when, with intent to commit a specific violation, he/she does any act which constitutes a substantial step toward the commission of that violation. The College will treat attempts to commit any of the violations described in policy or procedure as if those attempts had been completed.

I. Additional Definitions

1. Consent

- a. Consent to sexual activity is informed, knowing, voluntary, and freely given permission to engage in mutually agreed upon sexual activity. The College will apply a reasonable person standard in determining whether or not consent was given, unless otherwise required by law.
 - i. The person giving consent must be capable of doing so freely, with the ability to understand what they are doing and the specific details (who, what, when, where, and how) of the sexual contact to which they are consenting.
 - ii. Consent may be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity. Consent can be withdrawn at any time.
 - iii. It is the obligation of the person initiating sexual contact to obtain clear consent for the specific type of sexual contact sought.
 - iv. Lack of protest does not constitute consent. Silence or passivity without words or actions that communicate mutually understandable permission cannot be assumed to convey consent.
 - v. Use of violence, threats, coercion, or intimidation invalidates any consent given.
 - vi. Consent for one form of sexual contact does not imply consent to other forms. For example, consent to vaginal sex does not imply consent to oral sex; consent of vaginal sex does not imply consent to anal sex.
 - vii. Past consent does not constitute consent for future sexual activity.
 - viii. Persons who are unable to give valid consent under New Jersey law (i.e., minors, individuals with mental health disabilities) are considered unable to give consent under this policy. See N.J.S.A. 2C: 4-2.
 - ix. Consent cannot be given by a person who is unconscious or sleeping. If consent has been given while a person is conscious or awake, and

- then that person becomes unconscious or falls asleep, consent terminates at that point.
- x. Persons who are incapacitated due to the use of drugs or alcohol cannot give consent.
2. Consent to bodily harm constitutes a violation of this policy because it causes or threatens bodily harm. Consent to such conduct or to the infliction of such harm is a defense if: (1) the bodily harm, consented to or threatened by the conduct is not serious, or (2) the conduct and the harm are reasonably foreseeable hazards of joint participation in a concerted activity of a kind not forbidden by law.
 3. Incapacitation
 - a. Incapacitation is the physical and/or mental inability to make informed, rational judgements and decisions. States of incapacitation include, sleep, unconsciousness, and blackouts. Where alcohol or drugs are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgements.
 - b. In evaluating whether a person was incapacitated for purposes of evaluating effective consent, the College considers two questions: (1) Did the person initiating sexual activity know that their partner was incapacitated? And if not, (2) Should a sober, reasonable person in the same situation have known that their partner was incapacitated?
 - c. If the answer to either of these questions is 'yes', effective consent was absent.
 - d. For purposes of this policy, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. The standard for incapacitation does not rely on technical or medical definitions, but instead focuses on whether a person has the physical and/or mental ability to make informed, rational judgements and decisions.
 - e. A person who initiates sexual activity must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions, "Do you know where you are? Do you know how you got here? Do you know what is happening? Do you know whom you are with?"
 - f. Because the impact of alcohol and other drugs varies from person to person, one should be cautious before engaging in sexual contact or intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether effective consent has been sought or given. If one has doubt about either

party's level of intoxication, the safe thing to do is to forego all sexual activity.

Reporting Sexual Misconduct

Employees and/or students should report sexual violence occurring either on or off campus to the Title IX Officer or a Campus Security Authority, a Clery term for those individuals that include any official with significant responsibility for student and campus activities such as, but not limited to, a dean, department chair, faculty member, staff advisor, or coach. The College recommends that the victim report incidents in a timely manner. Additionally, the College recommends that a victim of sexual violence report the crime to the law enforcement agency for the applicable municipality. The College can facilitate notification on behalf of the victim. However, filing a report will not necessarily obligate a victim to prosecute the crime and victims will have the option to decline to notify and seek assistance from law enforcement and campus authorities, if they so choose. The College will take measures to safeguard the confidentiality of those reporting incidents of sexual violence.

NOTE: Employees of the College, including part-time and volunteers ("Responsible Employees" under Title IX) have a duty to report to the Title IX Officer any and all incidents of harassment, discrimination, and sexual misconduct.

Student and employee victims of sexual misconduct have the right to be free from any pressure from campus personnel to: report crimes if unwilling to do so; report crimes as lesser offenses than the victim perceives the crime to be; refrain from reporting crimes; and refrain from reporting crimes to avoid unwanted personal publicity. Victims of sexual misconduct also have the right to choose voluntary, confident reporting. *NJ Statute, Title 18A:61E-2- "Campus Sexual Assault Victim's Bill of Rights."* Refer to administrative procedure *7013 Sexual Misconduct and the Rights of Victims* for confidential reporting resources on campus and off campus.

Proceedings

Disciplinary proceedings for cases involving sexual violence will be conducted in accordance with administrative procedure, *7013 Sexual Misconduct and the Rights of Victims*. A finding under this policy will be based on the preponderance of the evidence standard, in other words, a finding will be made if the evidence as a whole shows that it is more likely than not that a violation of the sexual misconduct policy occurred.

The College, at its sole discretion, may utilize an experienced lawyer (who is not a member of the campus community) to serve as hearing officer in cases of sexual misconduct.

While the hearing officer will determine the finding after the case is concluded, the College reserves the right to impose any and all sanctions.

Policy: 7013 Sexual Misconduct and The Rights of Victims

The Respondent (the accused party) and Complainant (the victim) are entitled to the same opportunities to be accompanied by an advisor, counsel, or other representative at his/her own expense.

The Respondent and Complainant will be notified simultaneously in writing of the outcome of the proceeding as well as any applicable appeal procedures, any change to the result before the decision becomes final, and when the result becomes final.

Sanctions Against the Violator

The College will not tolerate acts of sexual violence by any member of the College community including, but not limited to employees, students, and visitors. Any individual charged with sexual violence is subject to prosecution under applicable New Jersey criminal statutes.

Following an investigation, College employees found in violation of this policy are subject to prosecution and disciplinary action under applicable policies, procedures, and/or collective bargaining provisions. Sanctions that the College may impose on an employee following a final determination of responsibility include, but not limited to, counseling, written warning, suspension and final warning, and/or termination of employment.

Students found in violation of this policy are subject to prosecution and are also subject to disciplinary action under the College's policy, *8007 Student Code of Conduct*. Sanctions that the College may impose on a student following a final determination of responsibility include, but not limited to, warning the student, loss of privileges, restitution, disciplinary probation, suspension, or expulsion. (For a list of sanctions see administrative procedure, *8007 Student Code of Conduct*.)

Confidentiality

The outcome of any proceeding is to remain confidential and will only be shared with the Respondent, Complainant, and those directly involved in the investigation. Any violation of confidentiality will be subject to disciplinary action under applicable policies, procedures, and/or collective bargaining provisions.

Retaliation

No individual will be subject to retaliation, intimidation, or discipline as a result of making a good faith complaint of sexual misconduct or harassment, or providing information in connection with another's complaint (policy, *7011 Harassment and Discrimination* and policy, *7017 Conscientious Employee Protection*).

Additional Information

Employees and/or students who report or are subjected to such incidents will be afforded reasonable accommodations to avoid hostile environments. Accommodations include, but not limited to, a change in academic and/or working situations, e.g.; reduced hours, changed assignment, leave of absence, etc.

Employees and/or students who report such incidents will be provided written information regarding counseling, health, victim advocacy, legal assistance, mental health, and other services available both on campus and in the community. This information will include a victim's right to obtain and enforce a restraining order as well as information regarding the preservation of evidence. For a written explanation of the student or employee's rights and options, please refer to administrative procedure, *7013 Sexual Misconduct and the Rights of Victims*.

Pursuant to Clery Act Amendments Violence Against Women Act (VAWA), Title IX of the Education Amendments of 1972, Civil Rights Act of 1991, Family Education Rights and Privacy Act (FERPA), and Age Discrimination in Employment Act of 1967, the President will have administrative procedures developed to implement this policy including required training for students and employees, resources and assistance available for victims, rules of confidentiality, reasonable academic accommodations, and reporting protocols.

References:

Rowan College of South Jersey Board of Trustees Policy Manual, *7011 Harassment and Discrimination*, *7017 Conscientious Employee Protection (Whistleblower)*, and *8007 Student Code of Conduct*

Rowan College of South Jersey Administrative Procedure, *7013 Sexual Misconduct and the Rights of Victims* and *8007 Student Code of Conduct*

Policy: 7013 Sexual Misconduct and The Rights of Victims



Rowan College of South Jersey

Administrative Procedure: 7013

SEXUAL MISCONDUCT AND THE RIGHTS OF VICTIMS

I. Purpose

Students and employees of Rowan College at Gloucester County ("College") have the right to access and benefit from the educational and other programs and services of the College free from any form of sexual violence, harassment, or exploitation. The College prohibits sexual misconduct or harassment of any kind. These procedures have been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

II. Accountability

Under the direction of the President, the Special Assistant to the President, Diversity & Equity/Title IX Compliance, located in the College Center, telephone number (856) 415-2154, and on Cumberland campus, to the Special Assistant designee located in the Administrative Offices of the Administration Building, or designee will implement and ensure compliance with these procedures.

III. Applicability

This policy applies to all students and employees. Regardless of where the prohibited conduct occurs, this policy applies if the Respondent (the accused party) is a student or employee of the College. This policy also applies to all prohibited conduct that occurs on College property (i.e., on campus) by visitors.

IV. Title IX

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in the College's programs and activities. It reads: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Administrative Procedure: 7013 Sexual Misconduct and The Rights of Victims

As a recipient of federal financial assistance, the College has jurisdiction over complaints alleging sex discrimination, including sexual harassment and sexual violence.

V. Standard of Evidence

A finding under this policy will be based on the preponderance of the evidence standard, in other words, a finding will be made if the evidence as a whole shows that it is more likely than not that a violation of the sexual misconduct policy occurred.

VI. Policy Statements

1. When the College is made aware of a report or allegation of sexual misconduct or harassment, the College will endeavor to maintain the confidentiality of the matter and of all individuals involved to the extent permitted by law. The College will balance the needs of the individuals involved (victim “Complainant” and accused “Respondent”) with its obligation to fully investigate allegations and to protect the safety and well-being of the community at large. In all cases, the College and its employees will respect the dignity and rights of all individuals involved. When consulting campus resources, victims should be aware that certain campus authorities are mandated to report and take action after receiving information regarding sexual misconduct and harassment. These include, but not limited to, Safety and Security Officers, managers and supervisors, coaches, club and organization advisors, faculty, and deans. Anyone wishing to speak confidentially to an employee of the College should ask them about their ability to maintain confidentiality. Different people on campus have different reporting responsibilities, and different abilities to maintain confidentiality, depending on their roles at the College.
2. This policy applies equally to all students and employees regardless of their sex, gender identity, gender expression, or affectional or sexual orientation. This policy covers all female, male, gender non-conforming, and transgender students and employees. A violation of this policy may also be a violation of the New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) which makes it unlawful to subject people to differential treatment based on many categories, including: sex, affectional or sexual orientation, and gender identity.
3. When an alleged violation of this policy is brought to the attention of the College, the College will promptly take effective steps to end the misconduct, prevent further violations, and remedy the effects of the violation on the Complainant and others, if appropriate.
4. The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students’ and employees’ rights and the personal safety of members of the community. While the College’s investigation is pending, the College will offer interim measures to protect the parties and others. Interim measures may include, but not limited to, safety plan development, no contact directives, interim suspension from campus/employment, academic accommodations, changing transportation and working situations, assistance with the College disciplinary process, referrals to on-campus resources, or

reporting to police. The College will maintain as confidential any protective measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the protective measures; e.g.; safety escort services. These measures can be offered regardless of whether or not the Complainant chooses to report the crime to the Office of Safety & Security or local law enforcement.

5. Prohibited conduct under this policy may also constitute a violation of federal, state, or local law and a student or employee may be charged in the criminal justice system as well as under this policy. Alternatively, charges can occur for violations of this policy which may not be violations of the law. The criminal justice system is different from this Title IX process. The College reserves the right to reach its own determination on violations of this policy independently of the outcome of any civil or criminal proceeding. The College reserves the right to hear a sexual misconduct case before, after, or during the pendency of the civil or criminal matter. If a case is going through the criminal justice system, and a report has also been made to the College, the Title IX process at the College may proceed normally during the pendency of the criminal proceedings. Since the Title IX process is an educational disciplinary process, the legal rules related to evidence, criminal procedure, civil procedure, and administrative procedure do not apply to this process.
6. The College, at its sole discretion, may utilize an experienced lawyer (who is not a member of the campus community) to serve as hearing officer in cases of sexual misconduct. While the hearing officer will determine the finding after the case is concluded, the College reserves the right to impose any and all sanctions.

VII. Definitions of Prohibited Conduct

The following behaviors constitute sexual misconduct and are prohibited under this policy. All forms of sexual misconduct are serious offenses and will result in College disciplinary consequences.

