

# **Ramapo College Annual Campus Security and Fire Safety Report**

## **2016 Clery Report**

Each year, as required by law, crime statistics are disclosed in the Public Safety Department Policies and Practices/Campus Crime & Fire Statistics publication. A printed version of this report may be obtained upon request - contact the Department of Public Safety.

The Clery Crime statistics are published nationally by the Federal Government at <http://ope.ed.gov/PublicSafety/search.asp>. The Public Safety Department Policies and Practices/Crime Statistics booklet is also available at this website: <http://www.ramapo.edu/publicsafety/>

### **Campus Security and Crime Statistics**

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, (Public Law 110-315, the Higher Education Opportunity Act (HEOA)). The Public Safety Department at Ramapo College provides information on fire and crime statistics, crime prevention, law enforcement, crime reporting, and other related issues. The Vice President of Enrollment Management / Student Affairs, the Director of Public Safety, the Assistant Director of Public Safety, and the Director of the Office of Student Conduct meet regularly to discuss issues related to the health and safety of our students. All completed Incident Reports are reviewed by the Director of Public Safety, the Assistant Director of Public Safety and the Director of the Office of Student Conduct to ensure that crimes and referrals required under Clery are properly reported. The Mahwah Police Department (MPD) provides the Ramapo College Public Safety Department with records to ensure that all crimes reported to either agency are known to both.

### **Campus Overview – Ramapo College of New Jersey**

Ramapo College enrolls more than 6,200 students and is located on a suburban 315-acre campus near major highways. The College has one main academic building, several residence facilities, a recreation center, a visual and performing arts center, and a number of smaller buildings housing individual academic or support units. Approximately 2700 students live in College residence facilities. First-year students typically live in traditional suite-style or adjoining room configurations. Upper-classmen students live in traditional-style rooms and in garden-style apartments adjacent to one another.

### **The Authority of the Ramapo College Public Safety Department (located in C-102, x6666) and its Relationship with other Law Enforcement Agencies**

The Public Safety Department is staffed 24 hours a day, 7 days a week, 365 days a year. Public Safety Officers provide assistance and protection to persons and property on the Ramapo College campus. The Department maintains orderly conditions and takes measures required to ensure safety and security. Its 34 employees utilize foot and vehicle patrols to observe, report, and respond to situations or activities with the potential to pose a danger to persons or property. Members of the Public Safety Department are not sworn law enforcement officers and do not possess the authority to make arrests.

Public Safety Officers respond to all complaints as soon as possible, and if the Officer or complainant requires local police assistance, Public Safety notifies the Mahwah Police Department. The Public Safety Department has a direct hotline to the Mahwah Police Department to facilitate a prompt response to calls for assistance. Public Safety Officers are trained in First Aid and CPR, in addition to extensive training in all campus Public Safety procedures.

The College maintains an excellent direct working relationship with the Mahwah Police Department, which has full police authority on the campus. The College's Public Safety Department and Mahwah Police Department have daily contact to address public safety issues of mutual concern. In addition to the Mahwah Police

Department, other county, state and federal law enforcement agencies have full police authority on the campus.

### **Working Together for a Safer Campus**

The Public Safety Department works actively with the Residence Life Office to review policies, procedures and potential risks to students. Similarly, the Public Safety Department works directly with the Facilities Department to inspect the campus for light outages, overgrown vegetation, and other problems which could affect the safety of the campus. The Director of Public Safety and the Assistant Director of Public Safety conduct regular campus inspection tours together. Vehicle access to the campus is restricted at different times and in various places. Each year Public Safety Department staff members speak to potential and enrolled students about safety precautions and disclose crime statistics. The Public Safety Department is available to make presentations to student organizations. Resident Life Student Staff training includes a module on maintaining campus safety and public safety. Specific presentations are made annually to prospective and enrolled students as part of the Admissions Office, First Year Experience, and Residence Life programming. Public Safety has Campus Outreach Officers available for general and specific presentations upon request, to students, faculty/staff, groups, organizations, such as sororities and fraternities. For information, contact [psoutreach@ramapo.edu](mailto:psoutreach@ramapo.edu) or phone 201-684-7432.

### **Public Safety Features**

1. A total of 43 emergency “Blue Light” phones primarily in residence areas and parking lots.
2. Public Safety has a direct “Hotline” to the Mahwah Police Dispatch Center.
3. Closed-circuit cameras in the main parking lot, in traditional-style residence life buildings and in some areas of the Village (while not continuously monitored, these cameras have provided evidence in successfully resolving a number of campus crimes and other incidents). The Department of Public Safety has access and capability to monitor more than 514 cameras throughout the campus and residence halls.
4. Safety screens on lower windows in some campus residence locations.
5. Students, Faculty, Staff and/or visitors in need of mobility assistance on campus should call the Public Safety Department at 201-684-7432 for transport. An officer will respond as quickly as possible when available.
6. Professional staff members who live on the campus and move about it as part of a regular “on-call schedule.”
7. Campus “**Timely Warnings**” issued by the Public Safety Department to inform the community about ongoing dangers to their safety or well-being.
8. The College provides telephones to resident students on a first-come, first-serve basis upon request
9. Access devices and Desk Attendants (10pm to 5am) to gain entry to residence halls as well as to individual rooms
10. A guest policy.
11. Lockable closet spaces in certain residence halls.
12. State-of-the-Art fire suppression system and carbon monoxide detection systems.

13. Campus Outreach Unit to conduct Safety, Rape Aggression Defense, Blue Light Property Registry Program as well as Campus events such as, Open Mike/Coffee House, Stickball, and Video Football Tournaments.

All emergency vehicles, i.e. Mahwah EMS, Valley Hospital, Mahwah Fire Department, are dispatched by the Mahwah Police Department. Do not call 9-911 unless an immediate and true emergency exists.

### **PUBLIC SAFETY TIPS**

1. Be aware of your surroundings at all times; pay attention to what other people are doing.
2. Always lock your room and vehicle. Keep valuables out of sight.
3. Acknowledge that excessive alcohol consumption decreases your personal safety because your judgments are impaired. Do not compromise your own public safety.
4. Do not use shortcuts through the woods; stay on the lighted paths. Walk with a friend or in a group.
5. Look out for one another at all times.
6. If you are a campus resident, leave your valuables at home. If you bring valuable items, e.g., computers, televisions, etc., you are strongly encouraged to take them home during school breaks and purchase personal theft/damage insurance. The College cannot cover personal losses of any kind.
7. Vacate all buildings immediately when a fire alarm sounds and report to your instructor, residence life staff or college administrator.
8. Recognize that campus crimes are committed both by members of the College community and by outsiders.
9. Make prudent judgments in all your interactions with others and report suspicious persons or activities.
10. There is a great presence of wildlife on campus. Do not feed or approach wild animals. Report abnormal wildlife behavior to Public Safety immediately, at 201-684-6666.
11. **Bear Sightings, in particular, are common. If you do see a bear:**
  1. **Make lots of noise so that the bear is aware of your presence. An automobile horn or clapping of hands is extremely effective.**
  2. **Make sure the bear is aware of your presence.**
  3. **Stay at least 100 feet away from the bear.**
  4. **Slowly back away if you are too close to the bear.**

### **Reporting Crimes, Emergency Situations, or Violations of Ramapo College Policies**

The policies of Ramapo College, which are enforced by the Public Safety Department, are made known to students, faculty, and staff through online College publications, including the Residence Agreement, the Guide to Community Living (for resident students), and the Student Handbook, all available at <http://www.ramapo.edu/student-conduct/>. The Student Handbook is emailed to all students once per semester as well.

1. To report a life or public safety-threatening incident or the commission of a serious crime, call 9-911. (Calls from internal Ramapo phones, including those in residence facilities, must be made by dialing "9" first and then 911.)

2. To report an emergency or violation of College policy, call Public Safety at 201.684.6666 (or extension 6666 if using an internal Ramapo College phone) or come to the Public Safety Office located on the ground floor of C-wing, Room C-102.
3. Individuals may also report a crime or another matter of concern, including violations of College policy, by completing an Incident Report Form. These forms are available in the Public Safety Department Office (C-102). Persons using this form will be asked to provide their name and contact information.
4. Individuals may report violations of the law or other matters of concern using the "Complaint Form," found on the Public Safety webpage of the Ramapo website. Complaint Forms are reviewed during regular business hours (9 a.m. – 4 p.m.) Monday-Friday. If an emergency is being reported, call ext. 6666 or dial 911. The "Complaint Form" allows for the reporting person to provide contact information if they wish to be contacted about the complaint.

**All crimes, emergencies or matters requiring a response by Public Safety may be made directly to the Public Safety Desk at any time during the day or night.**

## **Crimes Reported To Campus Security Authorities and Others**

### **Investigating Crime and Violations Reports**

All reported violations are investigated either by Public Safety Department personnel, by other appropriate college staff members, by outside law enforcement agencies, or by several of these groups working cooperatively depending on the nature of the complaint.

Resident Life Student Staff, On Call Administrators (OCAs), Emergency On Call Administrators (EOCCs), Public Safety Department personnel and other college staff complete Incident Reports when responding to the location of a crime or other event of concern to the public safety of the campus. All of these reports are reviewed by management personnel in the Public Safety Office and by the Director of Student Conduct Office, and by the Dean of Students. Anyone reporting a crime or violation of policy must provide a clear description of the incident, who was involved, where it took place, when it took place, and, if known, how or why the incident came about. Be as specific as possible and give your name and the names of other witnesses.

If someone commits an act deemed immediately threatening and/or dangerous, certain College and On-Call Administrators can immediately affect an interim suspension from the College or from the residence halls alone. When serious violations of the law occur, the College alerts the Mahwah Police Department whose members can affect an arrest. Criminal court charges may then result in addition to campus judicial system proceedings. Students are strongly urged to report crimes and violations of College policy so they and their fellow students are protected to the maximum extent possible.

### **Campus Security Authorities**

As a result of the final rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those designated "Campus Security Authorities". The Clery law requires that persons designated "Campus Security Authorities" notify the institution about crimes they have learned about from persons believed to be acting in good faith. Campus Security Authorities" include (in addition to Public Safety Department personnel themselves) staff members who have "significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings". The job titles so designated by Ramapo College are as follows:

- The Department of Public Safety
- Professional/student staff in Student Affairs, Residence Life, the Center for Student Involvement (including student activities, the Office of Fraternity and Sorority Life, and the Women's Center), and student health peer educators.
- Faculty or staff advisors to student clubs and/or organizations or College sponsored events
- Resident Assistants and Resident/Area Directors
- Staff/students who monitor access to residential or other facilities, such as desk attendants
- Athletic director and coaches (including associates and assistants)
- Event staff, chaperones, event coordinators
- Academic Deans, Associate and Assistant Deans

When the college learns of a crime in this way it should be reported as soon as possible so that it can be included in the annual crime statistics report and is entered in the Daily Crime Log. The Public Log does not list the names of alleged victims or perpetrators. If, in the judgment of the Director of Public Safety, the crime meets the conditions for a Timely Warning, one will be issued.

### **Professional Counselors and Pastoral Counselors (NON-CSA)**

Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be "Campus Security Authorities" and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of Ramapo College policy, these persons are encouraged to inform persons being counseled of the procedures in place to report crimes on a voluntary basis for inclusion in the annual crime statistics. Ramapo College Professional Counselors and Pastoral Counselors are also strongly encourages to report all crimes of which they become aware. This can be done without identifying any of the parties involved if anonymity has been requested or is advised but it also allows for others in the college community to have an accurate picture of campus crime. The Clery Regulations define counselors as follows:

#### **Pastoral Counselor (NON-CSA)**

A pastoral counselor is an employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. At Ramapo College, there are clergy and others appropriately recognized as fitting that definition who are associated with the Campus Ministries Office.

#### **Professional Counselor (NON-CSA)**

A professional counselor is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. At Ramapo College, this means all the counselors employed in the Counseling Center, the consulting psychiatrist with the exception of the Director for the Center for Health and Counseling Services the Alcohol and/other Drug Counselor.

### **TITLE IX**

In accordance with Title IX guidance and regulations, reports of crimes, suspected crimes, or incidents included in Title IX reporting/investigative requirements can be reported to the Department of Public Safety, the Title IX Coordinator, or any College official. The Title IX Coordinator is located in ASB-017.

## Sexual Misconduct Policy Governing Students

### I. INTRODUCTION

Ramapo College of New Jersey (“Ramapo” or “the College”) is committed to maintaining a respectful and professional academic and working environment for students, faculty, staff, and visitors. This includes having an environment free from sexual misconduct. Sexual misconduct refers to a range of prohibited offenses designated under this policy. <http://www.ramapo.edu/publicsafety/files/2013/06/FY17-Sexual-Misconduct-Policy-Governing-Students.pdf>

**The following sexual misconduct offenses are prohibited by the Sexual Misconduct Policy:**

- |                               |                             |
|-------------------------------|-----------------------------|
| <b>1. Sexual Harassment</b>   | <b>4. Stalking</b>          |
| <b>2. Sexual Assault</b>      | <b>5. Dating Violence</b>   |
| <b>3. Sexual Exploitation</b> | <b>6. Domestic Violence</b> |

**In addition, it is a prohibited offense to retaliate against anyone who files a sexual misconduct complaint or participates in a related investigation.**

This Sexual Misconduct Policy (hereinafter referred to as this “Policy”) applies to all settings and activities of the College, whether on campus property or off campus, as well as occurrences not related to activities of the College when the conduct has the propensity to create a hostile environment on campus. This Policy covers all students of the College and prohibits any student, faculty, staff, visitor or any other third party from engaging in sex-based discrimination against a student as further defined in this Policy.