1. Non-Consensual Sexual Intercourse or Penetration (Rape) means 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 consent. Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
2. Non-Consensual Sexual Contact (Fondling) means any intentional sexual touching, however slight, with any body part or any object, without consent. Examples of non-consensual sexual contact may include, but not limited to, genital-genital or oral-genital contact not involving penetration; contact with breasts, buttocks, or genital area, including over clothing; removing the clothing of another person; and kissing.
3. Sexual Exploitation means the behavior that takes, or facilitates the taking of, non-consensual sexual advantage of any person to benefit any other person when the behavior does not otherwise constitute a sexual misconduct violation. Examples of sexual exploitation include, but not limited to:

- trafficking another person;
 - taking a non-consensual video, photograph, or audio recording of sexual activity without the other's permission; taking a photograph or video of someone's private parts (including genitals, groin, buttocks, or breasts) without permission; the transmission or dissemination (including, but not limited to, distribution via social media) of such video, photograph, or audio recording without permission;
 - allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images);
 - frottage which means the act of obtaining sexual stimulation by rubbing against a person or object;
 - voyeurism or spying on persons where they have a reasonable expectation of privacy;
 - knowingly transmitting a sexually transmitted infection to another person without the other's knowledge; and
 - revenge porn which means the sharing of private, sexual materials, either photos or videos, of another person without their consent and with the purpose of either causing embarrassment or distress.
4. Intimate Partner Violence includes dating and domestic violence.
- a. Domestic violence means a felony or misdemeanor crime of violence committed:
- By a current or former spouse or intimate partner of the student or employee;
 - By a person with whom the student or employee shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the student or employee as a spouse or intimate partner;
 - By any other person against an adult or youth student and employee 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.
- b. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the student or employee. The existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but not limited to, sexual or physical abuse or the threat of such abuse.
5. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.
- 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.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the reporting student or employee.
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
6. Other Sexual Misconduct means inappropriate sexual behaviors not covered previously in this section, for example, sexual activity in public places.
 7. Sexual/Gender-Based Harassment is unwelcome sexual or gender-based verbal or physical conduct that unreasonably interferes with or deprives others of their right to access and benefit from the programs and services of the College. Sexual harassment offenses fall into two general categories;
 - a. Hostile Environment which means harassing conduct that is sufficiently severe, pervasive/persistent, and objectively offensive that it substantially interferes with the conditions of education or employment, from both a subjective (the student's or employee's) and an objective (reasonable person's) viewpoint. The determination of whether an environment is "hostile" will be based on the circumstances. These circumstances could include, but not limited to:
 - the frequency of the conduct;
 - the nature and severity of the conduct;
 - whether the conduct was physically threatening;
 - whether the conduct was humiliating;
 - whether the conduct was directed at a specific individual or more than one person;
 - whether the conduct arose in the context of other discriminatory conduct;
 - whether the conduct unreasonably interfered with the alleged Complainant's educational or work performance;
 - whether the statement is an utterance of an epithet which offends an employee or student, or offends by discourtesy or rudeness; or
 - whether the speech or conduct is excluded from the protections of free speech or academic freedom.
 - b. Quid Pro Quo ("this for that") means a violation of this type exists when there are:
 - Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and
 - Submission to unwelcome advances, etc., results in preferential treatment, e.g., promotion, higher grade than earned. Rejection of sexual advances, etc. results in adverse educational access or employment action; e.g., failing grade or employment termination.
 8. Retaliation means harassment or adverse action taken against a person because of that person's participation in a complaint or investigation of sexual misconduct. This will be treated as a separate violation of this policy and will result in immediate action by the College to stop the retaliatory behavior, prevent further violations by the perpetrator, and remedy any adverse impact of the violation.

9. False Reports means intentionally making a report of prohibited conduct to a College official knowing, at the time the report was made, that the prohibited conduct did not occur and the report was false.
10. Attempted Violations means a person commits an attempted violation when, with intent to commit a specific violation, he/she does any act which constitutes a substantial step toward the commission of that violation. The College will treat attempts to commit any of the violations described in policy or procedure as if those attempts had been completed.

VIII. Additional Definitions

1. Consent
 - a. Consent to sexual activity is informed, knowing, voluntarily, and freely given permission to engage in mutually agreed upon sexual activity. The College will apply a reasonable person standard in determining whether or not consent was given, unless otherwise required by law.
 - i. The person giving consent must be capable of doing so freely, with the ability to understand what they are doing and the specific details (who, what, when, where, and how) of the sexual contact to which they are consenting.
 - ii. Consent may be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity. Consent can be withdrawn at any time.
 - iii. It is the obligation of the person initiating sexual contact to obtain clear consent for the specific type of sexual contact sought.
 - iv. Lack of protest does not constitute consent. Silence or passivity without words or actions that communicate mutually understandable permission cannot be assumed to convey consent.
 - v. Use of violence, threats, coercion, or intimidation invalidates any consent given.
 - vi. Consent for one form of sexual contact does not imply consent to other forms. For example, consent to vaginal sex does not imply consent to oral sex; consent of vaginal sex does not imply consent to anal sex.
 - vii. Past consent does not constitute consent for future sexual activity.
 - viii. Persons who are unable to give valid consent under New Jersey law (i.e., minors, individuals with mental health disabilities) are considered unable to give consent under this policy. See N.J.S.A. 2C: 4-2.
 - ix. Consent cannot be given by a person who is unconscious or sleeping. If consent has been given while a person is conscious or awake, and then that person becomes unconscious or falls asleep, consent terminates at that point.
 - x. Persons who are incapacitated due to the use of drugs or alcohol cannot give consent.
2. Consent to bodily harm constitutes a violation of this policy because it causes or threatens bodily harm. Consent to such conduct or to the infliction of such harm is a defense if: (1) the bodily harm, consented to or threatened by the conduct is not

serious, or (2) the conduct and the harm are reasonably foreseeable hazards of joint participation in a concerted activity of a kind not forbidden by law.

3. Incapacitation

- a. Incapacitation is the physical and/or mental inability to make informed, rational judgements and decisions. States of incapacitation include, sleep, unconsciousness, and blackouts. Where alcohol or drugs are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgements.
- b. In evaluating whether a person was incapacitated for purposes of evaluating effective consent, the College considers two questions: (1) Did the person initiating sexual activity know that their partner was incapacitated? And if not, (2) Should a sober, reasonable person in the same situation have known that their partner was incapacitated?
- c. If the answer to either of these questions is 'yes', effective consent was absent.
- d. For purposes of this policy, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. The standard for incapacitation does not rely on technical or medical definitions, but instead focuses on whether a person has the physical and/or mental ability to make informed, rational judgements and decisions.
- e. A person who initiates sexual activity must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions, "Do you know where you are? Do you know how you got here? Do you know what is happening? Do you know whom you are with?"
- f. Because the impact of alcohol and other drugs varies from person to person, one should be cautious before engaging in sexual contact or intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether effective consent has been sought or given. If one has doubt about either party's level of intoxication, the safe thing to do is to forego all sexual activity.

IX. Reporting Options

Students and employees who experience sexual misconduct and those who have knowledge of sexual misconduct or harassment are encouraged to report this information as soon as possible. Prompt reporting of incidents greatly improves the ability of the College and law enforcement to provide support resources and to address the violations

effectively. Although there is no time limit for reporting sexual harassment or misconduct offenses, delays in reporting may reduce the ability of the College and law enforcement to investigate and respond to incidents. After an incident of sexual assault and domestic violence, the individual should consider seeking medical attention as soon as possible. In New Jersey, evidence may be collected, stored and not tested until you authorize testing, even if you choose not to make a report to law enforcement.

IMPORTANT NOTE: Employees of the College, including part-time and volunteers are considered “Responsible Employees” and have a duty to report to the Title IX Officer any and all incidents of:

- Harassment and Discrimination – Policy 7003
 - Harassment, including sexual harassment
 - Discrimination based on any protected class
- Sexual Misconduct and the Rights of Victims – Policy 7007
 - Dating violence
 - Domestic Violence
 - Sexual Assault/Sexual Violence
 - Stalking
 - Sexual misconduct that is not classified as a crime

The United States Department of Education (DOE) Office of Civil Rights (OCR) determines a school to have notice of the federal violation when a Responsible Employee knows or reasonably should know of violations or potential violations of the above policies.

- A. Report to the Title IX Officer any and all complaints of sexual misconduct, harassment, or discrimination regardless of whether a student or employee or third party files a formal complaint:
- On the Gloucester County Campus, Almarie Jones, Special Assistant to the President Diversity & Equity/Title IX Compliance, 1400 Tanyard Road, Sewell, NJ 08080; (856) 415-2154, ajones@rcgc.edu
 - On the Cumberland County Campus, contact the designee in the Administrative Offices located in the Administration Building. Responsibilities are monitoring and oversight of overall implementation of Title IX compliance at the College. The Title IX Officer, should be contacted for all complaints against faculty, staff, and visitors including those complaints filed by students.
 - A student or employee may choose to report to the College before they have made a decision about whether or not to report to law enforcement. An individual has the right to file a criminal complaint and a Title IX complaint simultaneously.
 - Once a report has been received, the College will provide the following written notification to students and employees about current counseling, health, mental health, student advocacy, legal assistance,

visa and immigration assistance, student financial aid, and other services that are available at the College and in the surrounding communities:

B. Confidential Resources

When speaking with these resources, an individual's right to confidentiality is legally protected. However, there are limits to this protection in specific situations. For example, if a student discloses that the incident involved the use of a weapon or other contraband as defined by New Jersey law, or there is an ongoing threat of danger to the safety of another person, these resources may be required to report the incident to police.

LGBTQ students who would like to speak with a confidential resource should know the College is committed to supporting students of all gender identities, gender expressions, and sexual orientation.

PLEASE NOTE: The Center for Counseling and Wellness Services and People In Transition provide counseling services and, therefore, are not required to report to the Title IX Officer any "Clery" statistical information which was reported to them, unless there is a serious or continuing threat to the campus community that would require an alert (i.e., timely warning). However, those responsibilities can usually be met without disclosing personally identifying information.

a. Cumberland Campus

- Heather Bense, Director, (856)691-8600, x 1495, hbense@cc.rcsj.edu
- John Wojtowicz, Mental Health Counselor, (856) 691-8600 x1496, jwojtowicz@cc.rcsj.edu
- The Student Counseling and Wellness Center offers mental health counseling to assist students with a variety of life's stressors. These confidential and professional services are free to all students. The Student Counseling and Wellness Center is located on the first floor of the Academic Building, and is open during regular business hours, Monday-Friday, 8:30 a.m. – 4:30 p.m. Students can stop by, call, or email to make an appointment. Students can also call the Wellness Warm Line at (856) 691-8600 x1258.
- Services Empowering Rights of Victims (SERV), provides a 24/7 toll-free hotline at 1-800-225-0196 crisis intervention, counseling, advocacy and support at hospitals, police stations, and courts for survivors of sexual and domestic violence. SERV provides safe housing for female victims of domestic violence and their children. SERV provides a website: www.centerffs.org

b. Gloucester Campus

- Dr. Lois Lawson-Briddell, Center for Counseling and Wellness Services (CWS), (856) 415-2243, College Center building, Room 206. Professional counselors will provide confidential counseling and assistance. They are available during regular business hours, Monday-Friday, 9 a.m.- 4 p.m., or a Complainant can call for an appointment.
- Crystal Noboa, Director, Center for People in Transition, (856) 415-2264, located in the College Center (just off the mezzanine), Monday-Friday, 8:30 a.m. to 4:30 p.m. Confidential assistance is provided to displaced homemakers whose major source of income and financial support is lost through spousal separation, divorce, death, or disability and who are emotionally and/or vocationally unprepared to enter the job market. The Center works directly with SERV for victims of domestic and sexual abuse and can provide expedient referrals, if deemed necessary.
- Services Empowering Rights of Victims (SERV), provides a 24/7 toll-free hotline at 1-866-295-SERV (7378), crisis intervention, counseling, advocacy and support at hospitals, police stations, and courts for survivors of sexual and domestic violence. SERV provides safe housing for female victims of domestic violence and their children. SERV provides a website: www.centerffs.org

C. Reporting to Law Enforcement

Where criminal behavior is involved, the College encourages, and will assist students and employees with reporting to law enforcement. However, individuals have the right to decline notifying law enforcement. For criminal offenses that occur on the College while in session, students and employees should immediately contact the Office of Safety & Security, (856) 681-6287, Monday-Friday, 7 a.m. to 11 p.m. and Saturday, 7 a.m. to 5 p.m. For any emergency after these hours, contact the Deptford Police or 911. The Office of Safety and Security can assist students in contacting and filing a complaint with any other agency when the incident did not occur on campus.

1. Cumberland Campus

- Cumberland County Sheriff's Office (856) 451-0033
- Vineland Police Department (856) 691-4111
- Millville Police Department (856) 825-7010
- Cumberland County Emergency Services 9-1-1

2. Gloucester Campus

- Gloucester County Sheriff's Satellite Office located on campus in the Security building, telephone (856) 681-2200.
- Deptford Police Department, 1011 Cooper Street, Woodbury, NJ 08096; telephone: (856) 845-5300; website: <http://deptford-nj.org>
- Gloucester County Sheriff's Department, 2 South Broad Street, Woodbury, NJ 08096; telephone: (856) 384-4600; website: <http://www.gloucestercountynj.gov/depts/s/sheriff/default.asp>

D. Other Reporting Options:

Students and employees may file a complaint with the:

Office of Civil Rights,

New York Office

U.S. Department of Education

32 Old Slip, 26th Floor

New York, NY 10005-2500

phone: (646) 428-3800

fax: (646) 428-3843

email: OCR.NewYork@ed.gov.

Reporting Allegations of Sexual Assault Resource Referrals (9/2019)

Cumberland Campus

There are multiple safe places for students to report allegations of sexual assault, both on and off campus. Reports of sexual assault can be made to any of the following offices listed in the chart below.

Service	Resource	Phone Number/Location/Website
Non-Confidential Reporting Law Enforcement	Vineland Police Dept.	856-691-4111
	Millville Police Department	856-825-7010
	Cumberland Co. Sheriff's Office	856-451-4449
	Cumberland County Emergency Services	9-1-1
	Cumberland Campus Security 856-200-4706 (Direct)	Andres Lopez, Director Safety and Security 856-691-8600, ext. 1777
Non-Confidential On-Campus Reporting Support Services	Almarie J. Jones Special Assistant to the President Diversity and Equity/Title IX and Compliance	856-415-2154 College Center, room 116 ajones@rcsj.edu
	Nathaniel Alridge, Jr., JD, Director Diversity and Equity/Title IX and Judicial Affairs	856-691-8600, ext. 1414 nalridge@cc.rcsj.edu Academic Building, 2 nd floor
	Kellie W. Slade Executive Director Student Services, Student Life	856-691-8600, ext. 1289 kslade@cc.rcsj.edu Student Life Building (near gym)
	All students are encouraged to report alleged crimes on campus. Employees <u>must</u> report crimes that pose an immediate threat to the campus to the Security Office, the local Police Department or the Sheriff's Office.	
Confidential On-Campus Counseling and Support Services	Heather Bense, LCSW, ACS Director	856-691-8600, ext. 1495 hbense@cc.rcsj.edu
	John Wojtowicz, LSW, VACW Mental Health Counselor Student Counseling and Wellness Center	856-691-8600 ext. 1496 jwojtowicz@cc.rcsj.edu Academic Building – 1st floor
Confidential Off-Campus Full-Service Support	Center for Family Services – Services Empowering Rights of Victims (SERV)	24/7 Hotlines Cumberland Co. – 1-800-225-0196 Camden & Glo. Co. 1-866-295-7378 https://centerffs.org/serv

Reporting Allegations of Sexual Assault and Resource Referrals (9/2019)

Gloucester Campus

There are multiple safe places for students to report allegations of sexual assault, both on and off campus. Reports of sexual assault can be made to any of the following offices listed in the chart below.

Service	Resource	Phone Number/Location/Website
Non-Confidential Reporting Local Law Enforcement	Gloucester County Sheriff's Office	856-681-2200
	Deptford Township Police Dept.	856-845-2220
	Gloucester County Prosecutor's Office	856-384-5500
Non-Confidential Reporting 9-1-1 and Campus Security	9-1-1 Gloucester County Emergency Management Dispatch	9-1-1 or push RED button on Campus Blue Light Emergency Phones
	Campus Security Blue Light Emergency Phones or ext. 4444 from any campus desk phone	856-681-6287
Non-Confidential On-Campus Reporting Support Services	Almarie J. Jones Special Assistant to the President Diversity and Equity/Title IX and Compliance	856-415-2154 College Center, Room 116 ajones@rcsj.edu
	John F. Ryder Director Student and Veteran Affairs	856-468-5000, ext. 6456 College Center, room 202 jryder@rcsj.edu
Non-Confidential Reporting	All students are encouraged to report alleged crimes on campus. Crimes that pose a threat to the campus community <u>must</u> be reported to 9-1-1 , Security, the Sheriff's Office or the Deptford Township Police Department. All employees, including Security staff, must report incidents of discrimination, harassment or sexual misconduct to the Title IX Officer.	
Confidential On-Campus Counseling and Support Services	Lois Y. Lawson-Briddell, Ph.D. MSW, LSW, Director William Leonard, Ph.D. Intervention Teams Consultant Counseling & Wellness Services Center	856-464-5236 lbriddell@rcsj.edu College Center, Room 206 856-415-2119 wleonard@rcsj.edu <u>College Center, STEM Office C-168</u>
	Crystal Noboa, LSW, MSW Director, The Center for People in Transition (PIT)	856-415-2264 cnoboa@rcsj.edu College Center (lower mezzanine)
	Diane Mussoline, EdS, LMFT Director of Behavioral Services	856-494-5665 dmussoli@rcsj.edu College Center, Room 200A
Confidential Off-Campus Full-Service Support	Center for Family Services Services Empowering Rights of Victims (SERV)	1-866-295-SERV (7378) Camden and Gloucester counties https://www.centerffs.org/serv

X. Preserving Evidence, Protection Orders, and Reasonable Accommodations

A. Preserving Evidence

1. It is recommended that the victim preserve evidence as proof of criminal activity. After an incident of sexual assault and domestic violence, it is recommended to seek medical attention as soon as possible at the nearest medical facility including Jefferson Hospital, Washington Township, or Inspira Hospital, Woodbury. In New Jersey, evidence may be collected even if you choose not to make a report to law enforcement. Each county will have a policy and procedure allowing the evidence to be preserved for at least 90 days and up to five years, affording the Complainant the opportunity to determine if evidence will be turned over to the police. The Complainant will be informed of the county procedure for evidence storage and correct steps if they want to proceed with prosecution.
2. It is important that the 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 96 hours so that evidence may be preserved and may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.
3. In circumstances of sexual assault, if Complainants do not opt for forensic evidence collection, healthcare providers can still treat injuries and take steps to address concerns of pregnancy, and/or sexually transmitted disease. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible criminal prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If the Complainant chooses not to make a complaint regarding an incident, he or she, nevertheless, should consider speaking with law enforcement to preserve evidence in the event that the Complainant changes her/his mind at a later date.
4. 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 College hearing boards/investigators or police. Complainants are encouraged to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.
5. Although the College encourages all members of its community to report violations of this policy to law enforcement, it is the Complainant's choice whether or not to make such a report and Complainants have the right to decline to notify the police.
6. A Sexual Assault Nurse Examiner (S.A.N.E.) can be requested by a Complainant at the hospital or by calling SERV.

B. Protection Orders

1. Under the Domestic Violence Act, a restraining order may be obtained by a victim of domestic violence committed by a spouse, former spouse, a present

or former household member, someone with whom they have had or are expecting a child, or someone with whom they have had a dating relationship. Only an adult or an emancipated minor may obtain a restraining order.

2. A Complainant who wants to obtain a restraining order should contact the family division of the Superior Court in their county on Monday through Friday from 8:30 a.m. to 3:30 p.m. On weekends, holidays, and weekdays after 3:30 p.m., when the Superior Court is closed, the Complainant may file a complaint at their local police department.
3. Additionally, New Jersey residents may call the Statewide Domestic Violence Hotline at 1-800-572-SAFE (1-800-572-7233) with questions about the restraining order process and other resources for domestic violence victims.
4. On campus, if a Complainant wants to obtain a protection order he/she may speak to a Security Supervisor. He or she will direct you to the Sheriff's Officer or the Deptford Police Department.
5. A Complainant will be assisted by Campus Security Authorities in notifying law enforcement authorities, if the Complainant chooses. A Complainant may also decline to notify and/or seek assistance from campus authorities and law enforcement.

C. Reasonable Accommodation

Employees and/or students who report or are the victim of sexual misconduct will be afforded reasonable accommodations, if requested, to avoid hostile environments or working conditions, regardless of whether the Complainant chooses to report the crime to campus security or local law enforcement.

Students can contact the Office of Special Services and employees can contact Human Resources to navigate through the appropriate departments for assistance with:

- Counseling
- Mental health
- Victim Advocacy
- Legal Assistance
- Campus safety escort and protective measures
- Transportation
- Change of class schedule (students)
- Change of work location or assignment (employees)
- Leave as provided or allowed under law or policy
- Adjustment in hours worked

In addition to the administrative procedure, College catalog, student handbook, and Annual Security Report, a pamphlet is provided to each student and employee that addresses whom the student or employee should call and how to request changes,, as well as, visa and immigration assistance, student financial aid, and other appropriate College policies and administrative procedures.

XI. Confidentiality

When the College is made aware of a report or allegation of sexual misconduct or harassment, the College will endeavor to maintain the confidentiality of the matter and of all individuals involved to the extent permitted by law. The College will balance the needs of the individuals involved with its obligation to fully investigate allegations and to protect the safety and well-being of the community at large. In all cases, the College and its employees will respect the dignity and rights of all individuals involved.

Campus Security Authorities (CSA's)

When consulting campus resources, students and employees should be aware that certain campus authorities are mandated to report and take action after receiving information regarding sexual misconduct and harassment. These include, but not limited to, managers and supervisors, coaches, club and organization advisors, faculty and deans. If a student or employee has reported information to a campus security authority, but the student or employee would like the report to remain confidential, the individual should contact the Title IX Officer, who will evaluate the request for confidentiality. A CSA report does not need to automatically result in the initiation of a police or disciplinary investigation, if the victim does not want to pursue this action. The Complainant's identity is not required to be revealed.

XII. Federal Crime Statistics Reporting

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes. All personally identifiable information, as previously described, is kept confidential, but statistical information must be passed along to campus security regarding the type of incident and its general location (on or off-campus, in the surrounding area, etc. – with addresses withheld) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Mandated federal reporters include, campus security, local police, coaches, athletic directors, student activities staff, human resources staff, advisors to student organizations, and any other staff members with significant responsibility for student and campus activities.

XIII. Federal Timely Warnings

Students and employees who report sexual misconduct and other crimes should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the community to aid in the prevention of similar occurrences. The College will withhold the names and other personally identifiable information of students or employees as confidential, while still providing enough information

for community members to make decisions related to their safety in light of the danger. The individuals required to report for timely warning purposes are exactly the same as detailed at the end of the previous paragraph.

XIV. Training for Students and Employees

Training will be provided to all staff and students. The training will consist in part with the mandatory online trainings titled, “*Preventing Discrimination and Sexual Violence: Title IX, VAWA, and Clery Act*” for faculty and staff, and “*Student Empower*” for students.

A brochure titled, “*TITLE IX is not just a number . . . it’s the Law!*” is provided to each new student and employee.

Title IX reporting resources information will be listed in all course syllabi. In addition to this educational awareness experience, other related resources and training will be provided.

Compliance with the required training will be monitored by the Title IX Officer as well as tracked by an electronic learning management system.

XV. Resolution Procedures

1. Voluntary Resolution Procedures

- a. Upon request by the parties, some complaints of sexual misconduct can be resolved through voluntary processes that are facilitated by the Title IX Officer. The Title IX Officer or other designated administrator will determine whether a voluntary solution is appropriate depending upon the complaint allegations. Voluntary procedures are never applied in cases involving violence or sexual assault.
- b. If appropriate, the Title IX Officer or designee may arrange for/or facilitate mediation between the involved parties or coordinate other voluntary resolution. Voluntary resolution procedures will be initiated within ten (10) calendar days of the receipt of the Complainant’s request for voluntary resolution. The voluntary resolution procedure will be completed within sixty (60) days. All timeframes set forth in the policy may be extended by the Title IX Officer or designee for good cause, with written notice to the Complainant and the Respondent of the delay and the reason for the delay.
- c. Voluntary resolution procedures are optional and may be terminated at any time by the parties. A voluntary resolution agreement, which outlines the terms agreed upon by the parties, will be provided to both parties simultaneously by the Title IX Officer or appropriate administrator. If either party is unsatisfied with the outcome of the voluntary resolution procedures, the formal resolution procedures may be pursued. If either party alleges that the terms of the voluntary resolution agreement have been breached, the formal resolution procedures will be initiated.

2. Formal Resolution Procedures

The formal resolution procedure will be initiated upon request by either party or when the College determines it is necessary.

- a. Written Notice: Once a formal resolution procedure has been initiated, all parties will receive written notice.
 - i. This notice will include the following: a brief summary of the allegations; the relevant policy provisions defining the elements of the charges (prohibited conduct) at issue, and information related to available resources and services.
 - ii. Once the Respondent has received written notice of the formal procedure, the Complainant and the Respondent will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.
 - iii. Details of the allegations will be given to the Respondent during the first investigatory interview.
- b. Investigation: Once a report of sexual misconduct has been made, an investigation into the report will be initiated by the Title IX Officer or designee. Once a formal resolution procedure has been initiated, the Title IX Officer or designee will initiate an impartial, reliable, and thorough investigation.
 - i. The investigation may be conducted by the Title IX Officer alone or by designees of the Title IX Officer. The investigation may also be conducted by an outside investigator retained by the College.
 - ii. The Title IX Officer or designee will determine the manner in which the investigation is conducted.
 - iii. The investigation may include any of the following: interviews of the parties involved, including witnesses; review of written statements; and the gathering of other relevant information.
 - iv. Both parties will have the opportunity to present witnesses and other evidence.
- c. Investigation Report: The investigator will review all of the information gathered during the investigation and will prepare an initial investigation report which contains a summary of the information gathered during the investigation and preliminary findings of fact.
 - i. This initial report will be shared with the parties simultaneously. After the parties have been provided the initial report, the parties will have the opportunity to provide additional or rebuttal information within seven (7) calendar days to the investigators.
 - ii. The investigator will review additional or rebuttal information provided, if any, and will generate a final investigative report.
 - iii. The final investigation report will include a comprehensive description of the evidence gathered during the investigation, the investigators' findings of fact, and credibility assessments of any relevant witness or parties.