So that the College may continue to foster a climate of respect and security on campus as it relates to preventing and responding to acts of sexual misconduct, this Policy has been created and serves to demonstrate the College’s commitment to:

- Disseminating clear policies and procedures for responding to sexual misconduct reported to the College;
- Engaging in investigative inquiry and resolution of reports that are prompt, fair, equitable, and independent of other investigations that may occur;
- Supporting complainants and respondents and holding persons accountable for established violations of this Policy; and
- Providing a written explanation of the rights and options available to every student that has been the victim of sexual misconduct, regardless of whether the offense occurred on or off campus.

In addition, this Policy:

1. Identifies the College’s Title IX Coordinator, Deputy Title IX Coordinators, and Title IX Investigators, and describes their roles in compliance with guidance from the United States Department of Education’s Office of Civil Rights and in compliance with the Clery Act.
2. Identifies how students can confidentially report sexual misconduct to the College and what resources are available both on and off campus to aid them, including students’ rights to notify local law enforcement and their right also to decline to notify such authorities.
3. Provides information about how reports are assessed, investigated, and resolved.
4. Provides the College with a means to take all reasonable steps to identify sexual misconduct, prevent the recurrence of such misconduct, and to correct the discriminatory effects of sexual misconduct on the complainant and others, if appropriate.

## II. NOTICE OF COORDINATION WITH NON-DISCRIMINATION POLICY & NOTICE OF NON-DISCRIMINATION

The College recognizes that it is important to coordinate this Policy with other existing policies related to harassment and discrimination knowing that harassment related to an individual's sex, sexual orientation, gender identity or gender expression can occur in conjunction with misconduct and harassment related to a person's race, ethnicity, national origin, religion, age, pregnancy or parenting status, disability, or other protected category. Therefore, when a report is made of harassment or discrimination based on sex as well as harassment or discrimination based on some other protected category, the College will use all applicable policies respectively to address the reports and will coordinate the investigation and resolution efforts. The College is committed to maintaining an environment free from harassment and discrimination for everyone and does not discriminate on the basis of race, sex, national origin, religion, sexual orientation, gender identity or expression, or any other protected status. Further, the College does not discriminate on the basis of sex in any educational, employment, or extracurricular activity. Sexual misconduct, as described in this Policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by Title IX of the Education Amendments of 1972 (hereinafter referred to as "Title IX"). Domestic violence, dating violence and stalking also are prohibited conduct as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereinafter referred to as the "Clery Act"), as amended by the Violence Against Women Reauthorization Act of 2013.

*Students seeking further information regarding equal opportunity, disability, harassment, discrimination and retaliation that is **not related to sexual misconduct** should contact the Office of Affirmative Action and Workplace Compliance by calling (201) 684-7540.*

## III. TITLE IX COORDINATOR; DEPUTY TITLE IX COORDINATORS & INVESTIGATORS

- A. The College has designated a Title IX Coordinator who is responsible for the oversight of this Policy and any procedures related to it. The Title IX Coordinator is responsible for overseeing and resolving all Title IX reports and identifying and addressing any patterns or systemic problems that arise during the review of such reports. The Coordinator's responsibilities include oversight of a prompt, fair, equitable investigation and resolution process for reports of sexual misconduct at the College. The Title IX Coordinator also evaluates trends on campus by using information reported to him or her and makes recommendations for campus wide training and education programs.

### **Title IX Coordinator:**

Kat McGee, Director of Affirmative Action and Workplace Compliance  
E-mail: [kmcgee@ramapo.edu](mailto:kmcgee@ramapo.edu)  
Phone: (201) 684-7220

- B. Deputy Title IX Coordinators serve as designees for the Title IX Coordinator in any case where there is a conflict of interest or where either a complainant or respondent has identified a conflict of interest in his/her case with the Title IX Coordinator. The Deputy Coordinators are also able and will often oversee, in concert with the Title IX Coordinator, complaints arising in their respective areas of responsibility (the Deputy Coordinator, for the Dean of Students, for example, will be involved in reported student-on student cases whereas the Deputy Coordinator for Human Resources is likely to be involved in a case where a student reports sex-based discrimination perpetrated by a visitor to the College.) This is determined on a case-by-case basis and the Title IX Coordinator is able to determine how best to utilize the resources at hand to resolve cases.

### **Title IX Deputy Coordinators:**

- Dean of Students, Deputy Title IX Coordinator for Students
- Director of Human Resources, Deputy Title IX Coordinator for Staff & Visitors

- Director of Employee Relations, Deputy Title IX Coordinator for American Federation of Teachers (AFT) Professional Staff
  - Provost, Deputy Title IX Coordinator for Faculty
- C. The Title IX Investigator(s) conducts thorough and impartial investigations into the facts of a case including interviewing the complainant, respondent, witnesses or others who may have relevant information, and collecting any other evidence deemed relevant to a case.

The Title IX Coordinator, Deputy Title IX Coordinator, and Title IX Investigators are trained annually on issues related to sexual misconduct and instructed on how to conduct effective and impartial investigations and administer a conduct process that protects the safety of victims and promotes accountability.

## IV. DEFINITIONS

### A. Definitions of Prohibited Sexual Misconduct:

**DATING VIOLENCE:** Threatened or actual physical or sexual violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

Dating violence includes the use or threat of physical force or restraint carried out with the intent of causing pain or injury to another within a dating relationship.

**DOMESTIC VIOLENCE:** Threatened or actual physical or sexual violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or having cohabitated with the victim as a spouse, or by any other person against a victim who is protected from that person's acts under the domestic or family violence laws.

Examples of behavior that may constitute domestic or dating violence include (but are not limited to) the following:

- Hitting, punching, pinching, slapping, or choking someone with whom the person is intimately involved.
- Violating a protective order.
- Touching an intimate partner sexually without the person's consent.

**RETALIATION:** Reprisal, interference, restraint, penalty, discrimination, intimidation, threats, harassment or any other adverse action taken against a person who reports sexual misconduct or any person involved in the investigation of such a report. Retaliation may occur in response to engaging in permitted conduct or for refusing to engage in prohibited conduct. *For more information please see Non-Retaliation Article XIV, infra.*

**SEXUAL ASSAULT:** An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. (Sexual assault includes Rape, Fondling, Incest and Statutory Rape.) Since the College administrative process is not a criminal process, the terms that are used to describe rape, fondling, incest and statutory rape are non-criminal terms as stated and described below:

- **Non-Consensual Sexual Contact (or attempts to commit)** defined as any intentional sexual touching with any object(s) or body part that is without consent and/or by force. Sexual contact is defined as kissing or touching others intimate parts. Intimate parts may include, but are not limited to, a person's groin, buttocks, mouth or breasts.
- **Non-Consensual Sexual Intercourse (or attempts to commit)** defined as penetration, no matter how slight, of a person's vagina, anus or mouth with any object(s) or sex organ that is without consent and/or by force.



Examples of behavior that would constitute sexual assault may include the following:

- Engaging in sexual activity with an unconscious or semi-conscious person;
- Engaging in sexual activity with someone who is asleep or passed out;
- Engaging in sexual activity with someone who has said “no”;
- Engaging in sexual activity with someone who is not reciprocating by body movement;
- Engaging in sexual activity with someone who is vomiting, unable to stand or undress without assistance, or has to be carried to bed;
- Engaging in sexual activity with someone who is under the statutory age of consent (statutory rape) or related by degrees within sexual contact would be illegal (incest);
- Allowing another person to engage in sexual activity with your partner without his or her consent;
- Requiring any person to perform any sexual activity as a condition of acceptance into a fraternity, sorority, athletic, or any other organization affiliated with the College;
- Telling someone you will “out” them if they don’t engage in sexual activity (e.g., threatening to disclose the person’s sexual orientation without their consent);
- Telling someone you will fail them or give them a grade different from what they deserve if they don’t agree to engage in sexual activity; or
- Facilitating or assisting in a sexual assault including purchasing or providing alcohol or drugs to further a sexual assault.

**SEXUAL EXPLOITATION:** Occurs when a person takes advantage of another without that individual’s consent for the initiator’s own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of behavior that would constitute sexual exploitation include the following:

- Prostituting another;
- Allowing a third party to watch consensual sexual contact without the permission of both parties involved in the sex act or showing voluntarily recorded sexual activity to others without permission;
- Knowingly giving another a sexually transmitted infection (STI) or HIV; or
- Allowing others to have sex with an incapacitated person.

**SEXUAL HARASSMENT:** Unwelcome conduct of a sexual nature including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment also may include inappropriate touching, suggestive comments, and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any legitimate academic or workplace purpose. Sexual Harassment also exists when: (1) submission to conduct is made as express or implicit term or condition of an individual’s employment, performance, appraisal, or evaluation of academic performance; or (2) unlawful conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile, humiliating, or offensive working or learning environment.

Examples of behavior that could constitute sexual harassment may include the following:

- Calling someone by a sexually-oriented or demeaning name;
- Giving someone unwanted gifts of a sexual nature;
- Displaying sexually suggestive materials or sending notes, email, or jokes to a person that are sexually explicit;
- Touching someone sexually without their consent;
- Massaging someone without permission;
- Brushing up against someone repeatedly;
- Continuing to ask out a person who already has said he or she is not interested; or
- Exposing your private parts to another person without his or her consent.

**STALKING:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

Examples of behavior that would constitute stalking may include the following:

- Spreading lies about a person;
- Repeatedly communicating with a person who doesn't wish to be communicated with;
- Follow a person or lying in wait for another; or
- Sending unwanted gifts to another.

## **B. Definition of Affirmative Consent:**

**AFFIRMATIVE CONSENT:** Affirmative consent (hereafter "consent") is the voluntary, unambiguous, clear agreement in an act and understood by each party. It is the responsibility of each person involved in the sexual activity to ensure that the person has the consent of the other or others to engage in the sexual activity. Consent must be ongoing throughout a sexual activity and may be withdrawn at any time before the completion of an act. A person may be incapable of consent due to physical or mental incapacitation, physical or mental disability, threat, coercion, the influence of alcohol or drugs, being asleep, or under the legal age of consent<sup>1</sup>

- Consent to one act does not infer or imply that a person is consenting to another act;
- Consent to an act on a prior occasion does not infer or imply consent to a current act;
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.
- An individual's silence or lack of protest does not infer or imply that they are consenting to an act,
- Consent must be clear and obvious by all partners, who have willingly and affirmatively chosen to participate without force, threat, or coercion, throughout the act;
- Incapacitated individuals, (physically, mentally, and/or due to alcohol or other drugs) are unable to consent. **For purposes of this Policy, the standard that shall be applied is whether or not a reasonable person would have known, based on the facts and circumstances presented, that the other person was incapacitated and therefore, not capable of giving consent.** A respondent cannot claim that being under the influence of alcohol or drugs is a defense or excuse for engaging in sexual misconduct. *For more information regarding incapacitation please see Appendix B*  
<http://www.ramapo.edu/publicsafety/files/2013/06/FY17-Sexual-Misconduct-Policy-Governing-Students.pdf>.

If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. The use of any force, coercion, threat, or intimidation negates consent.

It is important to note that in the evaluation of a complaint in a disciplinary process, it shall not be a valid excuse that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- 1) the accused's belief in consent arose from the intoxication or recklessness of the accused; or
- 2) the accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant consented.

Additionally, it shall not be a valid excuse that the accused believed that the complainant consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- 1) the complainant was asleep or unconscious;

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<sup>1</sup> New Jersey Coalition Against Sexual Assault (2014)

- 2) the complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity; or
- 3) the complainant was unable to communicate due to a mental or physical condition.

The College will use the reasonable person standard in determining whether or not the respondent knew or should have known given all facts and circumstances present at the time if any of the above conditions were met.

### **C. Other Definitions:**

**COERCION:** An expression through words or acts of threats, intimidation, or undue or unreasonable pressure.

**COMPLAINANT:** The person reporting sexual misconduct. The Complainant can be either the victim or a third party.

**CONSENSUAL RELATIONSHIPS:** Romantic and/or sexual relationships between College employees and students, even with students who are not subject to direct supervision or evaluation by the faculty or staff member, should be avoided because they may negatively impact the learning environment.