- iv. While the investigator will make initial findings of facts and credibility determinations, the investigator will not adjudicate the matter and will not reach a determination as to whether a violation of this policy occurred.
 - v. The parties will be provided with the final investigation report simultaneously and will be advised that the parties may be subject to a hearing.
 - d. Advisors: The Complainant and Respondent have the right to an advisor of their choice during this process. An advisor may be a family member, an attorney, or any third party. Advisors are present to support the parties and to provide advice on procedural matters; advisors may not speak on behalf of the party.
 - i. The Title IX Officer or designee will exercise control over the investigatory process. Anyone who disrupts an investigatory interview or who fails to adhere to College policies may be asked to leave an investigatory interview.
 - ii. Regardless of whether a party has an advisor, the Title IX Officer or designee will correspond and communicate directly with the Complainant and Respondent.
3. The Adjudicatory Hearing
- a. For complaints brought against students, the hearing officer will be the Executive Director of the Office of Student Engagement (“Executive Director”) on the Gloucester Campus and the Director, Judicial Affairs on the Cumberland Campus unless the College, at its sole discretion, utilizes outside counsel.
 - b. For complaints brought against employees, the hearing officer will be the Executive Director of Human Resources (“HR Director”) unless the College, at its sole discretion, utilizes outside counsel.
 - c. Timeframe: The College will attempt to schedule a hearing within 20 business days after receipt of the final investigative report.
 - i. The Respondent and the Complainant will receive timely notice, in writing, of the date and time of the hearing.
 - d. Witnesses: The Respondent and the Complainant will have the opportunity to make a request to the hearing officer for witnesses to participate in the hearing on their behalf. The parties will have an opportunity to present witnesses and other evidence.
 - i. The Respondent and the Complainant must notify the hearing officer of any advisors and witnesses attending the hearing two (2) business days prior to the hearing.
 - ii. If the Respondent, the Complainant, or any witness fails to appear at the hearing, the matter will be resolved in their absence.
 - iii. Witnesses may be present at the hearing only at the time they are called to participate. A hearing will not be cancelled or postponed if a scheduled witness does not attend.

- e. Advisor: Each party may have one advisor with them during the hearing. The advisor does not have speaking privileges during the hearing, but the parties may communicate with their advisors during the hearing, if they choose.
 - i. A hearing will not be cancelled or postponed in the event an advisor does not attend.
 - ii. If the advisor is not able to attend, the Respondent or the Complainant should arrange for a substitute advisor.
- f. The hearing officer will exercise control over the manner in which the hearing is conducted to avoid unnecessarily lengthy hearings and to prevent the harassment or intimidation of witnesses.
 - i. This includes, but not limited to, imposing reasonable limits on the number of factual witnesses that may participate.
 - ii. Questions by the parties should be directed to the hearing officer. The hearing officer has the authority to limit, restrict, or redirect the parties' questions to prevent harassment, intimidation, or irrelevance.
 - iii. Anyone who disrupts a hearing or who fails to adhere to hearing procedures may be excluded from the proceeding.
- g. Hearing officers will be assisted by a confidential administrative assistant.
- h. All hearings will be closed to the public.
- i. Alternative Testimony: For all participating parties, alternative testimony options will be provided. Options include, placing a privacy screen in the hearing room, providing testimony from another room via conference phone, or other options that provide a safe space for participation while not depriving any party of their rights in the process. While alternative testimony options are intended to help make participating parties more comfortable, they are not intended to work to the disadvantage of the other participating party.
- j. All hearings will be audio recorded. A digital file will be made available to the Complainant and/or Respondent student in the event a request for an appeal is filed.
- k. Evidence Presented at the Hearing
 - i. Written statements of witnesses not in attendance may be considered by the hearing officer.
 - ii. Only the information and evidence related to the alleged violations set forth in the formal complaint will be considered.
 - iii. The Title IX Officer or designated investigator may be called as witness.
- l. Past Sexual History/Character: The past sexual history or sexual character of a student or employee will not be admissible by the other party in investigatory interviews or hearings unless such information is determined to be highly relevant by the Title IX Officer or hearing officer.
- m. Hearing Procedure: At the start of the hearing, the hearing officer will ask if the Respondent has received the original notice letter and understands the nature of the charges.
- n. The hearing officer will present the notice letter along with the information obtained through the investigation. The remainder of the hearing will customarily proceed in the following order:

1. Opening statement from the Complainant.
 2. Opening statement from the Respondent.
 3. Complainant and Respondent questioning of witnesses and parties (each witness will be questioned separately).
 4. Hearing officer questioning of witnesses (each witness will be questioned separately then excused).
 5. Hearing officer questioning of the Complainant and the Respondent.
 6. Respondent's responding statement.
 7. Complainant's responding statement.
 8. Final questions from the hearing officer.
 9. Respondent's closing statement.
 10. Complainant's closing statement.
- o. Deliberation: The hearing officer will review the information and make an appropriate independent determination based on the information presented during the hearing.
- i. The hearing officer will render a decision as expeditiously as possible.
 - ii. The hearing officer will determine whether or not the Respondent violated policy.
 - iii. If a determination of "In violation" is rendered, the hearing officer will determine an appropriate sanction(s) consistent with those specified in the College's administrative procedures *8007 Student Code of Conduct* or *7009 Employee Conduct and Work Rules*.
- p. Notification: The hearing officer will notify the Respondent and the Complainant simultaneously, in writing, of the decision. The hearing officer will notify the Respondent and the Complainant simultaneously, in writing, of any change to the results prior to final imposition and the date of final imposition.

XVI. Appeal Procedures

1. Upon receiving notification of the outcome of a hearing conducted by the hearing officer, the Respondent or the Complainant may file an appeal under the following circumstances.
 - a. A procedural or substantive error occurred in the process that significantly impacted the outcome of the hearing (e.g., material deviation from College policy; substantial bias; the findings and decision are contrary to the great weight of the evidence);
 - b. New and significant information has become available which could not have been discovered by a properly diligent person before or during the hearing; or
 - c. The sanction is inappropriate in light of the violation.
2. **Students:**
 - a. A written appeal within five (5) business days is made to the Executive Director of the Office of Student Engagement ("Executive Director") on the Gloucester Campus or the Director, Judicial Affairs on the

Cumberland Campus who will prepare the case file for forwarding to the Vice President and Provost (“Provost”). Sanctions remain in place during the appeal.

- b. The Provost reviews the appeal file and notifies the student of the results of the appeal within fifteen (15) business days of receipt of the appeal.
- c. The final appeal to the President may be requested in writing within five (5) business days of receipt of the Provost’s decision.
 - 1) The written appeal and case information must be submitted to the Executive Director where it will be recorded and forwarded to the President for review.
 - 2) The President’s decision is final.

3. Employees:

- a. A written request for appeal of the HR Director’s decision may be made to the President in accordance with administrative procedure, *7203 Grievances*.
- b. A final appeal may be considered by the Board of Trustees in accordance with administrative procedure, *7203 Grievances*.

XVII. Sanctions For Violations

- 1. Following an investigation, College employees found in violation of this policy are subject to prosecution and disciplinary action under applicable policies, procedures and/or collective bargaining provisions. Sanctions that the College may impose on an employee following a final determination of responsibility include, counseling, written warning, suspension and final warning, and/or termination of employment.
- 2. Students found in violation of this policy are subject to prosecution and are also subject to disciplinary action under the College’s policy, *8007 Student Code of Conduct*. Sanctions that the College may impose on a student following a final determination of responsibility include, but not limited to, warning the student, loss of privileges, restitution, disciplinary probation, suspension, or expulsion. (For a list of sanctions, see administrative procedure *8007 Student Code of Conduct*).

XVIII. Special Provisions

- 1. Notification of Outcomes
 - a. The outcome of a campus disciplinary hearing is part of the education record of the Respondent student and is protected from release under FERPA. However, the College observes the exceptions as follows: Complainants of incidents charged under policy *7013 Sexual Misconduct and the Rights of Victims* have a right to be informed simultaneously of the outcome and sanctions of the hearing in writing. Complainants are also permitted to submit an appeal.

- b. The College will release the report directly to the alleged victim or next of kin, if deceased.
- 2. College as Complainant
 - a. As necessary, the College reserves the right to initiate a complaint, to serve as Complainant, and to initiate institutional disciplinary proceedings without a formal complaint by the student of sexual misconduct or harassment.
- 3. Timeline
 - a. All timeframes set forth herein may be extended by the Title IX Officer or other administrator for good cause, with written notice to the Complainant and the Respondent of the delay and the reason for the delay.

Area: Human Resources
Approved: 07/01/19

President's Authorization: _____

References:

Rowan College of South Jersey Board of Trustees Policy Manual *7011 Harassment and Discrimination*, *7013 Sexual Misconduct and the Rights of Victims*, and *8007 Student Code of Conduct*

Rowan College of South Jersey Administrative Procedure *7009 Employee Conduct and Work Rules*, *7203 Grievances*, *8007 Student Code of Conduct*, and *8007.1 Interim Safety Suspension*

Administrative Procedure: 7013 Sexual Misconduct and The Rights of Victims

STUDENT CODE OF CONDUCT:

Policy and Administrative Procedure



Rowan College of South Jersey

Policy: 8007
Title: **STUDENT CODE OF CONDUCT**
Area: Student Services
Approved: 09/03/19

The College, as a community dedicated to learning and the advancement of knowledge, expects and requires the behavior of students to be compatible with its high standards of scholarship and conduct. Admission to the College carries with it an obligation to uphold these standards.

College students who officially participate in dual activities at another educational institution are responsible for being aware of, and are held accountable for, adhering to the conduct policies and procedures at *both* institutions.

Discipline for violation of College policies and administrative procedure on all campus locations and/or at any College-sponsored or supervised functions may be imposed whether or not such violations are violations of civil or criminal law. In addition, disciplinary action may be imposed for off-campus student conduct that is contrary to the mission and educational goals of the College, thereby protecting the best interests, safety, and well-being of the College community.

The final responsibility for administration of student discipline rests with the President who will have administrative procedures developed to implement a fair, prompt, and appropriate disciplinary process (see administrative procedure, *8007 Student Code of Conduct*).

A student whose conduct may pose a significant risk to the safety of himself/herself or to the campus community due to mental, emotional, medical, or psychological health conditions or other serious concerns may be subject to an Interim Safety Suspension. The Interim Safety Suspension is a preliminary action taken to protect the safety of any student and the campus community and is not a penalty. Refer to administrative procedure, *8007.1 Interim Safety Suspension*.

Students who violate the law may incur penalties prescribed by civil authorities, but College authority is never used merely to duplicate the function of general laws. The special authority of the College will be asserted only where the interest of the College as an academic community is distinctly and clearly involved. Institutional action should be independent of community pressure.

Policy: 8007 Student Code of Conduct

Violations of Student Conduct

The following is a non-exhaustive list of conduct that does not meet the College's expectations for student conduct. Such misconduct is a violation of the Student Code of Conduct and may result in disciplinary sanctions.

1. Engaging in or violating College rules, regulations and policies, whether on or off campus.
2. Engaging in academic dishonesty including, cheating, fabrication, facilitating academic dishonesty, and plagiarism.
3. Furnishing false information to any College official or college personnel including forging, altering, or misusing College documents, records, identification cards, or other misuse or abuse of the College's computerized systems (see also administrative procedure and policy, 2019 Acceptable Use of Technological Resources).
4. Engaging in disruptive activity which substantially disrupts or poses a tenable threat of disrupting teaching, administration, disciplinary procedures, or other College-authorized activities, or which substantially interferes with the rights of others, on College-owned or controlled or at College-sponsored or supervised functions.
5. Refusing or failing to comply with a request, directive, or order from a College official acting in the performance of their official duties and responsibilities.
6. Theft or obtaining property under false pretenses, knowingly possessing or receiving stolen property, destroying, damaging, or threatening to destroy or damage property of the College, a member of the College community, or any person on the campus.
7. Failure to return college property which was loaned or borrowed.
8. Physical violence (not limited to: assault, fighting, etc.) causing physical harm.
9. Engaging in threats of physical violence, psychological threats, harassment, intimidation, bullying, stalking, coercion, and/or other conduct which threatens or endangers the health or safety of any person. Harassment, intimidation, or bullying include any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical, or sensory disability, or by any other distinguishing characteristic, or any other class protected under the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et. seq. (see also policy, 7013 Student Sexual Misconduct and the Rights of Victims) that takes place on College property or at any function sponsored by the College that substantially disrupts or interferes with the orderly operation of the College or the rights of other students and that:
 - a reasonable person should know, under the circumstances, that will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;

- has the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the College;
 - creates a hostile educational environment for the student at the College; or
 - infringes on the rights of the student at the College by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.
10. Committing any act in violation of the College's policy, 7013 Student Sexual Misconduct and the Rights of Victims.
 11. Behaving in a manner that constitutes an invasion or violation of an individual's rights to privacy. Examples of prohibited behaviors that might be found to violate this provision include, but not limited to, harassing or terroristic threats, stalking, unauthorized surveillance, imposing physical or mental restraints on another person, or engaging in obscene verbal or written communications, or verbally confronting a person using obscenities or fighting words likely to incite immediate physical altercation.
 12. Possessing, consuming, and/or distributing, or attempting to distribute alcoholic beverages in contravention of federal, state or local laws, or College regulations, or knowingly being present at the time of the prohibited conduct.
 13. Possessing, using, manufacturing, distributing, or attempting to distribute narcotics, dangerous drugs, controlled dangerous substances, or drug paraphernalia that are prohibited by federal, state or local laws, or College policies, or knowingly being present at the time of the prohibited conduct.
 14. Possessing or using a firearm, explosive, or any other dangerous weapon in contravention of federal, state or local laws, or College policies and procedures.
 15. Using and/or possessing fireworks, pyrotechnics, explosive or flammable liquids without proper authorization.
 16. Causing noise or a disturbance. Exhibiting disorderly, lewd, indecent, or obscene conduct or exhibitionism in violation of federal or state statutes on College-owned or controlled property or at College-sponsored or supervised functions.
 17. Using the College's name, logo, finances, materials and supplies, or facilities for commercial, personal, or political purposes without College authorization.
 18. Entering into and/or use of College facilities/equipment, including but not limited to, the library, athletic facilities and equipment, classrooms, meeting spaces, or technology equipment without authorization
 19. Abusing the student discipline system, including but not limited to, noncompliance with a disciplinary sanction, falsification of information, and disruption of a hearing.
 20. Using information and communication technologies including, e-mail, voicemail, telephones, cell phones, text or electronic messaging, web-cameras, or websites to engage in harassment, intimidation, bullying (as defined in #8 above), stalking (as defined in administrative procedure, 7013 Student Sexual Misconduct and the Rights of Victims), or in any behavior which violates the law, College policies, or the Student Code of Conduct.

21. Violating the terms of any disciplinary sanction, intervention, No Contact Orders, or Mandates imposed, or other behavior related contracts.
22. Excessive campus parking / traffic violations.
23. Possession and/or custody of any animal on campus without prior approval from campus officials, unless the animal is a service animal.
24. Feeding of wildlife on any campus-owned property.
25. Initiating behavior that violates the law, College policies, or the Student Code of Conduct and placing evidence of that behavior on a public website or other public medium.
26. Smoking on campus in any prohibited area. Smoking is only allowed in designated areas. This includes electronic smoking and the use of any tobacco product.
27. Engaging in conduct to cause false public alarm by activating a 9-1-1 emergency button, calling 9-1-1 by phone or other means, activating a fire alarm pull station, circulating a report or warning of fire, explosion, crime, catastrophe, emergency, or any other incident that is knowingly false and baseless.
28. Conduct that creates a false public alarm, causing evacuation, and or causing response from local fire department.
29. Tampering with, misuse or damage to any fire safety equipment not limited to smoke detectors, fire extinguishers, alarm panels, and pull stations.
30. Failing to evacuate a facility or building upon audible fire safety warning device, verbal command by staff members or fire department personnel.
31. Possession of, or use of, any prohibited items in the residential areas or college controlled areas.
32. Guest behavior: Students may be held responsible for acts and/or omissions of their guests on the college campus or at college-sponsored events where such acts and/or omissions constitute a violation of the Student Code of Conduct.

The President will have administrative procedures developed.

References:

Rowan College of South Jersey Administrative Procedure, *8007 Student Code of Conduct and 8007.1 Interim Safety Suspension*

Rowan College of South Jersey Board of Trustees Policy Manual, *7013 Sexual Misconduct and the Rights of Victims*

Policy: 8007 Student Code of Conduct



Rowan College of South Jersey

Administrative Procedure: 8007

STUDENT CODE OF CONDUCT

The College is dedicated to the advancement of knowledge while ensuring an environment that is orderly and to act decisively to eliminate disruption of the educational process.

It should be noted that all College students who officially participate in dual activities at another college or university are responsible for being aware of, and are held accountable for, adhering to the conduct policies and procedures at *both* institutions.

These administrative procedures have been designed to protect the student, to be fair to all parties, to prevent the imposition of inappropriate penalties, and to offer the right to appeal.

In all situations, the student will be informed of the charges, allowed to be represented, provided with a written copy of the complaint, and be given an opportunity to appeal. The proceedings will include a prompt, fair, and impartial process from initial investigation to the final result.

Administration of Policy

The administration of student conduct policies and procedures is overseen by two directors. The Gloucester Campus is overseen by the Director of Student & Veteran Affairs. The Cumberland Campus is overseen by the Director of Judicial Affairs. Hereafter, referred to as "Director."

While the final responsibility for administration of student discipline rests with the President, he/she may, through a designee, immediately impose an interim suspension upon a student when there is evidence that the presence of the student on campus may pose a threat to others or to the continuance of normal college function when, due to the immediacy of the issue, time does not allow for the formal discipline process. (See administrative procedure, *8007.1 Interim Safety Suspension*.)

Student Discipline Guidelines

In all cases, any disciplinary action should be appropriate to the nature and severity of the violation. Single or multiple sanctions may be imposed when students are found responsible for violating the Student Code of Conduct. Many factors are considered when deciding sanctions. These factors may include past disciplinary record, the nature of the violation, and the severity of damage or harm resulting from the violation.

Administrative Procedure: 8007 Student Code of Conduct

Students who are suspended or expelled as a result of a violation of the Student Code of Conduct are not eligible for a refund of tuition or fees for the semester in which the suspension or expulsion occurs. Students who are suspended or expelled after the Withdrawal Deadline has passed are not eligible to receive Withdrawals.

Process for Student Conduct Issues and Discipline

Filing a Complaint

Complaints should be filed in a timely manner. Students and staff may file complaints directly to the appropriate Director. Complaints should include as much detail as possible and make a specific reference to the part of the Student Code of Conduct the Complainant feels has been violated. If the complaint involves perceived criminal activity, it should immediately be reported Campus Security who will then forward a report to the appropriate Director. If a complaint provides evidence that presence of an accused student on campus may pose a threat to others or to the continuance of normal College function, the College reserves the right to impose an interim suspension from campus pending a disciplinary hearing.

Notice

If it is determined that a complaint will be adjudicated by the disciplinary system, the accused student will be notified of the alleged violation via the campus webmail system. Notice may also be made in writing or by phone using the student's contact information on file. The disciplinary hearing notice will state which portion of the Student Code of Conduct was allegedly violated and describe the date and location on which the alleged violation occurred, if applicable. The hearing notice will instruct the student to call and schedule a disciplinary hearing or waive his/her right to a hearing by signing a Hearing Waiver. If the accused student fails to attend or reschedule the hearing, a decision may be made in the student's absence. Alternately, an **administrative hold** may be placed on the student's account for failure to respond to a disciplinary hearing notice.

Rights in Disciplinary Hearings

1. The student has the right to receive written notice of the charges.
2. The student has the right to review the case file prior to and/or during the hearing. All personally identifying information of other individuals mentioned in the case will be redacted. The student may review the file, but may not take photographs of the file or be provided with copies.
3. The burden of proof in determining responsibility rests upon the Complainant, who must establish that the accused student is "more likely than not" responsible for the violation based on the information presented.
4. Disciplinary hearings will be closed. Only those directly involved in the case can attend.

5. The student has the right to confidentiality pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974.
6. The student has the right to be assigned an impartial hearing officer.
7. The student has the right to have a personal advisor present at the disciplinary hearing as a support person. The advisor may be an attorney. While the advisor can be present, he or she can have no role in the hearing. Advisors are not permitted to speak on behalf of the student, appear in the place of the student, or ask questions during the hearing. A student wishing to have an advisor present must inform the appropriate Director at least 24 hours in advance of the disciplinary hearing. If the advisor is an attorney, the College will determine if legal counsel for the College should also be present at the hearing. If the student's selected advisor is unable to attend, the hearing will not be cancelled.
8. The student has the right to bring witnesses with information directly related to the incident to the hearing. Witnesses may not be present for the entire disciplinary hearing. They will be called to participate when appropriate. A hearing will not be postponed if a witness is unable to attend. Written statements from witnesses may be considered. A student wishing to have a witness present must inform the Office of Student Affairs at least 24 hours in advance of the disciplinary hearing by providing the name of the witness or witnesses and a summary of the information he or she is expected to provide.
9. The accused student will receive written notification of the decision reached via campus webmail after a decision is reached. The student may be notified via postal mail as well. The notification of results will include a list of sanctions imposed, if any.
10. When there are victims involved in an incident, victims may submit written statements detailing the effects of the violation. These statements will remain confidential and will be used in determining appropriate sanctions, if the accused student is found responsible. In "crimes of violence" or "sex offenses," victims have the right to be notified of the outcome of the disciplinary hearing and information. Victims in these cases also have the right to appeal. In cases of sexual misconduct, victims have the right to full participation in the disciplinary hearing process. (See policy and administrative procedure, *7013 Sexual Misconduct and the Rights of Victims*.)
11. The College will, upon written request, disclose to the alleged victim of a crime of violence (as the term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such a crime or offense. If the victim is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the alleged victim for purposes of this policy.

Hearings for Sexual Misconduct

The College, at its sole discretion, may utilize an experienced lawyer (who is not a member of the campus community) to serve as hearing officer in cases of sexual misconduct. The evidentiary standard (preponderance of the evidence; i.e., more likely than not a violation occurred) will be used to determine the finding (responsible or not responsible).

While the hearing officer will determine the finding after the case is concluded, the College reserves the right to impose any and all sanctions. (See policy and administrative procedure, *7013 Sexual Misconduct and the Rights of Victims*.)

Description of Sanctions

Types of sanctions which may be imposed include the following:

Official Warning: An official warning is a written statement indicating that a student has violated the Student Code of Conduct and warning that subsequent violations may result in more severe disciplinary sanctions.

Probation: A student on probation is not in good social standing with the College. If a student is found responsible for a subsequent similar violation while on probation, suspension, or expulsion may occur.

Monetary Fine: The requirement that a student must pay a monetary fine that will be added to the student account.

Restitution: The requirement that a student be held accountable for public or private property that he/she damaged or destroyed by either replacing or paying for the property lost. A restitution fee can be added to the student account.

Decision-Making Reflection: A decision-making reflection is a written assignment designed to provide an opportunity for the student to reflect on the violation of the Student Code of Conduct. Decision making assignments are submitted to the Director of Student Affairs.

Educational Task: Completion of an educational assignment such as a workshop or online training course designed to give the student the opportunity to reflect on the violation.

No Contact Directive: A no contact directive states that the student may not have any interaction with a specific individual for the remainder of the student's academic career at the College.

Educational Counseling: Students sanctioned to educational counseling are required to visit the Center for Counseling and Wellness Services to learn about available resources and strategies for success.

Suspension of Privileges: While on suspension of privileges, a student may be restricted from participation in athletics, student organizations, and/or campus employment. A

student may also be suspended from the privilege of utilizing campus parking, computer labs, or other facilities, if deemed appropriate. Notification of the suspension will be sent to the appropriate coach, advisor, or supervisor, if applicable.

Suspension: Suspension is dismissal from the institution for a specified period of time. A suspended student may not attend classes or complete academic work for a specified period of time. A currently suspended student may not be present on campus or at College-sponsored events for any reason. The terms of the suspension may stipulate that the student fulfill certain conditions before returning to the College. The student is not eligible for a refund of tuition or fees.

Expulsion: Expulsion is permanent dismissal from the institution. A student who is expelled may never again register for courses or attend classes at the College. Additionally, the student may not be present on campus or at College-sponsored events for any reason. Expulsion will be noted on the student's academic transcript. The student is not eligible for a refund of tuition or fees.

The Office of Student Affairs reserves the right to notify parents/guardians of students less than 21 years of age when a student is found responsible for an alcohol and/or drug violation.

Important considerations regarding sanctions:

- **Failure to complete sanctions will result in an administrative hold on the student's account until the student completes the sanction.**
- **The monetary fine structure is approved by the Board of Trustees and can be found on the *Tuition and Fees* section on the College's website.**

Hearing and Appeals Processes

Step 1 A Complaint is Filed:

- A report of misconduct is received by the Director.
- The Director notifies involved parties of the complaint in writing. A disciplinary hearing is offered to the accused student. The student may choose to waive his/her right to a hearing and have a decision made in his/her absence.
- The Director determines whether it is more likely than not that a violation occurred. A decision is communicated to the student in writing and, if warranted, sanctions may be imposed.

Step 2 The Appeal:

Once the appeal is received by the assigned Director it will be forwarded to the Vice President of Student Services.

- If the student disagrees with the findings, the student contacts the Office of Student (or Judicial) Affairs within five (5) business days of the receipt of the Director's decision to begin the appeal process. In this contact, the student is responsible for completing the written appeal, and the basis of the appeal must specifically stated and explained as one or more of the following:
 - a. The decision was not supported by a preponderance of the evidence presented (i.e., more likely than not the evidence used during the hearing was not sufficient enough to reach the decision made).
 - b. New relevant evidence is available that could or was not produced at the time of the hearing, and such new evidence is both: (1) sufficient to alter the hearing's decision, and (2) was not known to the student appealing at the time of the hearing.
 - c. The administrative procedures in 8007 *Student Code of Conduct* were not followed; however, such deviations from procedures will not be a basis for sustaining an appeal unless the deviations(s) resulted in significant prejudice to the student.
 - d. The sanction is grossly disproportionate to the offense.
 - e. The Vice President reviews the appeal information and notifies the student of the results of the appeal within fifteen (15) business days of receipt of the appeal.

Step 3 Final Appeal:

- The student may appeal to the President within five (5) business days of receipt of the Vice President's decision. The written appeal and case information is submitted to the Office of Student Affairs and forwarded to the President for review.

The President's decision is final.