Moreover, Ramapo College prohibits all employees from having romantic, sexual, or other close personal relationships with students over whom they have educational evaluation, advisory or supervisory responsibility, regardless of whether the relationship was entered into with the consent of both parties. Such relationships are inconsistent with the proper role of the instructor, administrator or manager in the College's educational mission, and are susceptible to perceptions of favoritism, unprofessional behavior, and conflicts of interest. In the event that a faculty member or other employee is placed in a position that would require him or her to assume educational instruction, evaluation or supervisory authority over a student with whom he or she has, or has had, a romantic or sexual relationship, he or she shall immediately disclose the identity of the student to the unit head and shall refrain from exercising such authority over the student. The unit administrator shall notify the Office of Human Resources, and shall immediately arrange for another employee to instruct, evaluate or supervise the student. Any employee or student who obtains knowledge of such a romantic or sexual relationship between an employee and a student is required to disclose it to the Director of Affirmative Action and Workplace Compliance for confidential investigation. The Affirmative Action and Workplace Compliance Office may notify the Office of Employee Relations and/or the Office of Human Resources for appropriate handling.<sup>2</sup>

**EMPLOYEE:** For purposes of this Policy, a College employee shall include all part-time and full-time faculty and staff members.

**FORCE:** Includes physical acts, coercion, threats, and intimidation.

**GENDER:** Gender refers to the spectrum between maleness and masculinity, and femaleness and femininity, as defined by self and society. It is a part of the constellation of physical, biological, behavioral, social and psychological traits that create legal "sex."

**GENDER BIAS:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

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<sup>2</sup> See Ramapo College Administrative Policy Number 633, Preserving Professional Relationships: [www.ramapo.edu/board/policies](http://www.ramapo.edu/board/policies)

**GENDER IDENTITY:** Gender identity refers to every person’s basic sense of gender, and is a deeply felt, core component of a person’s identity. It has a strong biological and genetic component, and is the most important determinant of a person’s sex.<sup>3</sup>

**GENDER IDENTITY BIAS:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

**GENDER NON-CONFORMING:** Refers to people who do not follow other people’s ideas or stereotypes about how they should look or act based on the female or male sex they were assigned at birth<sup>4</sup>.

**IMPAIRMENT:** The state of being diminished or weakened due to the consumption of alcohol or other drugs.

**INTIMIDATION:** An expression through words or acts that imply a threat.

**PHYSICAL FORCE:** Actions which may include but not be limited to hitting, pushing, holding, pinching, leaning on, obstructing an entrance or exit, or carrying away. Physical force may include the use or display of any weapon.

**PREPONDERANCE OF THE EVIDENCE:** A standard of proof in which the totality of the evidence demonstrates that an individual’s version of events more likely than not occurred. Preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility (51% or greater).

**RESPONDENT/ACCUSED:** The person reported to have engaged in sexual misconduct is the “Respondent” or the “Accused” and those terms may be used interchangeably.

**SEXUAL MISCONDUCT:** A broad term that identifies forms of discrimination and harassment based on sex including, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Sexual misconduct includes other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

**STUDENT:** Ramapo College recognizes as a student any individual who has completed the following:

- paid a tuition deposit indicating “intent to enroll”;
- registered for credit bearing courses; and
- arrived on campus to begin the semester/term.

This definition includes individuals who arrive to campus prior to the start of the semester/term for recognized College functions including, but not limited to student employment; trainings; athletics; and participation in the Summer EOF program.

**THREAT:** An expression through words or acts of intent to inflict harm or other negative consequences.

## V. CONFIDENTIALITY

**Confidential resources** are individuals who are not obligated to report information that is given to them. This allows a student to explore his or her options in order to make informed decisions. The only exceptions to this rule are in cases that involve imminent risk of serious harm, child abuse, emergent hospitalization, or a court

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<sup>3</sup> American Academy of Pediatrics, cited in M. Dru Levasseur, GENDER IDENTITY DEFINES SEX: UPDATING THE LAW TO REFLECT MODERN MEDICAL SCIENCE IS KEY TO TRANSGENDER RIGHTS, Vermont Law Review 39, no. 4: 943, 951 & nn. 34-36 (2015)

<sup>4</sup> Sylvia Rivera Law Project, <http://srlp.org/resources/fact-sheet-transgender-gender-nonconforming-youth-school/>

order. While specific information may be kept confidential, these incidents may be counted for statistical purposes, as per the Clery Act.

**Non-confidential resources** are individuals who are required by law to report to these incidents of alleged sexual misconduct to the Title IX Coordinator. When possible, the Title IX Coordinator will keep the identity of an unwilling victim or witness confidential. However, confidentiality cannot be guaranteed as the Title IX Coordinator must balance a request for confidentiality against the safety of other members in our community. If the Title IX Coordinator determines that there is the threat of imminent or ongoing harm to an individual or to the community, information may need to be shared and then only with appropriate individuals.

If the complainant reports to the College and requests confidentiality or asks that the report not be pursued, the College will take all reasonable steps to investigate and respond to the report consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his/her name or other identifiable information not be disclosed to the respondent, the College's ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the College will take all reasonable steps to investigate and respond to the report consistent with the respondent's request as long as doing so does not prevent the College from responding effectively to the harassment and preventing harassment of other members of the College community. The Title IX Coordinator will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. If the Title IX Coordinator determines that circumstances do not allow a request for confidentiality to be granted the college will take action as appropriate. It is a violation of the College policy to retaliate against an individual making a report or providing information for an investigation.

Additionally, personal identifiable information will be treated as confidential and only shared with persons who have a specific need to know and who are investigating/adjudicating the report or delivering resources or support services. Further, the College will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the College's ability to provide such accommodations or protective measures.

#### **A. Confidential Health, Counseling, Athletic Training, and Pastoral Services**

The College provides confidential health, counseling, athletic training, and pastoral services on campus. The healthcare professionals, counselors, athletic trainers, and clergy providing these services can be of assistance to students in ordinary or emergent circumstances. Conversations with these individuals are confidential:

1. Healthcare professionals – Health Services provides emergency contraception, testing for Sexually Transmitted Infections (STI's), pregnancy testing, and more. These services are provided free of charge for survivors of sexual assault.
2. Licensed Professional Counselors in the Counseling Services: when contacting Counseling Services please request a **confidential** counselor. Licensed Professional Counselors in the State of New Jersey whose official College responsibilities include providing mental health counseling to members of the campus community are not required by Title IX or the Clery Act to report any information regarding an incident of sexual violence to the Title IX Coordinator or other College official. Information received by Licensed Professional Counselors regarding suspected abuse of children will be reported, as required by applicable law.
3. Athletic Trainers with certification and who are licensed by the State of New Jersey and whose official College responsibilities include the evaluation and treatment of student athletes; determining the appropriate application of emergency procedures; and providing first aid as needed are not required by Title IX to report any information regarding an incident of sexual violence to the Title IX Coordinator or other College official nor are they required to report any statistical information to Public Safety under the Clery Act.

4. Pastoral Counselors – A pastoral counselor is someone who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor at the college. At Ramapo College, there are clergy and others appropriately recognized as fitting that definition who are associated with the Council for Faith and Spirituality. For more information about available clergy please visit [www.ramapo.edu/ministries/](http://www.ramapo.edu/ministries/)

## **B. Confidentiality of Records**

Education records are maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99 (“FERPA”). All documentation related to a student’s report, investigation, and resolution are protected by FERPA and will not be released, except as required by law. In the event that any such report involves treatment records, those records will remain confidential subject to the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and any applicable state law and regulation. Non-identifying information about a report may be shared with the Public Safety unit to comply with the Clery Act. A complainant’s name will never be published in connection with the College’s obligations under the Clery Act. In addition, the College does not publish identifiable information regarding victims in the College’s Daily Crime Log or online. In addition, any person including a victim of sexual misconduct may request that her or his directory information on file be removed from public sources. To request removal of directory information, students should contact the Registrar.

## **VI. REPORTING**

If you have been the victim of sexual misconduct you should report the incident promptly to the Title IX Coordinator. The College will provide resources to any person who has been a victim of sexual misconduct and will apply appropriate disciplinary procedures to those who violate this Policy. The procedures set forth below afford a prompt response to reports of sexual misconduct, maintain confidentiality and fairness consistent with applicable legal requirements, and impose appropriate sanctions on violators of this Policy.

### **A. Contact Information for Reporting**

1. Any person who believes she/he has been the subject of sexual misconduct or who is aware of a member of the College community who has been subject to sexual misconduct is strongly encouraged to contact:

#### **Title IX Coordinator**

Kat McGee, Director of Affirmative Action and Workplace Compliance

E-mail: [kmcgee@ramapo.edu](mailto:kmcgee@ramapo.edu)

Phone: (201) 684-7220

2. After regular business hours or in the event that immediate assistance is needed please report to the Public Safety Department:

Office Location: C-102

Phone: (201) 684-6666

### **B. Responsibility of College Employees to Report**

**Every employee (including faculty, student and professional staff, and administrators) who learns of an incident of sexual misconduct MUST report it to the Title IX Coordinator within 24 hours (unless the employee is a designated confidential resource previously identified in the “Confidentiality” section of this policy).**

**Except for the confidential resources noted above, every faculty member, staff and volunteer on campus must report to the Title IX Coordinator any sexual misconduct reported to them or observed by them, including the name of the complainant and respondent, if known.<sup>5</sup>**

**The College requires everyone in the campus community to report the suspected abuse of children (those under the age of 18) to the Title IX Coordinator.**

### **C. Essentials of a Report**

1. A “report” is made when the College knows or reasonably should know based on the statements of a complainant or a third party that sexual misconduct has occurred.
2. A complainant need not supply a written statement, although it is preferable.
3. Actual notice, which consists of direct statements from a complainant of sexual misconduct, are desirable, although the College accepts verbal or written statements from any party who has knowledge of an incident occurring either on or off campus that has the potential to interfere with the educational mission or associated activities of the College.
4. The College reserves the right to bring reports forward against a student and to act as the complainant for purposes of this Policy. In addition, an individual does not have to be a member of the College community to file a report under this Policy.

### **D. Medical Attention**

After an incident of sexual assault, or any other incident of sexual misconduct resulting in injury, the victim should consider seeking medical attention as soon as possible at the closest emergency room. (See *Appendix A, infra for medical treatment options*).

### **E. Resources**

Upon receipt of a report, the College will inform of the availability of medical, counseling and support services, and additional interim measures to prevent contact between a complainant and a respondent, such as housing, academic, transportation and working accommodations, if reasonably available.

### **F. Right to Pursue Criminal Charges**

1. After receiving a report, the Title IX Coordinator will inform individuals of their right to file an incident report with law enforcement.
2. Although the College strongly encourages all members of its community to report violations of this Policy to law enforcement, it is the victim’s choice whether to make such a report and victims have the right to decline involvement with the police. The College’s Title IX Coordinator or Director of Public Safety (or their designees) will assist any victim with notifying local police if he/she so desires. The Mahwah Police Department also may be reached directly by calling (201) 529-1000.
3. A complainant may choose NOT to have law enforcement contacted and no report filed BUT still may have forensic evidence collected. (Note: The complainant later may choose to file a police report and cooperate with a criminal investigation.) Victims of sexual assault are encouraged to request and cooperate fully with an investigation so the possibility of filing criminal charges remains an option, if they later chose to do so.

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<sup>5</sup> Unless directed otherwise by the Title IX Coordinator or designee. Designated Campus Security Authorities who are not Responsible Employees must report statistical information so the College may comply with the Clery Act, but are not required to report identifying information.

4. There is no statute of limitations on reporting a sexual assault to the police department. A survivor can make a report at any time. The Mahwah Police Department may be contacted for additional information concerning sexual assault reports.
5. If a survivor does not want to report to police, they may seek civil remedies, including the filing of an application for a restraining order. For additional information about civil remedies, the survivor should contact his/her own legal counsel.
6. A complainant may file a police incident report and ask that the investigation and charges be pursued immediately. While the prosecuting attorney is still the decision-maker in whether the perpetrator is charged criminally, the complainant can cooperate and provide as much timely information as may be possible.

#### **G. Timing of Reporting**

While the College does not limit the time in which a report can be made, as time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from protective orders related to the incident more difficult. If a victim chooses not to make a report regarding an incident, he or she nevertheless should consider speaking with the Title IX Coordinator or the Director of Public Safety or local law enforcement to preserve evidence in the event that she or he changes her/his mind at a later time.

#### **H. Anonymous Online Reporting**

A reporting form is available at [www.ramapo.edu/publicsafety/sexual-assault](http://www.ramapo.edu/publicsafety/sexual-assault) (See "*Report an Incident Now*"). The form may be filled out anonymously, or the survivor may choose to include identifying information.

The supplier of an anonymous report should be mindful that failure to disclose identifying information about the respondent, the victim of the misconduct, or the facts and circumstances regarding the misconduct severely limits the College's ability to respond to, address, and remedy the effects of sexual misconduct. Anonymous reports that provide enough information to constitute a criminal offense will be reported to the Public Safety Department without identifying information regarding the complainant for purposes of inclusion in the College's Annual Security Report and to determine whether the College should send a Timely Warning Notice (TWN.)

### **VII. JURISDICTION & REPORTING TIMEFRAMES**

Since sexual misconduct that occurs off campus may impact a person's work, academic, or co-curricular experience, the College assumes jurisdiction to adjudicate off campus reports of sexual misconduct if the alleged misconduct was committed by a Ramapo College student. In addition, the College encourages prompt reporting of sexual misconduct so that the College can respond promptly and equitably; however, the College does not limit the timeframe for reporting. If the respondent is no longer affiliated with the College at the time the report is made, then the College will continue to conduct an investigation for purposes of complying with Title IX and take steps to prevent the recurrence of such conduct and remedy the effects, if appropriate.

### **VIII. COLLEGE ALCOHOL & DRUGS AMNESTY**

In recognition of the College's primary concern for the health and safety of its community, a "Good Samaritan Policy" was established to provide amnesty from infractions under the Student Code of Conduct for alcohol and drug use under certain circumstances. The policy is intended to encourage students to seek assistance for themselves or someone else by reducing fear of facing disciplinary action under the College's Student Code of Conduct for alcohol and/or drug use. Further, the Good Samaritan Policy attempts to remove barriers that



prevent students from seeking the medical or law enforcement attention (or other assistance) that they need when sexual misconduct has occurred.

However, Good Samaritan Policy does not necessarily grant amnesty for criminal, civil or legal consequences for violations of federal, state or local laws. The local law enforcement authority (Mahwah Police Department) has sworn police officers with full arrest authority and, in some circumstances, they have discretion to exercise that (arrest) authority as circumstances dictate according to their training and professional experience.

## **IX. INTERIM AND/OR PROTECTIVE MEASURES**

The College may take interim and/ or protective measures at any point during an investigation. These actions are designed to eliminate the harassment/sexual misconduct and prevent its recurrence. These measures may include, but are not limited to, no contact orders, changes in housing assignment for the respondent and/or complainant, removal from campus housing or grounds, academic accommodations, changes in supervisor or work location, social restrictions, changes in parking locations, increased security, and/or emotional and other support. An accused student may be issued an Interim Suspension (i.e. suspension from classes, work and other privileges or activities, or from the College) until resolution of a case.

If the respondent is a member of the College community, a No Contact Order may be issued to all parties involved by the College. This will prohibit communication between the parties, including contact verbally, in writing, through technology, or by third parties. If you have been the victim of domestic or dating violence, stalking or sexual abuse, you also should consider obtaining a restraining order from the State of New Jersey (see *Appendix C, infra* <http://www.ramapo.edu/publicsafety/files/2013/06/FY17-Sexual-Misconduct-Policy-Governing-Students.pdf> ).

## **X. INVESTIGATION & RESOLUTION**

In proceedings under this Policy, the standard of proof used to determine whether or not a violation of this Policy has occurred is a preponderance of evidence, which means it is more likely than not the misconduct occurred.

The College reserves the right to bring reports forward against a student or employee and to act as the complainant for purposes of this Policy. In addition, an individual does not have to be a member of the College community to file a report under this Policy.

### **A. Process**

1. Upon receiving a report (either verbally or in writing), the Title IX Coordinator will assess the report.
2. If the report and/or intake appear, upon initial assessment, to be a possible violation of this Policy, the Title IX Coordinator will confer with the Deputy Title IX Coordinator for Students and they shall assign the case to an Investigator(s). If an employee is the respondent, this Policy would not apply and the case would be referred to the Office of Affirmative Action and Workplace Compliance for investigation under the NJ State Policy Prohibiting Discrimination in the Workplace.
3. The Investigator(s) will conduct a thorough and impartial investigation into the facts of the case and will interview the complainant, respondent, witnesses or others who may have relevant information, and collect any other evidence deemed relevant to the case. Preliminary and follow-up interviews will be conducted as appropriate.
4. At the conclusion of the investigation the Investigator will deliver a preliminary report to the Title IX Coordinator and Deputy Coordinator. Deputy Coordinator will meet with the complainant and respondent separately to discuss the major facts that will be used to reach an outcome and to allow the

parties the opportunity to present any information, evidence or witnesses that were not included but hold relevant information.

5. The parties will have five (5) business days from the date of this meeting to provide a written response to the Deputy Coordinator citing any further information, evidence or witnesses that they would like considered.
  - A. If one or both of the parties provides a written response the Deputy Coordinator will determine if there is a need for further investigation, and if so the Deputy Coordinator will direct the Investigator to conduct further investigation until the Investigator determines the fact-finding is complete. Any new information that is relevant to the investigation will be revealed to the complainant and the respondent.
  - B. If neither party provides a written response fact finding is determined to be complete.
6. Once fact finding has been completed the Investigator will provide a final report to the Title IX Coordinator and Deputy Coordinator including a recommendation as to whether or not, using the preponderance of the evidence standard, misconduct (as defined in this policy) occurred. The Deputy Coordinator will review the findings and agree with the findings or direct the investigator to conduct further investigation. If the investigation has in fact concluded and a finding has been reached, the Deputy Coordinator will determine and issue any sanctions and permanent protective measures for students. (See *Sanctions Article XI, infra* <http://www.ramapo.edu/publicsafety/files/2013/06/FY17-Sexual-Misconduct-Policy-Governing-Students.pdf>).
7. The Deputy Coordinator will communicate decisions regarding responsibility, the reason for the determination of responsibility, permanent protective measures (if any) and any sanction(s) (if any) to the complainant and respondent simultaneously and in writing by College email as well as by U.S. Mail. The Title IX Coordinator shall be copied on all outcome notices.

## **B. Appeals**

All determinations, including not responsible findings, may be appealed to the Vice President of Enrollment Management and Student Affairs by the complainant and/or the respondent. Appeals are not heard in person; instead all requests for appeal must be submitted in writing to the Vice President of Enrollment Management and Student Affairs within five (5) business days from the date on the letter notifying the respondent or the complainant of the original finding. Failure to appeal within the allotted time will render the original finding final. Appeals shall be decided upon the record of the original report and upon the written appeal letter.

Appeals shall be granted only on one or more of the following grounds:

1. If the sanctions are found to be significantly disproportionate to the offense;
2. If the specified procedural error or errors in the interpretation of the College regulations were so substantial as to effectively deny the party(ies) a fair investigation;
3. If new and significant evidence becomes available which could not have been discovered by a properly diligent person during the original investigation.

The fact that one of the parties disagrees with the finding or sanction does not constitute grounds for appeal.

If the Vice President of Enrollment Management and Student Affairs finds no grounds for an appeal, then the decision will become final. There is no further appeal within the College.

If the Vice President of Enrollment Management and Student Affairs finds grounds for appeal, then s/he will remand the case to the Deputy Coordinator. The Deputy Coordinator may dismiss the case, change the sanction, modify the finding, or uphold the finding based on the grounds identified by the Vice President of Enrollment Management and Student Affairs. The decision of the Deputy Coordinator is final. There is no further appeal within the College.

The Deputy Coordinator will communicate decisions regarding the appeal to the complainant and respondent simultaneously and in writing via the College email and U.S. Mail.

The imposition of sanctions is normally deferred during the appeal process although sanctions may go into effect immediately if the Title IX Coordinator and/or Deputy Coordinator deems it necessary. Interim measures will remain in place during the appeal process.

### **C. Personal Advisors**

The complainant and the respondent each have the opportunity to be advised by a personal advisor of his or her choice, at his/her expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to attend. A sexual assault survivor may select a Confidential Rape Crisis Advocate from healingSPACE (Sexual Violence Resource Center) to be his or her personal advisor. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting. In addition, an advisor may not direct questions to any College administrator, party, or witness in the process. The College will never restrict who the advisor of choice can be (to include permitting an attorney to be an advisor), however, meetings and interviews will not be substantially delayed due to an advisor's availability.<sup>6</sup>

### **D. Time Frames**

Typically, the investigation and resolution under this Policy will not exceed 60 days although the College reserves the right to exceed this timeframe in order to conduct a thorough investigation or other appropriate proceedings. If the investigation does or is anticipated to exceed 60 days, the College will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation. The College reserves the right to retain external Investigators as it sees fit based on the complexity and scope of the complaint.

### **E. Informal Resolution**

When appropriate, certain student-on-student complaints may be resolved by the Title IX Coordinator OR Deputy Coordinator without a full investigation. Informal resolutions are only possible when the violations do not involve sexual assault or domestic/dating violence and/or may not meet the criteria for classification as a crime. Either party may elect to have a formal investigation of the complaint at any period prior to the resolution. The Title IX Coordinator will facilitate the resolution and give final sanction(s) as deemed suitable. Mediation will never be used in the resolution of complaints of sexual assault or domestic/dating violence.

## **XI. SANCTIONS**

Any of the following sanction(s), or combinations of sanction(s), may be imposed for any violation under this policy. Failure to abide by the imposed sanction(s) will result in additional sanctions. This includes failure to comply with the reasonable directions of a College official, including, but not limited to, the Title IX Coordinator,

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<sup>6</sup> For example, if an attorney is not available to attend a meeting or interview for several weeks this may cause a substantial delay in the investigation, and thus the meeting or interview may proceed regardless of the availability of the desired advisor. The complainant or respondent may choose to bring another available advisor in place of the unavailable advisor.

Public Safety Officers, and/or other College employees acting in performance of their duties. Sanctions other than those outlined below may be taken if the situation warrants.

All findings of responsibility will result in written notification being placed in the respondent's disciplinary file in the Office of Student Conduct.

All conditions of disciplinary sanctions must be fulfilled by the given deadlines. Failure to comply with sanctions will result in a registration hold for a subsequent semester and additional non-compliance charges.

A student, with incomplete disciplinary sanction(s), that is no longer enrolled at the College will have a registration hold placed on their account and sanctions placed in hiatus. Should a student re-enroll at the College, the sanctions must be completed. Monetary fines are the exception to this rule, as they are immediately posted on a student's bursar bill.

Recommended Sanction(s) for Domestic Violence, Dating Violence, Stalking, and other Sexual Misconduct (excluding Sexual Assault or Sexual Intercourse without consent) may include:

1. **Official Warning:** A written statement indicating a violation of the policy has occurred and warning that a subsequent violation will likely be treated more severely.
2. **Restitution Requirement:** The student may be required to provide the College with financial restitution for the restoration or replacement of property that was damaged, defaced, lost, or stolen. Students seeking a financial award from other students for damages or compensation for stolen/damaged items should seek further assistance from the Mahwah Municipal Court. The student conduct process does not have jurisdiction in this area.
3. **Residence Probation:** A defined period of time whereby a student living in College residence facilities is given an opportunity to modify his/her behavior or risk losing the privilege of living on campus. Any subsequent violation of the Code of Conduct, while in this status, will likely result in suspension of residence privileges.
4. **Suspension of Activity Privileges:** The student cannot be a member of a recognized or registered student organization, participate in organizations' regularly scheduled activities, serve as a representative of the College, or participate in intramural, club, or intercollegiate sports. Notification of this sanction/status will be sent to appropriate College officials so they will know who may not participate in activities sponsored by their offices.
5. **Disciplinary Probation:** A defined period of time whereby any registered student is given an opportunity to modify her/his behavior or risk losing student status. Any subsequent violation of the Code of Conduct, while in this status, will likely result in suspension or expulsion from the College.
6. **Loss of Campus Housing Selection Privilege:** Students assigned this sanction may only enter the selection process as an "individual." Students are not permitted to join a "group" or be pulled into a group. Students must follow the necessary procedures outlined within the housing selection materials in order to secure housing as an individual.
7. **Housing Relocation:** Students assigned this sanction will be required to relocate to a new residence hall assignment. This sanction may include restriction from visiting in the previous residence hall.
8. **Suspension of Residence Privileges:** The student's privilege to live on campus and visit the residence areas of the campus is suspended for a defined period of time. The student is not entitled to any refund of campus housing and/or meal plan fees once the standard refund periods have expired.

9. **College Suspension:** Beginning on the date the suspension takes effect; the student may not attend classes or submit any further work for their courses. In addition, the student may not be present on the campus nor at a College-sponsored event for any reason whatsoever for a specified period of time. The student is not entitled to a refund or any tuition or fees after the scheduled refund dates.
10. **Expulsion:** Beginning on the date the expulsion takes effect, the student may never again register for classes, may never attend classes, or submit any further work for the courses in which they are currently registered. In addition, the student may never be present on the campus nor at a College-sponsored event for any reason whatsoever. The student is not entitled to any refund or any tuition or fees after the published refund dates.
11. **Monetary Fines:** For some policy violations, students will be required to pay monetary fines. Examples of violations where students may be issued a fine include, but are not limited to, alcohol and other drug violations, fire safety violations, social gathering violations, and incidents involving non-compliance.
12. **Community Restitution:** The assignment of imposed service hours and/or participation in educational programs or projects.
13. **Mental Health Assessment:** A student may be required to participate in a mental health assessment through the Center for Health and Counseling. Students are strongly encouraged to follow the recommendation of the mental health practitioner.
14. **Restriction of Privileges:** Students may have their alcohol allowed privileges for their living unit temporarily or permanently revoked. Students may have residence area visitations or campus driving or parking privileges limited or revoked.