Area: Student Services
 Approved: 07/01/19
 Revised: 09/03/19

President's Authorization: _____

References:

Rowan College of South Jersey Board of Trustees Policy Manual, *2019 Acceptable Use of Network and System Services*, *7013 Sexual Misconduct*, and *the Rights of Victims*, and *8007 Student Code of Conduct*

Rowan College of South Jersey Administrative Procedure, *2019 Acceptable Use of Network and System Services*), *7013 Sexual Misconduct and the Rights of Victims*, and *8007.1 Interim Safety Suspension*

CRIME STATISTICS

(Calendar Year 2016, 2017, 2018)

Note: No Fire Report is required due to no student housing at this College

Rowan College at Gloucester County Crime Statistic Report 2016 to 2018

Crime Reporting and Clery Act: Crime Statistics on Campus

Category	Venue	2016	2017	2018
Criminal Homicide: Murder and Non-Negligent Manslaughter	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Manslaughter by Negligence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Sex Offenses: Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Sex Offenses: Fondling	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Sex Offenses: Incest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Sex Offenses: Statutory Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Robbery	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Aggravated Assault	On Campus	0	0	0
	Non-Campus	1	0	0
	Public Property	0	0	0
TOTALS		1	0	0
		2016	2017	2018

Rowan College at Gloucester County Crime Statistic Report 2016 to 2018

Crime Reporting and Clery Act: Crime Statistics on Campus

Category	Venue	2016	2017	2018
Burglary	On Campus	0	1	0
	Non-Campus	1	1	0
	Public Property	0	0	0
TOTALS		1	2	0
Arson	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Motor Vehicle Theft	On Campus	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	1	0
Domestic Violence	On Campus	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	1	0
Dating Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Stalking	On Campus	0	0	2
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	2
Liquor Law Arrests	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Liquor Law Referrals for Disciplinary Action	On Campus	0	0	0
	Non-Campus	42	29	27
	Public Property	0	0	0
TOTALS		42	29	27
		2016	2017	2018

Rowan College at Gloucester County Crime Statistic Report 2016 to 2018

Crime Reporting and Clery Act: Crime Statistics on Campus

Category	Venue	2016	2017	2018
Drug Law Arrests	On Campus	0	0	0
	Non-Campus	5	4	1
	Public Property	0	0	0
TOTALS		5	4	1
Drug Law Referrals for Disciplinary Action	On Campus	0	0	0
	Non-Campus	7	7	11
	Public Property	0	0	0
TOTALS		7	7	11
Weapons Possession Arrests	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Illegal Weapons Possession for Disciplinary Actions	On Campus	0	1	0
	Non-Campus	0	1	0
	Public Property	0	0	0
TOTALS		0	2	0
Hate Crimes¹	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
Unfounded Crimes²	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
TOTALS		0	0	0
		2016	2017	2018

1. Hate Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Included are any of the previous listed crimes and any incidents of: Larceny/Theft, Simple Assault, Intimidation, or destruction/damage/vandalism of property which manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The bias categories are: Religion, Race, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin or Disability.

2. Unfounded Crimes: For Clery purposes, only if a sworn or commissioned law enforcement personnel makes a formal determination that the report was false or baseless.

Rowan College at Gloucester County Crime Statistic Report 2016 to 2018

Crime Reporting and Clery Act: Crime Statistics on Campus

Rowan College at Gloucester County 2018 Crime Incidents						
Incident	Date Reported	Date Occurred	Time	Description	Location	Disposition
2017-059	4/11/2018	4/11/2018	10:45 am	Simple Assault (Domestic)	Outside Business & Corp. Center	Complaint signed by Sheriff
2017-126	10/9/2018	Various dates	Various times	Harassment–Stalking	College Center	Referred to Sheriff and Student Affairs; Subject identified and restricted from campus
2017-132	10/16/2018	10/16/2018	12:03 pm	Harassment–Stalking	D Lot	Referred to Sheriff Officer; Subject identified and restricted from campus
2017-157	11/19/2018	11/19/2018	1:23 pm	Assault (student vs. student)	D Lot	Referred to Sheriff and Student Affairs
Total Incidents: 04						Updated: 07/30/2019

Fire Safety Report

The Office of Safety & Security is not required to publish a fire safety report since there are no student residences on campus at this time.

Fire Evacuation Plan

If a fire occurs on campus, you should immediately notify the Office of Safety & Security through a blue light emergency telephone by pressing the blue button or on a campus land-line telephone at extension 4444. Safety & Security personnel will initiate a response by contacting the Gloucester County Emergency Dispatch Center (9-1-1).

All students and employees are required to evacuate the building when the alarm has sounded and proceed slowly to the nearest exit and go directly to a designated assembly point (at least 200 feet away from the building) determined by security or emergency personnel at the time of the incident.

The last individual exiting a room should close the door and proceed to the closet exit away from the danger. If smoke hampers your means of egress, you must find an alternative route or exit on your hands and knees.

Elevators are never to be used to evacuate the building, as smoke will rise into the elevator shaft, placing everyone inside at serious risk. Handicapped individuals should go to the nearest staircase and wait for assistance. Call 856-681-6287.

Safety & Security officers or Deptford Township Fire Department personnel will indicate when the building is safe to re-occupy.

Notify the Office of Safety & Security after a fire has occurred if you extinguished it yourself and no one reported the original fire.

Health and Safety Inspections

The Gloucester County Fire Marshall's Office performs inspections twice a year, once in the Fall and once in the Spring. The inspections are primarily designed to find and eliminate safety violations. The inspections will include, but not limited to: a visual examination of electrical cords, sprinkler heads, smoke detectors and other life safety systems.

In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles, non-surge protected extension cords, halogen lamps, portable cooking appliances in non-cooking areas, etc.) or prohibited activity (e.g., smoking in buildings, tampering with life safety equipment, etc.).

Fire Safety Tips

Fire Drills/Evacuation

- Never assume a false alarm.
- Evacuate the building promptly.
- Know the safest and quickest route out of the building.
- For evacuation routes, see the evacuation map posted in each classroom.
- Always move as quickly and safely as possible.
- Do not use elevators.
- Upon exiting the building, remain approximately 200 feet away from the building.
- Do not re-enter the building until emergency personnel have declared it safe to do so.

Fire Safety Equipment

- Never hang items or cover sprinkler piping or heads.
- Know locations of the nearest alarm pull station and/or emergency blue light telephone.
- Never tamper or cover smoke detectors.

Prevention

- Maintain a clear path through the classroom to the door.
- Never cook in non-designated cooking areas.
- Never use candles.
- Avoid placing extension cords under carpeting.
- Always plug personal items into power strips.
- Avoid using thin wire extension cords.
- Outlet adapters are prohibited.
- Flammable materials and combustion source devices, such as kerosene heaters, are prohibited in. Always keep hallways free of personal items and trash.

APPENDICES

Sexual Assault: The Federal Clery Act defines the crime of sexual assault:

- Sexual Assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual 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 sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Definitions for Sex Offenses in New Jersey: (as defined in New Jersey Title 2C Code of Criminal Justice). In the State of New Jersey, sexual assault is defined under N.J.S.A. 2C:14-2:

- (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 by virtue of the actor's legal, professional, or occupational status, or
 - (c) The actor is a resource family 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 or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

(B) Aggravated sexual assault is a crime of the first degree.

- (a) 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 four years older than the victim.
- (b) 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 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;
 - (3) 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 of any nature or in any capacity over the victim; or
 - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
 - (4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.

Sexual assault is a crime of the second degree.

2C:14-1. Definitions. The following definitions apply to this chapter:

- 1. **Actor** means a person accused of an offense proscribed under this act;
- 2. **Victim** means a person alleging to have been subjected to offenses proscribed by this act;
- 3. **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 as to the question of commission of the crime;
- 4. **Sexual contact** means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actors 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;
- 5. **Intimate parts** means the following body parts: sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person;
- 6. **Severe personal injury** means severe bodily injury, disfigurement, disease, incapacitating mental anguish or chronic pain;
- 7. **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;
- 8. (Deleted by amendment, P.L.2011, c.232)

9. **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 or consent, or due to any other act committed upon that person which rendered that person incapable of appraising or controlling his conduct;
10. **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).

Domestic Violence

The Federal Clery Act defines the crime of **domestic violence** as follows:

A felony or misdemeanor crime of violence committed:

- a. by a current or former spouse or intimate partner of the victim;
- b. by a person with whom the victim shares a child in common;
- c. by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d. 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
- e. 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.

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

The state of New Jersey defines **domestic violence** as follows:

2C:25-19. Definitions: (As used in this act as defined in New Jersey Title 2C Code of Criminal Justice)

Domestic Violence means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor:

1. Homicide N.J.S.2C:11-1 et seq.
2. Assault N.J.S.2C:12-1
3. Terroristic threats N.J.S.2C:12-3
4. Kidnapping N.J.S.2C:13-1
5. Criminal restraint N.J.S.2C:13-2
6. False imprisonment N.J.S.2C:13-3
7. Sexual assault N.J.S.2C:14-2
8. Criminal sexual contact N.J.S.2C:14-3
9. Lewdness N.J.S.2C:14-4
10. Criminal mischief N.J.S.2C:17-3
11. Burglary N.J.S.2C:18-2
12. Criminal trespass N.J.S.2C:18-3

13. Harassment N.J.S.2C:33-4
14. Stalking P.L.1992, c.209 (C.2C:12-10)
15. Criminal coercion N.J.S.2C:13-5
16. Robbery N.J.S.2C:15-1
17. Contempt of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly person's offense
18. Any other crime involving risk of death or serious bodily injury to a person protected under the "Prevention of Domestic Violence Act of 1991.
19. Cyber-harassment P.L.2013, c.272

When one or more of these acts is inflicted by an un-emancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c.77.

- (a) **Law enforcement agency** means a department, division, bureau, commission, board or other authority of the State or of any political subdivision thereof which employs law enforcement officers.
- (b) **Law enforcement officer** means a person whose public duties include the power to act as an officer for the detection, apprehension, arrest and conviction of offenders against the laws of this State.
- (c) **Victim of domestic violence** means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or **any other person who is a present household member or was at any time a household member.** "Victim of domestic violence" also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. **"Victim of domestic violence" also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.** (See Dating Violence Section)
- (d) **Emancipated minor** means a person who is under 18 years of age but who has been married, has entered military service, has a child or is pregnant or has been previously declared by a court or an administrative agency to be emancipated.

Dating Violence

The Federal Clery Act defines the crime of **dating violence** as follows:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- a. 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.

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

The state of New Jersey defines **Dating violence** in 2C:25-19(d), which is listed above within the “New Jersey state” definition of domestic violence as follows:

(As used in this act as defined in New Jersey Title 2C Code of Criminal Justice). The New Jersey State Code definition **Victim of domestic violence** also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship. Can be found in 2C:25-19 subsection (d) dating: **Victim of domestic violence** means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present or former household member. **Victim of domestic violence** also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. **Victim of domestic violence** also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

Stalking

The Federal Clery Act defines the **crime of stalking** as follows:

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition:

- **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
- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- 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.

The state of New Jersey defines **stalking** as follows:

2C:12-10. Definitions; stalking designated a crime; degrees, in New Jersey:

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.
 - a. 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.
 - b. 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.
 - c. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.
 - d. 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.
 - e. This act shall not apply to conduct which occurs during organized group picketing.



ON CAMPUS



Yellow lines denote Clery Map boundaries for RCGC



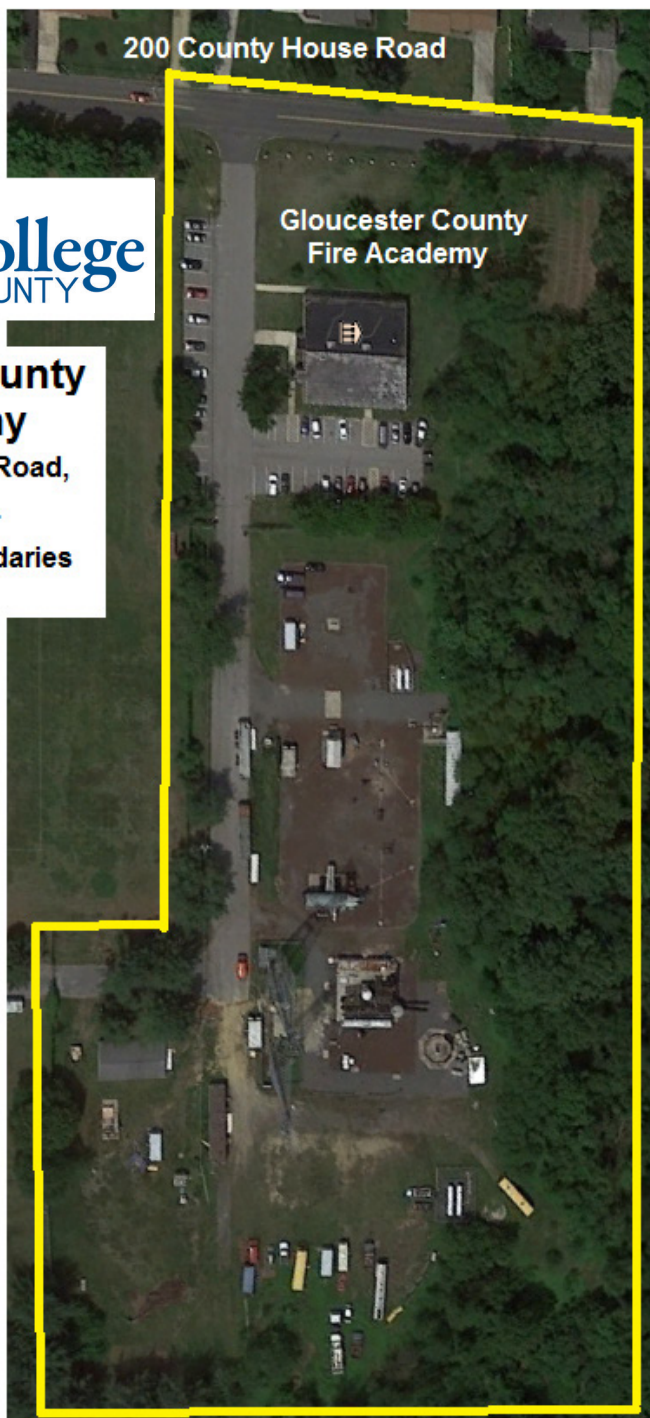
NON-CAMPUS



**Gloucester County
Fire Academy**

200 County House Road,
Clarksboro, N.J.

Clery map with boundaries
in yellow



NON-CAMPUS



Clery Map of
College Services
Boundaries



Rowan College
GLOUCESTER COUNTY



Campus parking

VISITORS:
Lot H

COMMUTERS:
Lots A, B-1, C, D, O, R, Y,
Townhouse Garage (3rd level only).