Recommended Sanctions for any form of Sexual Assault:

1. **College Suspension:** Beginning on the date the suspension takes effect; the student may not attend classes or submit any further work for their courses. In addition, the student may not be present on the campus nor at a College-sponsored event for any reason whatsoever for a specified period of time. The student is not entitled to a refund or any tuition or fees after the scheduled refund dates.<sup>7</sup> OR
2. **Expulsion:** Beginning on the date the expulsion takes effect, the student may never again register for classes, may never attend classes, or submit any further work for the courses in which they are currently registered. In addition, the student may never be present on the campus nor at a College-sponsored event for any reason whatsoever. The student is not entitled to any refund or any tuition or fees after the published refund dates.

Access to Electronic Mail Accounts

Students or former students may have their privilege to use an e-mail account issued through the College revoked for a specified period of time. Specifically, students who have been suspended or expelled from the College, may have their e-mail account terminated immediately (or directly after all appeal procedures have been exhausted).

**XII. RECORDKEEPING**

The College will retain all records related to reports of sexual misconduct under this Policy in a secured storage area maintained by the Office of Affirmative Action and Workplace Compliance for a minimum period of seven (7) years, regardless of case outcome. Student sexual misconduct records will be maintained in accordance with the storage and retention schedules for student records at Ramapo College of New Jersey and the New Jersey Division of Archives and Records

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<sup>7</sup> Additionally, any number of the Recommended Sanctions 1-14 above may be required in order for a student to re-enroll following a College Suspension

Management. Such records are protected in accordance with current guidelines established under FERPA and the New Jersey Open Records Act (OPRA). In accordance with these laws, the record of most disciplinary proceedings' findings are not open to the public. The Clery Act prohibits institutions from releasing personally identifiable information regarding the victim of a crime of violence or a sexual assault (as defined as rape, fondling, incest or statutory rape.)

Nothing in FERPA, the Clery Act or Title IX prohibits the institution from releasing the result, the reason for the result and the associated sanctions with the complainant and the respondent, and it is the right of each party to receive such outcomes. The College would never require a victim of a crime of violence or sexual assault to sign a non-disclosure agreement nor cooperate with law enforcement without his or her consent.

### **XIII. NON-RETALIATION**

Retaliation, as defined in Section IV ("Definitions"), occurs when an adverse action is taken against the person who has brought the report or assisted in a resulting investigation under this Policy. It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the underlying report could not be substantiated.

Any allegations of retaliation will result in an immediate investigation and appropriate action consistent with the College's due process procedures. Acts of retaliation may include, but are not limited to:

- Pressuring or enlisting the aid of third parties to have a complainant to withdraw the complaint;
- Bullying, harassment, slut-shaming or blackballing a participant in a complaint through social media or the internet;
- Lowering a grade;
- Stalking or threatening;
- Removal from classes, teams, activities;
- Employment actions such as termination, demotion, or change in schedule without cause;
- Other actions affecting a person's employment or academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance; and
- Any other action such as an assault or unfounded (i.e. baseless or falsely reported) civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

*NOTE: Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing", not talking to a student, or negative comments that are justified by a student or employee's poor academic or work performance or history.*

It is unlawful and a violation of College policy to retaliate against any faculty, staff member, or student who has brought a good-faith report of sexual misconduct or who has assisted in the investigation of a report of sexual misconduct. Retaliation destroys the sense of community and trust that is critical to a learning and work environment. The College considers acts of retaliation in response to such disclosures or participation to constitute a serious violation of College policy, which may result in disciplinary action, up to and including dismissal, against the retaliator.

If you believe that you are being retaliated against because of making a report or assisting in an investigation in violation of this Policy, you should promptly report your concerns to the Title IX Coordinator.

*Any other allegation of retaliation **not related to this Policy** should be reported immediately to the Office of Affirmative Action and Workplace Compliance at (201) 684-7540.*

## RCNJ College Student Conduct Disciplinary System

Any person who wishes to file a complaint against a student should submit it in writing to the Public Safety Office. Complaints regarding student violations of the Code of Conduct are forwarded to the Director of Student Conduct for review and are always taken seriously. The Director of Student Conduct will review the complaint, determine the applicability of charges and, when appropriate, assign the complaint to a disciplinary proceeding for adjudication. Complaints involving violations of the Code of Conduct that may result in suspension or expulsion will be assigned to a College Disciplinary Review Board hearing. Other complaints will be assigned to College or Residence Life Disciplinary Conferences. The results of these disciplinary proceedings are confidential and can only be disclosed under narrow circumstances as permitted by law. The term "proceeding" refers to the hearing that takes place to determine whether or not an accused student is responsible for the alleged violations. The term "result" refers to the decision and any sanction issued by the Hearing Officer or the College Disciplinary Review Board.

Students and/or organizations charged with violations of the Code of Conduct will be sent (via e-mail to the Ramapo College issued e-mail account) a "Notice of Disciplinary Proceeding" that will indicate which of the following adjudication options will be employed in their case:

**Residence Life and College Disciplinary Conferences:** If the alleged violation is one for which the student could not be suspended or expelled from the College, the case will likely be heard (although it is not mandatory) in a Residence Life or a College Disciplinary Conference normally conducted by a professional staff member in Residence Life, Office of Student Conduct, or a designee. The charged student will be required to attend a scheduled conference with the presiding administrator (hereafter referred to as Hearing Officer) and will have the opportunity to discuss the alleged violation. Charged students have the option of taking responsibility for the alleged violation prior to the conference by signing the "Notice of Disciplinary Proceeding" form and returning it to the Office of Student Conduct. Students who choose to accept responsibility (by signing and submitting the form) will not attend the scheduled conference. The Hearing Officer will assess the disciplinary sanction and send this result to the student. Further information regarding Disciplinary Conferences is outlined in Section J (Rights in All Disciplinary Hearings) of the Student Handbook.

**College Disciplinary Review Board Hearings:** If the alleged violation is one for which the charged student could be suspended or expelled from the College, the case must be heard by the College Disciplinary Review Board. Specific information regarding College Disciplinary Review Board Hearings is outlined in Sections J (Rights in all Disciplinary Hearings), K (College Disciplinary Review Board Structure), and L (College Disciplinary Review Board Hearing Format) of the Student Handbook. In the adjudication of cases, the Hearing Officer or College Disciplinary Review Board will use the "preponderance of the evidence" standard to determine responsibility. The "preponderance of the evidence" standard is a lower one than the "beyond a reasonable doubt" standard employed in criminal prosecutions within the court system.

A student will receive written notice of the charges that is dated at least three (3) business days prior to any scheduled Residence Life or College Disciplinary Conference and seven (7) business days prior to any scheduled College Disciplinary Review Board Hearing. A student may relinquish his or her right to the notification period by signing and executing a waiver with the Office of Student Conduct. A written notice of the charges will be sent to the student's Ramapo College email address. Final decisions and a listing of any sanctions imposed will be noted by the Board Advisor/Hearing Officer who will be responsible for ensuring such information is conveyed in writing to the charged student and to all others as deemed necessary or appropriate. The finding will be e-mailed to the charged student no later than ten (10) business days following

the date of the hearing. Notification of others with a need or right to know under the law will only take place after all possible appeal processes have upheld the finding. This does not constitute a violation of FERPA.

Reasonable access to the case file prior to and during the proceeding, provided that all reviews of files must take place in the Office of Student Conduct (C-212) will be granted to the charged student and the complainant. All case file materials shall be retained in the Office of Student Conduct.

Students charged with alleged violations, complainants, and witnesses may be accompanied by an advisor who may be an attorney. Advisors may provide counsel to the student, but may not speak on their behalf nor appear in lieu of the student. A student who wishes to have an attorney as an advisor must inform the Office of Student Conduct, in writing by fax, electronic mail, or by telephone at least three (3) business days before the scheduled proceeding. When informed that an attorney will be present at the proceeding, the College may consult with the College's Legal Counsel/Vice President for advice on whether legal counsel for the College should also be present.

### **RCNJ College Faculty and Staff Disciplinary System**

All claims of alleged violence, domestic violence, sexual assault, or stalking, whether the claim is made by a student or employee are referred to and investigated by the Office of Affirmative Action and Workplace Compliance/Title IX Coordinator. Upon conclusion of an investigation and issuance of a finding ("Affirmative Action Finding"), the following units are responsible for administering discipline, if disciplinary action is identified for a student or employee:

- Students – Student Conduct
- Faculty and AFT Professional Employees – Employee Relations
- Managers and Classified Employees – Human Resources

Managers and classified employees that are subject to an Affirmative Action Finding and discipline will be processed through the Department of Human Resources' two-phase employee counseling and progressive discipline process.

Employee counseling is the initial phase in the process in which a supervisor advises, coaches and sets expectations for employees regarding the quality of their work and overall performance, as compared to their job descriptions and/or standards of organizational effectiveness. The objective of counseling is to provide feedback on ways to improve the performance so the employee has an opportunity to change or revise how they are meeting their job responsibilities. While employees are advised that failure to address matters identified during counseling may result in discipline and/or termination, it is important to note that counseling is not considered formal progressive discipline.

The second phase of the counseling and progressive discipline process is progressive discipline which is comprised of three tiers: written reprimand, minor discipline, and major discipline (including termination). The number of steps and their sequencing depends on the seriousness of the offense, the employee's performance, and prior counseling/discipline history. Documentation at each step is critical. We are guided in these processes by State regulation and union contracts, as well as by general law and accepted management practices.

Upon referral by a supervisor or an Affirmative Action Finding, Human Resources or Employee Relations must complete a thorough investigation to evaluate formal discipline, including meeting with the employee that is the subject of the investigation. When the discipline is the result of an Affirmative Action Finding, Human Resources incorporates the Affirmative Action investigation into this process. Depending on the nature of the infraction, the investigation may also include interviewing any witnesses, visiting the site of the occurrence, and



establishing a chronology of events, among other actions. Records of previous counseling or corrective action are reviewed.

When a classified employee is to be interviewed regarding an investigation and disciplinary action is under consideration, the employee has a right to have a union representative/advisor present (“Weingarten Rights”). The union representative’s/advisor’s role is not to negotiate, control, or in any way interfere with the conduct of the interview. The representative is present to make suggestions, ask questions, or advise the employee only. Once all interviews and other investigative work are completed, the Department of Human Resources identifies the nature and scope of the discipline to be assessed.

If discipline is to be assessed for a classified employee, Human Resources provides a preliminary notification to the employee listing the general causes of the discipline, the date(s) and specific act(s) in question, the specific disciplinary action being taken, hearing date, and appeal rights. The College, employee, and union (as applicable) may conduct a pre-hearing settlement meeting to resolve the matter(s) identified in the preliminary notification. If such a meeting does not occur or a settlement cannot be reached, the hearing will take place as scheduled. The hearing is led by a College-appointed hearing officer and is the venue for the College, employee, and their union representative (as applicable) to present their cases. Hearings follow the procedures outlined by Title 4A of the New Jersey Administrative Code and relevant bargaining unit contracts. The hearing officer applies a preponderance of evidence standard. Employees have the right to appeal the hearing officer decision.

Ramapo College of New Jersey is governed by the State of New Jersey’s Policy Against Violence pursuant to Executive Order #49 (1996) related to or any violence in the workplace or disruptive behavior exhibited by any faculty, staff, or contract employees. The goal is to create a safe, respectful work environment free from intimidation, threats, and acts of violence. Workplace violence includes the threat or actual infliction of physical violence as well as the threat or actual occurrence of psychological violence, which sometimes leads to subsequent physical violence. Moreover, violence or threats of violence against State College property shall not be tolerated.

The College will actively intervene at any indication of a possibly hostile or violent situation. The College will take prompt and appropriate action subject to established College policies, procedures, and contractual agreements.

Violators of Executive Order # 49 are subject to criminal prosecution, suspension, and/or termination of employment. Other action taken against violators may include mediation, referral to the College’s employee assistance program, Employee Consulting Associates, or counseling. Depending on the circumstances, College Administration may request law enforcement personnel to remove from the premises any employee or contract employee who makes threats, exhibits threatening behavior, harasses others, attempts to intimidate employees, or intentionally damages property.