EMPLOYEES:
Lots A-1, D-1, E, F-1, G, H,
M, O-1, P, S, T, U and Z-1.

RESIDENTS:
Lots at Triad (Lot F),
Edgewood Park, Chestnut, B. J. W.,
Townhouse Garage (townhouse
residents level 1 & 2 only),
Rowan Boulevard Garage
(Rowan Boulevard and
Whitney residents).

Welcome

Admission Tours begin at Savitz Hall (#1)
For 24-hour Public Safety assistance, call 856-256-4922.
Parking for visitors is available in Lot H, near the
welcome gate across from Savitz Hall.

- Welcome Gate
- Visitor Parking
- Wellness Center

- Academic Buildings
- 2. Campbell Library
- 4. Recreation Center
- 5. Esbjornson (Esby) Gym
- 6. James Hall
- 7. Robinson Hall
- 8. Wilson Hall
- 9. Rowan Hall
- 10. College of Engineering
(under construction)
- 11. Rohrer College of Business
(under construction)
- 12. Westby Hall

- 13. Science Hall
- 14. Hawthorn Hall
- 15. Bozorth Hall
- 16. Bunce Hall
- 17. Memorial Hall
- 39. R.O.T.C.
- 44. Enterprise Center
- Residence Halls & Apts
- 18. Laurel Hall
- 19. Oak Hall
- 20. Evergreen Hall
- 21. Mullica Hall

- 23. Mimosa Hall
- 24. Willow Hall
- 25. Magnolia Hall
- 26. Chestnut Hall
- 27. Edgewood Park
Apartments
- 29. Triad Hall Apartments
- 30. Townhouses
- 42. Whitney Center
- 46. 220 Rowan Boulevard
Apartments

- 49. New Student Housing
(under construction)
- 50. International House
- Administrative & Support
- 1. Savitz Hall (Admissions)
- 3. Chamberlain Student Center
- 22. Winans Hall (Wellness Center)
- 28. John Green Team House
- 31. Bole Hall (Administration)
- 32. Sangree Greenhouse
- 33. Bole Hall Annex (Public Safety)
- 34. Carriage House

- 35. Hollybush Mansion
- 36. Linden Hall
- 37. Hering Heating Plant
- 38. Cassidy Facilities Building
- 40. Girard House
- 41. 600 Whitney Avenue
- 43. Marriott Courtyard Hotel/
Conference Center
- 45. Barnes & Noble Bookstore
- 47. 301 High Street
- 51. Shepen Hall
- 52. 6 High Street

WHEN

The Annual Security Report (ASR) is made available on October 1 of each year in accordance with the federal Clery Act.

WHO

The ASR is made available to all current and prospective students as well as all current and prospective employees.

HOW

Current Students and Current Employees

The following message will be sent to each current student and employee announcing the availability of the ASR on the College's portal at:

/Security-site/Gloucester-site/Documents/AnnualReports/Annual-Report-2018.pdf

"The security of all members of the campus community is of vital concern to Rowan College at Gloucester County (RCGC). In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, an Annual Security Report (ASR) containing information regarding campus security programs, recommended personal safety practices, the authority of the campus Safety & Security Officers, campus crime statistics for the most recent three year period and College policies concerning disciplinary procedures, sexual assault harassment, etc., can be found online at: ***/Security-site/Gloucester-site/Documents/AnnualReports/Annual-Report-2018.pdf*** or a hard copy may be requested from the Office of Safety & Security at 856-681-6287."

Prospective Students and Prospective Employees

The Human Resources office will include a printed version of the above referenced email in each interview folder for those prospective employees interviewed on campus.

The Admissions Office will include the same announcement in their application process for interested applicants (both online and hard-copy applications).



COMPLAINT FORM

Name of Complainant: _____ A _____

Street Address: _____

City and State: _____ ZIP Code: _____

Phone: _____ Email: _____

Status: _____ Student _____ Employee _____ Other (Please specify) _____

Name of the person(s) you are filing the complaint against:

Complaint Summary: (Please use additional sheets to provide specific details)

Date(s) of Incident(s): _____

Location(s) of Incident(s): _____

Summary of Complaint:

Please check one:

____ I understand that this is a formal complaint form that will initiate an investigation into my allegations. It is a confidential process based on need to know.

____ I do not want a formal investigation into my allegations and want the incident kept as a private, confidential matter.

(Signature Required)_____
(Date)

Rowan College at Gloucester County reserves the right to proceed with an investigation without a formal complaint if it deems necessary. This decision will be made on a case-by-case basis.

Complaint Summary: *(continued)*

List the names of all known or potential witnesses:

How would you like to see this situation resolved?

Have you informed any other college employee in another department about your complaint? If yes, please identify the individual(s).

Return this form to:

Almarie J. Jones, Executive Director, Diversity and Equity

Affirmative Action/Title IX Officer

Phone: 856-415-2154

Email: ajones@rcgc.edu

For Use by the Title IX Officer Only

Type of Complaint

☐ Bullying/Intimidation ☐ Discrimination ☐ Harassment ☐ Retaliation
☐ Sexual Misconduct ☐ Stalking

Basis of the Complaint

☐ Race/Color ☐ Creed ☐ Ancestry ☐ Age ☐ Gender
☐ Marital Status ☐ Familial Status ☐ Religion ☐ Affectional or Sexual Orientation
☐ Atypical heredity cellular or blood trait ☐ Disability ☐ Genetic information
☐ Liability for Service in the US Armed Forces ☐ Other: *(Please specify)* _____

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Revised: 11-20-2015

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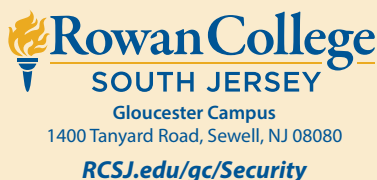
Rowan College at Gloucester County Safety & Security Department



Various In-Service Training for Members of the Office of Safety & Security includes:

CPR/AED/First Aid	Commitment to Safety
Violence in the Workplace	Bloodborne Pathogen Awareness
Emergency Planning	Fire Extinguisher Use
Respect in the Workplace	Sexual Harassment Awareness
Slips, Trips and Falls	Active Shooter
Ear Protection	Supervisor Training
Security Officer Basic Training	Ethics
Minors on Campus	Dealing with Sexual Assaults
Radio Guidelines and Procedures	Crisis Intervention Training
Field Training Program	Incident Command System-100
Stormwater Management	Safety Programs

Emergency Procedures Quick Reference



RCSJ Security

- Use an Emergency phone or Dial extension 4444 from any campus phone
- Dial direct 856-681-6287
- **Call Emergency 9-1-1**
- Follow directions given over the Public Address system



Building Evacuation

- Exit the building during a fire alarm
 - Take personal belongings
 - Evacuate using the nearest unobstructed exit
 - Close doors behind you
 - Do not use elevators
 - Move 300 feet away from building
 - Do not re-enter building until authorized by emergency personnel
- Persons with disabilities on upper floors:**
- Move to stair tower. Call Security or 9-1-1 and identify location

Fire

- Activate the nearest Fire Pull Station
- Call Security
- Inform others
- Follow building evacuation guidelines

Suspicious Object/Package

- Do not touch or disturb the object or package
- Move to a safe distance, **then** call Security
- If possible, keep others away from object
- Prepare to evacuate

To Report a Suspicious Person/Crime

- Call Security or use any Emergency Phone
- If you witness a crime call Police and Security immediately
- **Do not ignore the behavior or delay the call**
- Be attentive; identify everything known about the situation
- Do not hang up until told to by call taker
- Take only actions necessary for self defense
- If safe, stay where you are until help arrives

Active Shooter

- If possible, exit the building to a safe area
 - Call 9-1-1, then Security
- If you cannot exit the building:**
- Go to the nearest lockable room
 - Close door, lock or block door, stay out of sight
 - Turn off lights and silence cellphones

Disruptive/Violent Behavior

- Call 9-1-1 first, then Security
- Stay calm
- Do not confront the person or block their exit
- Leave if danger is imminent

Severe Weather

- If possible, move to lowest level hallways or take cover under desk
- If safe to do so, secure vital equipment and files
- Shut off electronic equipment
- Stay away from windows
- Call Security to report injuries or damage

Medical Emergencies

- Call 9-1-1, then Security
- If properly trained, provide first aid
- Assure the injured person help is on the way
- Do not attempt to move an injured person unless necessary to prevent further injury

Crisis Intervention (Person in Emotional Crisis)

- Contact the Center for Counseling and Wellness Services at 856-464-5236 or Security at 856-681-6287
- For non-emergencies, escort the student to the College Center, Counseling and Wellness Services in room 206
- If the student refuses and there is a safety concern, contact Security or 9-1-1

Sexual Assault — (Report to Title IX Officer)

- Victims of sexual assault: **Get to a safe place**
- All sexual assaults are crimes — you should call Security and Police. **Seek medical attention** whether you make a report or not
- Before police arrive, do not shower, drink, eat or change clothes. If you are there to help, provide reassurance but refrain from touching the victim before emergency personnel arrive (see reverse side for Reporting Allegations of Sexual Assault and Resource Referrals)

Power Outage

- Call Security
 - Move **cautiously** to lighted area
- If people are trapped in elevator:**
- Call Security, stay calm, use emergency phone
 - Do not attempt to exit elevator without assistance from emergency services

Chemical Hazards

- Call 9-1-1
 - Do not touch substance or inhale fumes
 - Move to a clear area and keep others away
 - Isolate contaminated persons
- If you or someone else contacts a suspicious chemical/substance:**
- Remove contaminated clothing and seek medical attention

Gas Leaks

- Evacuate the area
- Call 9-1-1
- Do not touch the fire alarm, light switches or electrical equipment

For Emergency Announcements:

RCSJ.edu

Call 856-468-5000

Tune to KYW-TV News (CBS 3) or
KYW-News Radio 1060 AM

For Emergencies call 9-1-1

Facilities/Maintenance Problems: (Heat, A/C, plumbing, etc.) Call 856-415-2201 or ext. 6370 or 2231. After 4:30 pm or weekends call Security at 856-681-6287.

FIRE EVACUATION LOG

APPENDIX G

Emergency Evacuation Log 2018

Activity	Date	Time	Location	A=Announced U=Unannounced
Fire Drill – Evacuation	01/22/2018	9:44am	ACT Building	A
Fire Drill – Evacuation	02/22/2018	9:33am	ACT Building	A
Alarm – Fire Unfounded	04/10/2018	12:44pm	Scott Hall	U
Fire Drill – Evacuation	04/13/2018	1:07pm	ACT Building	U
Fire Drill – Evacuation	04/24/2018	9:48pm	ACT Building	A
Fire Drill – Evacuation	05/18/2018	10:04am	ACT Building	A
Fire Drill – Evacuation	06/12/2018	9:34am	ACT Building	A
Alarm- Fire Unfounded	06/17/2018	5:10pm	Scott Hall	U
Power Outage – Evacuation	08/14/2018	3:45pm	Campus Wide	U
Alarm – Fire Unfounded	08/16/2018	7:00pm	University Center	U
Alarm – Fire Unfounded	08/23/2018	10:31am	Nursing Building	U
Alarm – Fire Unfounded	09/25/2018	10:50am	Scott Hall	U
Fire Drill – Evacuation	09/27/2019	10:50am	ACT Building	A
Fire Drill – Evacuation	10/16/2018	9:37am	ACT Building	A
Fire Drill – Evacuation	11/16/2018	9:50am	ACT Building	A
Alarm – Fire Unfounded	11/29/2018	12:42pm	ACT Building	U

Introduction

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the college community in achieving these ends. The boundaries of personal freedom are limited to applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault and non-consensual sexual contact, respect for the individual and human dignity are of paramount importance. 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

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.
- To be free from any suggestion that victims were contributory negligent or assumed the risk of being assaulted.

Campus Intervention Rights

- To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants.
- 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 to implement the Bill of Rights 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 that 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.



Rowan College of South Jersey

Policy: 7015
Title: **ALCOHOL AND OTHER DRUGS**
Area: Human Resources
Approved: 07/01/19

The College is committed to cultivating a safe, orderly environment free of illegal activity for employees and students. As part of this commitment, the College will comply with the Drug Free Workplace Act, Drug Free Schools and Communities Act, and other relevant federal, state, and local substance abuse laws.

The College acknowledges that substance abuse is a serious, complex, but treatable condition which affects institutional productivity, stability, and safety. The use of alcohol and illicit drugs (illegal/legal drugs/controlled substances) is linked to risk factors associated with incidents of sexual assault, domestic violence, dating violence, and not limited to other forms of violence. Victims and witnesses are encouraged to report and cooperate with investigations of sexual assault, domestic violence, and dating violence, including incidents where there is an implication of alcohol or drug use.

The College offers programs and services to College employees and students to aid in their own recovery or help a family member with a substance dependency problem. Employees are encouraged to seek assistance as appropriate from the College's Employee Assistance Program (EAP). Students can visit the Counseling and Wellness Center for support services and crisis intervention. Information obtained regarding an employee or student during participation in such programs or services will be treated as confidential in accordance with federal, state, and local laws.

The unlawful manufacture, distribution, possession, or use of any drugs and alcohol by employees, students, and visitors on College property or as part of any of the College's activities is strictly prohibited. Employees found to be in violation of this policy will be subject to corrective action, up to and including termination, under applicable College policies and collective bargaining agreements, or may be required, at the discretion of the College, to participate satisfactorily in an EAP. Students found in violation of this policy will be subject to disciplinary action as outlined in the Student Code of Conduct (see policy 8007 *Student Code of*

Conduct). Violators other than employees or students may be removed from the campus or any of its activities.

The College will issue administrative procedure to detail the administration of a drug-free awareness program, the availability of an employee assistance program, as well as counseling services for students.

References:

Rowan College of South Jersey Board of Trustees Policy Manual, *8007 Student Code of Conduct and Procedural Standards* and *7009 Employee Conduct and Work Rules*

Rowan College of South Jersey Administrative Procedure, *7015 Alcohol and Other Drugs*

Policy: 7015 Alcohol and Other Drugs



Rowan College of South Jersey

Policy: 8003
Title: **ANTI-BULLYING AND INTIMIDATION**
Area: Student Services
Approved: 07/01/19

The College maintains a strict policy prohibiting harassment, intimidation, and bullying. This policy applies to all students of the College.

The College defines harassment, bullying, and intimidation as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, creed (religion), color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, or mental or physical disability, including AIDS and HIV related illnesses, that takes place on the property of the College or at any function sponsored by the College, or by electronic means at or away from the College, that substantially disrupts or interferes with the orderly operation of the institution or the rights of other students and that such action/behaviors:

- a. as a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming another student or damaging another student's property, or placing another student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property;
- b. have the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the College;
- c. create a hostile educational environment for other students at the College; or
- d. infringe on the rights of other students at the College by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Violations of this policy are subject to disciplinary action in accordance with College policy and the Student Code of Conduct. Students who engage in prohibited harassment, intimidation, or bullying are subject to disciplinary action, up to and including expulsion from any academic or continuing education program, the College, and all its events and activities.

Procedure for Reporting

Complaints of intimidation/bullying should be reported immediately to the Director, Student Engagement on the Gloucester Campus, 856-415-2276 or to the Director, Judicial Affairs, on the Cumberland Campus, 856-200-4545. Complaints may also be reported to the Special Assistant to the President, Diversity and Equity/Title IX at 856-415-2154 on the Gloucester Campus. Complaints of intimidation/bullying will be investigated in the same manner as a violation of policy 8007 *Student Code of Conduct*.

References:

N.J.S.A. 18:A37-13 et seq. Anti-Bullying Bill of Rights Act

Rowan College of South Jersey, Board of Trustees Policy Manual, *2019 Acceptable Use of Technological Resources; 7001 Affirmative Action and Equal Employment Opportunity; 7011 Harassment and Discrimination; 7013 Sexual Misconduct and the Rights of Victims; 8100 Student Rights and Responsibilities; and 8007 Student Code of Conduct*

Rowan College of South Jersey, Board of Trustees Policy Manual and Administrative Procedure, *2019 Acceptable Use of Technological Resources; 7001 Affirmative Action and Equal Employment Opportunity; 7011 Harassment and Discrimination; 7013 Sexual Misconduct and the Rights of Victims; and 8007 Student Code of Conduct*



Rowan College of South Jersey

Policy: 7017
Title: **CONSCIENTIOUS EMPLOYEE PROTECTION (WHISTLEBLOWER)**
Area: Human Resources
Approved: 07/01/19

The College strives to operate in an ethical, honest, and lawful manner and is committed to providing an environment of integrity that encourages the disclosure of violations of law and Board policy.

No employee or student of the College will take retaliatory action against any individual for reporting suspected wrongdoing, for assisting in an authorized investigation of alleged wrongdoing, or for refusing to participate in violation of a law or Board policy.

Administrative procedures will be developed for reporting suspected misconduct, providing exclusions or special circumstances, and describing interference and retaliation. Notices describing the Conscientious Employee Protection Act, ("Whistleblower") and the College designee for written communication, will be prominently displayed throughout the campus in English and Spanish, and annually distributed to all employees electronically.

Individuals who self-report their own misconduct are not afforded protection by this policy.

Violations of the prohibition against retaliation will result in disciplinary action up to and including dismissal.

References:

Rowan College of South Jersey Administrative Procedure, *7017 Conscientious Employee Protection (Whistleblower)*

Policy: 7017 Conscientious Employee Protection (Whistleblower)



Rowan College of South Jersey

Policy: 7009
Title: **EMPLOYEE CONDUCT AND WORK RULES**
Area: Human Resources
Approved: 07/01/19

The College believes the best possible work environment promotes the principles of honesty, integrity, and respect while fostering a student-centered culture. The Employee Conduct and Work Rules Policy establishes standards of conduct the College deems proper and necessary to advance the professional welfare of the College community.

The procedures adopted will be consistent with existing human resources policies and procedures and will preserve the rights of due process and confidentiality and other rights as provided by policy, contract, or law.

References:

Rowan College of South Jersey Administrative Procedure, *7009 Employee Conduct and Work Rules*

Policy: 7009 Employee Conduct and Work Rules



Rowan College of South Jersey

Policy: 7011
Title: **HARASSMENT AND DISCRIMINATION**
Area: Human Resources
Approved: 07/01/19

The Board of Trustees is committed to providing every College employee and student with a workplace and educational environment free from unlawful harassment and discrimination. All forms of employment and educational discrimination and harassment based upon race, creed (religion), color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, or mental or physical disability, including AIDS and HIV related illnesses are prohibited and will not be tolerated. Sexual harassment and sexual assault, dating violence, domestic violence and stalking of employees or students are forms of unlawful gender discrimination and violations of law and will not be tolerated.

The President will ensure that administrative procedure is developed, reviewed, and provided to employees, students, and other appropriate persons to ensure compliance with federal and state statutes and this policy.

References:

Rowan College of South Jersey Administrative Procedure, *7011 Harassment and Discrimination* and *7013 Sexual Misconduct and the Rights of Victims*

Age Discrimination in Employment Act of 1967

Civil Rights Act of 1991

Family Education Rights and Privacy Act (FERPA)

Title IX of the Education Amendments of 1972

Clery Act Amendments -Violence Against Women Act (VAWA)

Policy: 7011 Harassment and Discrimination



Rowan College of South Jersey

Administrative Procedure: 8007.1

INTERIM SAFETY SUSPENSION

The purpose of this administrative procedure is to establish procedures for an Interim Safety Suspension for a student who poses a significant risk to the safety of any student or the campus community due to mental, emotional, medical or psychological health conditions, or other serious concerns.

Imposing the Interim Safety Suspension

If it is determined that a significant risk to any student or campus safety exists, the Director Student and Veteran Affairs ("Director") or designee may remove a student from any or all College premises, after consultation with the Student Assistance Team (an interdisciplinary team of campus administrators).

1. The student will receive notice of the interim action and be advised of the information relied upon by the College.
2. In some cases, when continuing significant risk to the safety of students and the campus is indefinite, a student's status will remain suspended and the student will be notified. If the student is required to withdraw from some or all classes as a result of a continued significant safety risk or for other reasons associated with this procedure, an administratively assigned grade of "W" (withdrawal) will be reflected on the transcript for those particular courses. The student will also be advised concerning the date when a petition for reinstatement will be considered along with any conditions for reinstatement.
3. During the Interim Safety Suspension process, a representative of the College may contact the student's parent or legal guardian, if deemed appropriate, and in accordance with FERPA.

Appealing the Interim Safety Suspension

1. A student who is suspended from the College due to protective health or safety reasons may appeal the decision to the Vice President of Student Services ("Vice President").

2. The appeal must be in writing stating the reasons for the appeal and must be received within five (5) business days of the date the student received notification of the suspension from the Director.
3. Prior to the review, the student will be provided with the following:
 - The opportunity to review any reports or other evidence relied upon by the Director (or designee) in issuing the interim suspension;
 - A written statement providing an explanation of the reasons for involuntary safety suspension and information relied upon; and
 - Following the review, the Vice President (or designee) will determine whether to:
 - Uphold the interim suspension; or
 - Reinstate the student with appropriate accommodations and/or subject to specified conditions as dictated by the individualized needs of the student.
4. A written decision providing reasons and any conditions will be issued to the student within five (5) business days of the conclusion of the review unless extended by the Vice President.
5. The decision of the Vice President is the final decision of the College.

Reinstatement from an Interim Safety Suspension

1. A student seeking reinstatement from an interim safety suspension will be asked to provide information demonstrating that a significant risk of any student, or the campus community no longer exists.
2. Acceptable evidence includes a report from a licensed psychiatrist, psychologist, or physician (pertaining to the situation) that states the student is able to safely return to the educational environment and can engage in the following activities without creating a significant risk to any student or campus community:
 - a. attend class;
 - b. perform assigned tasks; and
 - c. if assigned to a residence area, live under only general supervision and in the company of one or more students.
3. If a student's return is conditioned upon accommodations, the report from the healthcare provider must outline the accommodations requested.
4. The College's licensed psychologist or health and wellness professional will review the report and meet with the student. If necessary, and with the student's written consent, the College's licensed psychologist or health and wellness professional may consult directly with the evaluating psychiatrist, psychologist, or physician.
5. After the review, the College's licensed psychologist or health and wellness professional will make a written recommendation regarding the student's continued attendance and

any conditions that apply to that attendance, including the matter of the student's place of residence, if applicable.

6. The student will be notified of the student's ability to return and of any conditions that may apply within five (5) business days of the submission of medical documentation or appropriate evidence that a significant risk to the safety of any student or campus community no longer exists. In some cases, where a significant risk to the safety of student or campus community will continue indefinitely, a student's status will remain as suspended, in which case, the student will be notified.
7. If the student is required to withdraw from some or all classes as a result of a continued significant safety risk or for other reasons associated with this procedure, an administratively assigned grade of "W" (withdrawal) will be reflected on the transcript for those particular courses.
8. The student will also be advised concerning the date when a petition for any future reinstatement will be considered along with any conditions for reinstatement.

If a student fails to follow these procedures, the student will not be reinstated and an **administrative hold** preventing future registration will be placed on the student account.

Area: Student Services
Approved: 07/01/19

President's Authorization: _____

References:

Rowan College of South Jersey Board of Trustees Policy Manual, *8007 Student Code of Conduct*

Administrative Procedure: 8007.1 Interim Safety Suspension



Rowan College of South Jersey

Policy: 2001
Title: **MINORS ON CAMPUS**
Area: General Administration
Approved: 07/01/19

The Board and College community recognizes its fundamental moral obligation to protect minors on campus (individuals under 18 years of age) as well as its obligation under law. This protection will be afforded to minors, while participating in College programs, when interacting with College staff or visiting.

Every member of the College community has an obligation to immediately report instances or suspected instances of abuse or inappropriate interactions with minors.

Any allegation of inappropriate conduct or suspicion of child abuse must be reported. While there are several agencies and methods for reporting, the College also offers the services of a liaison, the Special Assistant to the President Diversity & Equity/Title IX Compliance, located in the College Center, telephone number (856) 415-2154. If the minor is in immediate danger, call 911. A concerned caller does not need proof to report an allegation of child abuse and can make the report anonymously.

Reports can also be made to the appropriate department head and, under New Jersey law, to Division of Child Protection and Permanency at 1-877 NJ ABUSE (1-877-652-2873).

Any person who knowingly fails to report suspected child abuse or neglect according to the law is guilty of a crime.

The President will have administrative procedures developed for the protection of minors on campus.

References:

Rowan College of South Jersey Administrative Procedure, *2001 Minors on Campus*

Policy: 2001 Minors on Campus

How to Obtain a Restraining Order in New Jersey

Eligibility

Under the Domestic Violence Act, a restraining order may be obtained by a victim of domestic violence committed by a spouse, former spouse, a present or former household member, someone with whom they have had or are expecting a child, or someone with whom they have had a dating relationship. Only an adult or an emancipated minor may obtain a restraining order.

There are 14 criminal offenses that qualify as grounds to obtain a restraining order under the law, including, assault, terroristic threats, kidnapping, criminal restraint, false imprisonment, sexual assault, lewdness, criminal trespass, harassment, or stalking. The New Jersey State Police website has an overview of the eligibility requirements for a restraining order at: ***njsp.org/division/operations/domestic-violence-info.shtml***

The Process

A plaintiff who wishes to obtain a restraining order should contact the family division of the Superior Court in their county on Monday through Friday from 8:30 a.m. to 3:30 p.m. On weekends, holidays, and weekdays after 3:30 p.m. When the Superior Court is closed, the plaintiff may file a complaint at their local police department. The NJ Administrative Office of the Courts Family Practice Division has posted a guide online detailing the procedure for obtaining a restraining order at ***NJCourts.gov***.

Additionally, New Jersey residents may call the Statewide Domestic Violence Hotline at **1-800-572-SAFE (1-800-572-7233)** with questions about the restraining order process and other resources for domestic violence victims.

On RCGC Campus

If you wish to obtain a restraining order you may speak to a Security Supervisor. He or she will direct you to the Sheriff's Officer on campus or the Deptford Police Department. Security Officers cannot initiate or process restraining orders.

NOTES



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