**PHONE NUMBERS TO CALL FOR HELP**

**Ramapo College Numbers:**

PUBLIC SAFETY MAIN DESK.....	201.684.7432/6666
Director of Public Safety/Assistant Director of Public Safety.....	201.684.7788 or 7789
Title IX Coordinator .....	201.684.7220
Vice President of Enrollment Management and Student Affairs.....	201.684.7309
Director of the Office of Student Conduct.....	201.684.7869
Center for Health and Counseling Services:	
Counseling Services .....	201.684.7522
Health Services.....	201.684.7536

Residence Life .....	201.684.7461
Dean of Students and Student Affairs .....	201.684.7457
Human Resources .....	201.684.7498
Women’s Center .....	201.684.7468
Emergency Information Line and College Closing Announcements .....	201.236.2902
Important RCNJ publications-Intranet (guide.ramapo.edu) .....	Click on Principal Publications
From Internet Home Page (ramapo.edu) .....	Click on Student Life

**Outside Numbers:**

Police or Fire (emergency only).....	9-911
Mahwah Police Department (non-emergency) .....	201.529.1000
Bergen County Victim Witness Advocacy Unit .....	201.646.2057
Bergen County Rape Crisis Center Hotline .....	201.487.2227
Alternatives to Domestic Violence (a Division of the Bergen County Dept of Human Services).....	201.336.7575
Bergen County Prosecutor’s Office .....	201.646.2300
healingSpace 24 hour Hot Line.....	201.487.2227

**Call Public Safety on extension 6666 using internal phones, or dial 201.684.6666 using outside phones. All internal office or residence phones require that “9” be dialed first in order to reach numbers outside the College.**

## **Policies, Procedures and Regulations**

### **Emergency Communication**

#### **Timely Warning Reports – (Clery Act)**

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, constitutes a serious or continuing threat to the college community, a campus wide “Timely Warning” will be issued. This warning may be deemed an immediate threat to the community and will be issued through the college e-mail system to students, faculty, and staff, and a paper notice will be posted outside of the Public Safety Office. When appropriate, the notice will also be posted on the college’s intranet (front page and/or Public Safety Department pages) at ramapo.edu and posted on main entrance doors within the residence community.

The Department of Education Handbook for Campus Safety and Security Reporting describes the purpose of the Clery Act is “to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.”<sup>8</sup>

As part of the offering timely information about safety on campus, Lawmakers require a Timely Warning Notice as a method of providing information to students and families. A Timely Warning Notice must be issued when a crime is considered a threat to both students and employees. The Timely Warning Notice is designed to provide the members of the campus information, allowing them to act appropriately through precautions or preventive methods to the reported criminal activity.

The Clery Act identifies crimes to be considered for Timely Warning Notice assessment: Murder/Non-Negligent Manslaughter, Sex Offenses, Robbery, Aggravate Assault, Major Incidents of Arson and all other Clery Crimes as deemed appropriate for notification.

Timely Warning Notices are required to contain a description of what has been reported and a general statement as to where the incident happened, for example: Residence Hall, parking lot, academic hall. The notice should also offer information to aid the community to take measures to prevent a similar occurrence. What is important to keep in mind is Timely Warnings will have two elements, a description of the crime and information helpful in preventing future crimes. We will always take care to guard the confidentiality of the victim of a crime.

As we as a community become more aggressive in encouraging crime reporting, it can be expected that there may be an increase in the issuing of Timely Warning Notices.

### **Evacuation of Campus**

In the event of a large-scale event on or off of the campus which requires the evacuation of the entire campus, evacuation will be done under the direction of the Mahwah Police Department and Mahwah Fire Department/Office of Emergency Management and the Department of Public Safety.

### **Vehicle Evacuation Procedures**

Vehicles parked on the NORTH side of the campus, i.e., Mackin/Bischoff, CPA, Overlook, Bradley Center and the “Overflow gravel lot” will exit from the Main campus entrance near the Bandshell. Pine, Linden, Village and Main Lot vehicles, as well as Health Services will be directed to exit from the SOUTH Gate and make a “LEFT TURN” onto Route 202 /Ramapo Valley Road.

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<sup>8</sup> U.S. Department of Education. The Handbook for Campus Safety and Security Reporting. <http://www2.ed.gov/admins/lead/safety/handbook.pdf>

It is important that no evacuation of the campus be undertaken unless authorized by the Public Safety Department or Mahwah Police Department. Evacuation routes may change as a result of conditions on roadways surrounding the campus.

### **Evacuation of Campus Buildings**

When a Fire Alarm or other means of notification requires evacuation of a campus building the occupants are to proceed to the assigned "Evacuation Assembly Site" and check-in with a "Fire Marshal" or administrator from the building. Once at the Evacuation Site for the building await further instruction. Evacuation Assembly sites are marked by signage in the area of each building. Once a building is evacuated, do not re-enter unless instructed to do so by the Fire Marshal or other law enforcement official. If you believe someone is trapped in the building notify arriving emergency workers of the situation.

### **Missing Student Procedures**

To maintain compliance with the Missing Student Notification Policy and Procedures 20 USC 1092 C; (Section 488 of the Higher Education Opportunity Act of 2008), The Department of Public Safety has the authority and responsibility to investigate reports of missing students.

- **All reports of missing students shall be directed to the Department of Public Safety, which will conduct an investigation in accordance with the policy and procedure.**

The student will be reminded at least once during an academic year to verify their emergency contact information in the student system(s).

Reports of a missing student can be taken by the Director/Associate Director of Residence Life, resident assistants (RAs), Public Safety Officers, or other Campus officials. In all cases, these reports will be referred to Public Safety immediately for follow up and investigation.

The Public Safety Desk Officer will notify the Director of Public Safety/Chief of a reported missing student. The OCA (On-Call Administrator) will notify the Director of Residence Life, the Vice President of Enrollment Management and Student Affairs, and the Provost, of all cases regarding a missing student.

When a student (regardless of resident or non-resident status) is reported "missing" by anyone (friend, relative, roommate or other) to the Department of Public Safety, a Public Safety Officer will attempt to identify the last time the student was seen. In the event a student is under 18 years old and not emancipated, their legal guardian will be contacted. If attempts to contact student are unsuccessful, the College will proceed with the investigation. After initial attempts to locate the student are unsuccessful, the Mahwah Police Department will be notified *within* 24 hours that the student is missing and all information gathered will be shared with them.

### **Daily Crime Log: Policies and Access – (Clery Act)**

The Clery Act requires that the college maintain a daily Public Crime Log covering the most recent 60-day period. Ramapo's log is located in the Public Safety Office (C-102) and is available for public viewing 24 hours/day, 7 days/week, 365 days/year. Persons wishing to view the Public Crime Log should simply state their desire to do so to the Desk Officer and ready access will be provided. If someone requests information beyond the 60-day window, it will be provided within 2 business days. The Log contains information about the nature of the reported crime, the date and time reported, the date and time it occurred, the general location, and the disposition of the matter by the college.

All crimes (not just Clery-reportable crimes) are entered into the Clery Crime Log, kept for public inquiries at the Public Safety Desk. Entries must be made within two (2) business days of the report being made to the Public Safety Department. There are two exceptions when entries are permanently excluded from the Public

Log. The first is when the disclosure is prohibited by law, and the other is if the disclosure would jeopardize the confidentiality of the victim.

In addition, there are four (4) instances when information may be temporarily withheld from the Public Log. This withholding can only take place when there is clear and convincing evidence that the release of information would (1) jeopardize an ongoing investigation; or (2) jeopardize the safety of an individual; or (3) cause a suspect to flee or evade detection; or (4) result in the destruction of evidence.

Once the release of the information will no longer likely cause one of these adverse effects, it will be placed in the Public Log. Only law enforcement personnel (not Public Safety Department personnel) can determine following an investigation that a crime is “unfounded” (i.e. did not occur). “Unfounded Crimes”, which are very rare, are not included in the annual statistical report.

## **Sexual Assault**

### **Sexual Assault Education and Prevention**

Sexual assaults harm individual victims and represent the possibility of ongoing harm to others. Ramapo College regularly schedules presentations and workshops concerning sexual assault, stalking, domestic violence, and dating violence under the auspices of the Center for Student Involvement (including the Women’s Center), the Center for Health and Counseling Services, the Title IX Committee, and the Public Safety Department. All incoming students participate in primary prevention and awareness programs. Sexual assault is a topic also addressed during mandatory Welcome Week programs and the mandatory First Year College Seminar. Workshop topics include the necessity of clear communication for obtaining consent, defining affirmative consent, the negative role played by alcohol and drug use and misuse, and tools for bystander intervention. All employees receive annual training in compliance with VAWA and Title IX.

### **Educational programs include the following:**

- **Awareness Programs:** includes programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration. These efforts can include campus communitywide mobilizations as well as targeted audience specific programming (including both students and employees). Awareness month campaigns, “Speak Outs,” rallies or marches, informational poster campaigns or resource websites, and educational programming that focuses on sharing resources and information about these issues are examples of awareness programs.
- **Bystander Intervention:** educates about safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.
- **Ongoing Prevention and Awareness Campaigns:** includes all campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to sexual assault, dating violence, domestic violence, and stalking prevention. These programs will occur at different levels throughout the institution and will utilize a range of strategies. Ongoing awareness and prevention campaigns may include information about what constitutes sexual assault, dating violence/intimate partner abuse, and stalking, changing social norms, promoting recognition of perpetrator tactics,

enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities. Effective ongoing awareness and prevention campaigns will include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved.

- **Primary Prevention:** includes programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.
- **Risk Reduction:** provides options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.<sup>9</sup>

### **Immediately After an Assault**

Immediately after an assault, the first and most important consideration is a student's safety. The student should get to a safe place where arrangements for medical services can be made as soon as possible. The student should not wash his/her hands, shower, go to the bathroom, brush his/her teeth, eat, smoke, or douche. If possible, preserve each item of clothing that was worn at the time of the assault separately in a paper bag. This can be important to preserving evidence should a student choose future action. Evidence can be collected through a forensic examination administered at the hospital up to five days after the assault. Completing a forensic examination does **not** require a victim to file a police report.

If a student is on campus and has been physically injured, immediately call Public Safety (201-684-6666). The Public Safety Department will call the Mahwah Police Department to request an ambulance to transport the student to the hospital.

A counselor is available 24/7 by contacting [Counseling Services](#) at **201-684-7522** during regular business hours. After hours please contact the Public Safety Department (**201-684-6666**) to reach an Emergency On-Call Counselor (EOCC).

### **Reporting Sexual Assault**

Students are strongly urged to report sexual assaults to College authorities and to the police in order to protect themselves and others. Students who have been sexually assaulted may report the offense to the Public Safety Department (including anonymous reporting), to the Title IX Coordinator, or to the Mahwah Police Department.

The Public Safety Department (Office Location: C-102 Phone: (201) 684-6666) is available 24 hours a day, 7 days a week, 365 days a year. By contacting the Public Safety Department, a survivor is **not** obligated to file an incident report. At the survivor's request, only an anonymous crime report will be completed for statistical purposes.

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<sup>9</sup> Definitions adapted from the Ohio Department of Education on September 23<sup>rd</sup>, 2015:

<https://www.ohiohighered.org/sites/ohiohighered.org/files/uploads/CampusSafety/VAWA%20Prevention%20Language%20Definitions.pdf>

The survivor will be asked to make decisions regarding legal and student conduct options only after discussing their options with a confidential counselor and learning what is entailed in filing a report. Even if the survivor does not want to make a formal incident report or file charges, he or she still has the right to other victims' services

Officers in the Public Safety Department are trained to gather information about the complaint. Officers must provide notice of the complaint to the Title IX Coordinator within 24 hours or as soon as practical.

The [Report Form for Sexual Misconduct](#) is available for anonymous reports. Submissions are read and responded to during business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m. Any submissions sent after business hours, or during weekends or holidays will be read and responded to on the next business day.

If there is an imminent danger to a student or to the community, do not use the form. Instead, contact the Public Safety Department at (201) 684-6666.

The RCNJ Title IX Coordinator is Ms. Kat McGee (office location: ASB 017 Phone: (201) 684-7220; Email: [kmcgee@ramapo.edu](mailto:kmcgee@ramapo.edu)). Ms. McGee oversees the processes that address reported concerns, or claims of sex or gender based discrimination, harassment, sexual assault, intimate partner violence, and stalking. Each institution must designate a Title IX administrator to review, update and implement current Title IX policies, to coordinate appropriate training and resources, and ensure effective and timely responses to complaints of sexual violence, misconduct, discrimination or harassment.

The College will make every effort to keep the confidentiality of any person(s) reporting a claim and when possible will keep the identity of an unwilling victim or witness confidential. However, we cannot guarantee unqualified confidentiality as we must also balance the safety of other members in our community. If we determine that there is the threat of imminent harm to an individual or to the community, information may need to be shared and then only with appropriate individuals. Complainants will be advised if information pertaining to a claim is shared with individuals outside of the College's investigative process.

Faculty, staff, and administrators who learn of incidents of sexual assault **MUST** report it to the Ramapo College Title IX Coordinator (unless the employee is a designated confidential resource, such as counselors in the Counseling Center or a recognized clergy person acting in the role of a pastoral counselor.)

Students may also report directly to the Mahwah Police Department by calling (201) 529-1000 or by calling 911. If the assault took place within the past five days the responding officer will ask the student if they wish to activate the Bergen County Sexual Assault Response team (SART). SART is a free coordinated community response to assist a survivor in the aftermath of a recent sexual assault. It has been designed to offer a compassionate, victim-centered approach while collecting evidence that can be vital to the investigation and prosecution of the crime. Obtaining a forensic exam would does not require that a police report be filed.

Survivors who have been assaulted will receive assistance in considering a number of legal and disciplinary system options which are available to them. Never, at any time, will a student's decision to report or not report be made a condition of receiving other services.

Survivors who wish to pursue an investigation may choose to:

1. Contact the Mahwah Police Department to pursue a criminal investigation.
2. File civil charges in a civil court.
3. Report to the Ramapo College Title IX Coordinator (see contact information on Page 2). An investigation of a campus policy violation is independent from criminal or civil investigations.
4. Decide not to file charges or make a report for investigation. Survivors are strongly encouraged but not required to report the incident. Survivors have the right to be free from any suggestion that victims must report the crime to be assured of any other rights or resources. Campus personnel will not pressure survivors to report a crime if the survivor does not wish to.

All of these options require that certain due process regulations be followed and that both parties maintain the right to present evidence or witnesses. In both outside court cases and internal student conduct proceedings, the accuser and the accused will be informed of the outcome.

### **Accommodations**

A victim of sexual violence may make a request for accommodations to the Title IX Coordinator, Kat McGee at (201) 684-7220. The survivor does **not** need to make an incident report or file charges in order to receive accommodations.

The Title IX Coordinator will work in conjunction with relevant parties to determine which measures are appropriate to ensure the victim's safety and equal access to educational programs and activities.

Examples of accommodations include:

- Relocation in their on-campus housing assignment or campus job if either will bring them into proximity with the perpetrator. Survivors can also request changes to their class schedule if they have classes in common with the accused.
- A No Contact Order can be put in place between the survivor and the accused.
- Providing victims with financial aid-related information, such as how to apply for a leave of absence or addressing concerns about loan repayment.
- Accommodations, related to academics, transportation, medical services and counseling.

Ramapo College is committed to providing a safe and welcoming environment in which all its members are treated with dignity and respect. We are committed to providing timely support and assistance to survivors of sexual violence. In the aftermath of a sexual assault, survivors have many options for support, reporting, and advocacy services. The range of protective measures available includes written notification of:

- A victim's options to request changes in their academic, living, transportation, and working situations. These accommodations are available regardless of whether the student provides detailed information about the crime.
- The options for the involvement of law enforcement and campus authorities.
- The victim's rights or institution's responsibilities for orders of protection.

### **On-Campus Resources**

What is the difference between **confidential and non-confidential** resources on campus?

**Confidential resources**, like on-campus health professionals and chaplains operating in a pastoral capacity, are not obligated to report information that is given to them. This allows the victim to explore his or her options in a non-pressure environment in order to make informed decisions. The only exceptions to this rule are in cases that involve imminent risk of serious harm, emergent hospitalization, or a court order. While specific information may be kept confidential, these incidents may be counted for statistical purposes, as per the Clery Act.

**Non-confidential resources** are required by law to report to these incidents/violations and take legal, disciplinary or other action accordingly.

### **Counseling Services (201-694-7522) - CONFIDENTIAL RESOURCE**

Confidential support is available 24 hours a day, 7 days a week through Counseling Services. Any student in need of immediate assistance should call Counseling Services at **201-684-7522** during regular business hours



(8:30 a.m. – 4:30 p.m. Monday – Friday). After hours, please call Public Safety at **201-684-6666** to contact an emergency on-call counselor.

Professional counselors are available in [Counseling Services](#) to provide victim-centered services and resources for survivors of sexual assault. All interactions with Counseling Services, including scheduling of appointments, sessions, and student records are confidential.

A counselor will:

- Listen and provide sensitive, nonjudgmental support
- Review the victim's rights under the [NJ Sexual Assault Victims Bill of Rights](#)
- Explain the types of medical care available after an assault
- Assist in making arrangements for getting medical care if desired
- Review legal and/or campus adjudication options so that the survivor can make an informed decision about what actions they may take. **Getting help does not mean that you must press charges**
- Assist in filing a formal report if the student should decide to do so
- Review additional resources and options
- Provide follow-up assistance if desired

Counseling Services is located in room D-216 (entrance behind stairwell on left).

### **Health Services (201-684-7536) - CONFIDENTIAL RESOURCE**

[Health Services](#) provides emergency contraception, testing for Sexually Transmitted Infections (STI's), pregnancy testing, and more. These services are provided free of charge for survivors of sexual assault. Health Services is located near the campus South Gate entrance at the corner of Route 202 and Hornbeam Road.

### **The Women's Center (201-684-7468) - NON-CONFIDENTIAL RESOURCE**

The [Women's Center](#) advocates for an equitable environment free from violence and harassment based on gender, race, and sexual orientation. Non-confidential peer listening is available for survivors of sexual assault. The Women's Center also offers programs to support survivors and prevent interpersonal violence such as [Take Back the Night](#), [The Clothesline Project](#), and [Walk a Mile in Her Shoes](#). The Women's Center is located in room C220.

### **Off-Campus Resources**

#### [healingSPACE: A Sexual Violence Resource Center:](#)

healingSPACE provides confidential information, support, and victim services. They have trained advocates that provide counseling and medical and legal accompaniments to survivors. HealingSPACE also offers support groups, volunteer training, and educational programs for schools and businesses, as well as sponsors activities to raise community awareness about sexual violence.

The free and confidential 24-hour hotline for healingSPACE is **(201) 487-2227**.

#### [New Jersey Coalition Against Sexual Assault \(NJCASA\):](#)

NJCASA is a statewide advocacy and capacity building organization that elevates the voice of sexual violence survivors. Their mission is to promote the compassionate and just treatment of survivors and their loved ones;

foster collaborative relationships between community systems; and affect attitudinal and behavioral changes in society as we work toward the elimination of sexual violence against all people.

For more off-campus resources including resources specifically for veterans, LGBTQA+ identified survivors, survivors with disabilities, male survivors and more please visit the [Rape, Abuse, and Incest National Network \(RAINN\) Resource List](#).

### **Prohibition Against Retaliation**

Retaliation against any person who either alleges that s/he was the victim of discrimination / harassment / sexual harassment, provides information in the course of an investigation into claims of discrimination/harassment/sexual harassment in the academic environment, or opposes a discriminatory practice is prohibited by the policy. Any student bringing a complaint, providing information for an investigation, or testifying in any proceeding under the policy will not be subjected to adverse academic or employment consequences based upon such involvement nor be the subject of retaliation. Students who engage in retaliatory acts will be referred to the Office of Student Conduct where charges will be levied against the student through the College's disciplinary process.

If a student believes that they have been retaliated against for bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy, they are encouraged to report their concerns to the Public Safety Department.

### **Campus Sex Crimes Prevention Act**

The "[Campus Sex Crimes Prevention Act](#)" is a federal law enacted October 28, 2000, that calls for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The act amends the "Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act" to require sex offenders already required to register in a state to provide notice, as well, of each institution of higher education in that state at which the offender is employed, carries on a vocation or is a student. State procedures ensure that this registration information is then promptly made available to law enforcement agencies with jurisdiction where institutions of higher education are located and that it is entered into appropriate state records or data systems.

This act also amends the "[Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#)" to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, advising the campus community of how to obtain information provided by a state concerning registered sex offenders.

For additional information, contact the Mahwah Police Detective Bureau at 201.529.1000 ext. 216, or the Bergen County Prosecutor's Office at 201.646.2300. In the State of New Jersey, information about registered sex offenders can be found through the New Jersey Department of Law and Public Safety's N.J. Sex Offender Internet Registry at: [http://www.state.nj.us/lps/njsp/info/reg\\_sexoffend.html](http://www.state.nj.us/lps/njsp/info/reg_sexoffend.html).

If you experience technical problems or have inquiries about the Sex Offender Registry, please e-mail the NJ Department of Law & Public Safety's Citizen Services at: [lpaciti@lps.state.nj.us](mailto:lpaciti@lps.state.nj.us).

### **FBI Definitions of Crime Categories for Required Statistical Reporting**

The Clery Act requires that certain crimes be reported each year. The following definitions are excerpted from the "*The Handbook For Campus Crime Reporting*", U.S. Department of Education. These definitions are provided to assist the reader in understanding the crimes that are reported in this report.

## **Sex Offenses:**

**Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, hand gun, stick, etc.

**Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent (which in New Jersey is 18). If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory.

## **Criminal Homicide:**

1. **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
2. **Negligent Manslaughter:** The killing of another person through gross negligence.

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

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses as Burglary.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classified as motor vehicle theft in all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

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

**Hate Crimes:** Hate crimes are those listed above (or any other crime involving bodily injury, larceny, theft, simple assault, intimidation, destruction, damage or vandalism of property are reported to local police agencies or to a campus Public Safety authority) that manifest evidence that the victim was intentionally selected

because of the perpetrator's bias. The categories of bias are: race, gender, religion, sexual orientation, ethnicity or disability.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence or drunkenness. Include in this classification: the manufacture, sale, transporting, furnishings, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapons, Possessing, Carrying, etc:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by –

- A current or former spouse, or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim, under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- 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.

**Dating Violence:** Violence committed by a person –

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where 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.

**Stalking:** 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.

**Theft:** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. **In 2015, there were forty-seven (47) thefts on the Ramapo College campus.**

## **CAMPUS SAFETY INFORMATION**

### **Safety Statistics – Security & Fire Safety Annual Report – Fall 2016**

**Current Education Law 6450 crime reporting and statistics for 2015 are as follows:**

<b>Offense</b>	<b>*On Campus</b>	<b>Residence Halls</b>	<b>Public Property</b>	<b>Unfounded</b>
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	6	5	0	0
Fondling	2	2	0	0
Statutory Rape	0	0	0	0
Incest	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	2	0	0	0
Burglary	6*	6*	0	0
Motor Vehicle Theft	1	0	0	0
Arson	0	0	0	0
<b>Arrests</b>				
Weapon Possession	2	0	0	0
Drug Abuse Violations	40	28	4	0
Liquor Law Violations	1	0	0	0
<b>Disciplinary Actions/Referrals</b>				
Weapon Possession	6	3	0	0
Drug Abuse Violations	16	11	0	0
Liquor Law Violations	347	227	0	0
<b>Offense (VAWA)</b>				
Domestic Violence	3	2	0	0
Dating Violence	1	1	0	0
Stalking	1	0	0	0

**Note: There were no hate crimes reported in 2015.**

**\*1 Actor arrested and charged for 6 events committed on one night.**

## **CAMPUS SAFETY INFORMATION**

### **Safety Statistics – Security & Fire Safety Annual Report – Fall 2015**

**Current Education Law 6450 crime reporting and statistics for 2014 are as follows:**

<b>Offense</b>	<b>*On Campus</b>	<b>Residence Halls</b>	<b>Public Property</b>	<b>Unfounded</b>
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	6	6	0	2*
Fondling	4	4	0	0
Statutory Rape	0	0	0	0
Incest	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	1	0	0	0
Burglary	2	2	0	0
Motor Vehicle Theft	2	0	0	0
Arson	0	0	0	0
<b>Arrests</b>				
Weapon Possession	1	1	0	0
Drug Abuse Violations	35	33	0	0
Liquor Law Violations	0	0	0	0
<b>Disciplinary Actions/Referrals</b>				
Weapon Possession	8	8	0	0
Drug Abuse Violations	42	39	0	0
Liquor Law Violations	298	275	0	0
<b>Offense (VAWA)</b>				
Domestic Violence	10	7	0	0
Dating Violence	1	1	0	0
Stalking	6	0	0	0

**Note: There were no hate crimes reported in 2014.**

**\*2 unfounded incidents - both third-party reported. Found to be a physical assault and sexual harassment.**

**2013 RCNJ Crime Statistics**

<u>CATEGORY</u>	<u>CLASSIFICATION</u>	<b>2013</b>
<b>Criminal Homicide</b> <b>Murder and non-negligent manslaughter</b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b>Criminal Homicide</b> <b>Negligent manslaughter</b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b>Sex Offenses</b> <b>Forcible (rape, sodomy, sexual assault w/object and fondling)</b>	Campus	5
	Campus residential facilities	4
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>5</b>
<b>Sex Offenses</b> <b>Non-Forcible (Incest and Statutory)</b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b>Robbery</b>	Campus	1
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>1</b>
<b>Aggravated Assault</b>	Campus	2
	Campus residential facilities	2
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>2</b>
<b>Burglary</b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b>Motor Vehicle Theft</b>	Campus	3
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>3</b>

<u>CATEGORY</u>	<u>CLASSIFICATION</u>	<u>2013</u>
<b><u>Arson</u></b>	Campus	2
	Campus residential facilities	2
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>2</b>
<b><u>Domestic Violence</u></b>	Campus	8
	Campus residential facilities	8
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>8</b>
<b><u>Dating Violence</u></b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b><u>Stalking</u></b>	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b><u>Hate Crimes</u></b> (Involving bodily injury, larceny, theft, simple assault, intimidation, and/or destruction, damage or vandalism of property.)	Campus	0
	Campus residential facilities	0
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>0</b>
<b><u>Arrests</u></b>		
<b><u>Liquor Law Violations</u></b>	Campus	1
	Campus residential facilities	1
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>1</b>
<b><u>Drug Abuse Violations</u></b>	Campus	45
	Campus residential facilities	39
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>45</b>
<b><u>Weapons – Possession, Carrying, etc.</u></b>	Campus	1
	Campus residential facilities	1
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>1</b>



**Disciplinary Referrals**

<b><u>CATEGORY</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>2013</u></b>
<b><u>Liquor Law Violations</u></b>	Campus	350
	Campus residential facilities	321
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>350</b>
<b><u>Drug Abuse Violations</u></b>	Campus	21
	Campus residential facilities	21
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>21</b>
<b><u>Weapons – Possession, Carrying, etc.</u></b>	Campus	8
	Campus residential facilities	7
	Non-campus buildings or property	0
	Public property	0
	<b>TOTAL</b>	<b>8</b>

**Clery Act Reporting Definitions**

**Campus** - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified above of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus Residential Facilities** a subset of the total listed under the classification of Campus.”

**Non-Campus Building or Property** - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

**Public Property** - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

All the above crimes and other actions which violate the Ramapo College Code of Conduct are subject to the imposition of sanctions administered by the campus judicial system, as well as criminal or civil penalties imposed by municipal, State, or Federal courts. The student newspaper receives a yearly summary concerning cases adjudicated on campus. Ramapo does not authorize, supervise, or recognize any off-campus residences or other student organization buildings other than residence space occasionally rented at local hotels by Ramapo College itself. The statistics in this report refer exclusively to acts committed on the Ramapo College campus, in non-campus buildings or property, and public property as defined above.

## Alcohol and Other Drugs - Assistance and Education

### Getting Help For An Alcohol/Other Drug Problem

Free, confidential counseling is available to students through the Center for Health and Counseling Services (Room D-216; 201.684.7522). The staff includes a consulting psychiatrist, psychologists, clinical social workers, and a counselor specializing in alcohol and drug abuse and. All staff members in the Center receive extensive ongoing training regarding substance abuse and related issues. Information regarding the services available through the Center for Health and Counseling Services can be found online at <http://www.ramapo.edu/students/counseling/index.html>.

### Local and Area Agencies:

#### **Bergen County**

- Bergen Regional Medical Center, 230 E. Ridgewood Avenue, Paramus, NJ 07652;
- Clinics
- Evergreen (Detox & Outpatient, Residential Treatment, Partial Hospital, Intensive Outpatient)[IOP] Treatment Center, **800-730-2762, 201.967.4000 or 4260** West Bergen Mental Health Center, 120 Chestnut Street, Ridgewood, NJ 07450; **201.444.3550**.
- Family Counseling Service of Ridgewood, 148 Prospect Street, NJ 07450; **201.445.7015**.
- High Focus Center, 70 Eisenhower Drive, Paramus, NJ, 07652; **201.291.0055 or 1.800.777.FOCUS**
- Mid Bergen Community Mental Health Center, 610 Valley Health Plaza, Paramus, NJ 07652-3607; **201.626.0645**

#### **Essex County**

- Alcohol Dependence Treatment Program, East Orange VA Medical Center, 385 Tremont Avenue, East Orange, NJ 07018; **973.676.1000**, ext.1558.
- Newark Beth Israel (substance abuse), 201 Lyons Avenue, Newark, NJ 07112; **973.926.7857** (Inpatient);  
210 Lehigh Avenue, Newark, NJ, **973.926.7026** (Outpatient).
- Turning Point, 15 Bloomfield avenue, suite 104, Verona 07044 **973.239.9400** (Dual Diagnosis)  
[www.tpnj.org](http://www.tpnj.org)

#### **Passaic County**

- Beth Israel Hospital, North Jersey Addiction/Recovery (Intensive Outpatient), 70 Parker Avenue, Passaic, NJ 07055; **973.365.8500**
- Straight and Narrow (Outpatient), 508 Straight Street, Paterson, NJ 07501; **973.345.6000** (men's and women's programs)
- New Life Recovery Program (Outpatient), 1810 Macopin Road, West Milford, NJ 07480; **973.728.7788**. or 265 Rt. 46 West, Totowa, NJ 07512, **973.837.9669**.

## Rockland County

- Good Samaritan Hospital; Chemical dependency unit/ rehabilitation/ inpatient detox. 255 Lafayette Ave., Suffern, NY 10901; **845.368.5242**.
- **Lexington center for recovery, Airmont NY; Outpatient, partial hospital, day treatment.**
- Recovery Center of Nyack Hospital, 160 Midland Avenue, Nyack, NY 10960; **845.348.2070** (Inpatient); (detox and rehab) **845.348.6760** (Outpatient). or 100 Bethune Ave., Spring Valley, NY, 10977, **845.348.6780**.

## Health Risks From Alcohol And Other Drug Misuse/Abuse (Facts About Drugs)

(used with permission from Parlay International, NJ Prevention Network & US DOJ/ DEA)

1. **ALCOHOL:** Central nervous system depressant. **Short term effects** (*begins with the first drink, increasing as the number of drinks increase*): slowed brain and nervous system activity, lowered inhibitions, impaired judgment, affected learning, behavior, and mood; reduced coordination, blurred vision, muddled speech; distorted memory. **Long term effects:** physical dependence, digestive ailments; sexual impotence, infertility/sterility; liver damage, heart problems; nerve/brain damage; memory loss; **for women:** difficult menstruation and greater likelihood for miscarriages. **Heavy drinking can lead to excessive irritability, violent behavior, severe depression, severe withdrawal effects; death from inability to breathe, heart failure, suicide.**
2. **MARIJUANA:** (Pot, Herb, Smoke, Grass, Reefer, Boo, Joint, Chronic). THC is the main active ingredient; contains 400+ chemicals. **Short term effects:** impairment of short-term memory and logical thinking; impaired ability to concentrate and learn; confusion; restlessness, excitement, anxiety; impaired coordination, motor skills; altered perception. **Long term effects:** slow, confused thinking; risk of chronic bronchitis; lack of motivation; problems in the respiratory, immune, and/or reproductive systems.
3. **ECSTASY/MDMA:** (E, Adam, XTC, X, M, Bean, Roll). Synthetic, psychoactive, mind-altering drug; amphetamine and hallucinogenic properties. Snorted, smoked, injected, or used as a suppository; tablets are branded. **Short term physical effects (felt within twenty to forty minutes and last four to six hours):** increased heart rate, blood pressure, body temperature; dehydration, hypothermia; involuntary teeth clenching; dilated pupils, sweating. **Short term psychological effects:** increased energy, sexual arousal, need to be touched, need for stimulation; confusion, depression, sleep problems, drug cravings, paranoia, and severe anxiety. **After effects (one to two days):** drowsiness; muscle aches; fatigue; depression; difficulty concentrating; irritability; stomach cramps/nausea; headaches; electrolyte imbalance; blurred vision; chills; sweating, dullness of senses. **Long term effects:** rapid weight loss; acute renal kidney failure; cardiovascular collapse; liver failure; respiratory failure; brain damage; psychosis; depression.
4. **COCAINE:** (Coke, Snow, Nose Candy, Flake, Blow, Big C, Lady, White, Snowbirds). Two forms: cocaine hydrochloride and "crack"/"rock"; both forms very addictive. **Short term effects:** constricted peripheral blood vessels, dilated pupils; increased temperature, heart rate, blood pressure; loss of appetite; feelings of irritability, confusion, paranoia, restlessness; respiratory failure, cardiac arrest, seizures. Highs last fifteen to thirty minutes when snorted; five to ten minutes when smoked. **Long term effects:** damage to lungs, nasal tissue and septum (snorting), resulting in collapse; physical dependence; severe weight loss; paranoia, hallucinations; destruction of liver cells.
5. **DXM (Dextromethorphan)** : (Dex, DXM, Robo, Tussin, Skittles, Vitamin D, Robodosing, Robotripping). Found in many over-the-counter semi synthetic narcotics – commercial cough suppressants (legal); produced (illegally) in form of tablets to look similar to XTC; either is used in combination with other OTC drugs; often as alternative to XTC. **Effects:** increased body temperature, sweating, dry mouth, dry, itchy skin; blurred vision, hallucinations, cognitive alterations, delusions, dissociative state; nausea, abdominal pain, vomiting; irregular heartbeat, high blood pressure; numbness of fingers/toes; headache, loss of consciousness, death.

6. **OPIOIDS (OxyContin), hydrocodone (Vicodin):** Opioids attach to opioid receptors in the central nervous system (the brain and the spinal cord), preventing the brain from receiving pain messages. **CENTRAL NERVOUS SYSTEM (CNS) Depressants (Valium, Xanax):** slow down brain activity by increasing the activity of neurotransmitter called GABA. The result is a drowsy or calming effect. Abuse of these drugs can cause problems with the senses (especially vision and hearing) and can lead to confusion, stomach pain, numbness and even hallucinations.
7. **GHB (Gamma Hydroxybutrate):** (Grievous Bodily Harm, G, Liquid Ecstasy, Georgia Home Boy, Gamma-oh, Goop, EZ Lay). Central nervous system depressant; illegally manufactured as a clear liquid (slightly thicker than water), white powder, tablet, capsule; odorless, tasteless (slightly salty when liquid). **Effects:** felt within fifteen to thirty minutes, lasts for three to six hours; early sense of euphoria, followed by drowsiness, confusion, stupor, nausea/vomiting; decreased heart rate, blood pressure and respiration; low levels: reduction of social inhibitions, increased libido, aggressive and/or sexual behavior; high levels: insomnia; after effects last up to 4 hours; date rape drug. **Overdose of GHB (overdose is very easy due to various concentrations produced; fine line between low and high dose):** seizures; coma; death. Recognizing overdose: failed muscle coordination, involuntary movement of eyes, hypothermia, vomiting, decreased heart rate.
8. **HEROIN:** A “downer,” effecting brain pleasure system and interferes with ability of brain to perceive pain. (Smack, Horse, Mud, Brown Sugar, Junk, Black Tar, Big H, Dope, Skag). White or brown powder or tar-like substance; injected, inhaled, or smoked; packaged in *Tallissines*. **Short term effects:** slurred speech; slow gait; constricting pupils, impaired vision, droopy eyelids; flushing of the skin, dry mouth; heavy extremities; fluctuation between wakeful and drowsy states. **Long term effects:** collapsed veins; infection of heart lining and valves; abscesses; liver disease; pneumonia; clogged arteries; physical dependence.
9. **K2 or SPICE:** K2 or “Spice” is a mixture of herbs and spices that is typically sprayed with a synthetic compound chemically similar to THC, the psychoactive ingredients in marijuana. The chemical compounds typically include HU-210, HU-211, JWH-018, and JWH-073. K2 is commonly purchased in head shops, tobacco shops, various retail outlets, and over the Internet. It is often marketed as incense or “fake weed.” Purchasing over the Internet can be dangerous because it is not usually known where the products come from or what amount of chemical is on the organic material. Looks like K2 is typically sold in small, silvery plastic bags of dried leaves and marketed as incense that can be smoked. It is said to resemble potpourri. Methods of abuse K2 products are usually smoked in joints or pipes, but some users make it into a tea. Effect on mind Psychological effects are similar to those of marijuana and include paranoia, panic attacks, and giddiness. Effect on body Physiological effects of K2 include increased heart rate and increase of blood pressure. It appears to be stored in the body for long periods of time, and therefore the long-term effects on humans are not fully known.
10. **KETAMINE:** (Special K, Vitamin K, New Ecstasy, Super-K, Breakfast Cereal, Psychedelic Heroin, K, Ket). Central nervous system depressant; effects usually last twenty to thirty minutes, but can last up to sixty minutes. **Short term effects:** delirium, profound hallucinations; lack of motor function; lack of feeling; convulsions, vomiting; increased heart rate; potentially fatal respiratory problems; memory difficulties. **Long term effects:** tolerance quickly built up if used regularly; psychological and/or physical dependence.
11. **LSD (Lysergic Acid Deethylamide):** (Acid, Microdot, Tabs, Doses, Trips, Hits, Sugar Cubes). Hallucinogen, potent mood changing chemical; colored tablets, blotter paper, clear liquid, squares of gelatin. **Short term effects:** begin thirty to forty minutes after use, effects peak at two to six hours; dilated pupils; increased body temperature, heart rate, blood pressure; sweating; loss of appetite; sleeplessness; tremors; radical change in emotions; hallucinations, delusions, panic. **Long term effects:** flashbacks occur suddenly/without warning, may occur over a year after use.
12. **METHAMPHETAMINE:** (Chalk, Crank, Croak, Crypto, Crystal, Fire, Glass, Meth, Speed, White Cross). Addictive stimulant; crystal-like powdered substance, sometimes rock-like chunks or glass-like shards;

white or yellowish; taken orally, injected, snorted or smoked. **Short term effects:** (only after small doses): increased wakefulness, increased physical activity; decreased appetite; increased respiration, hyperthermia, euphoria; **other effects:** irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, aggressiveness, death (due to hyperthermia and convulsions). **Long term effects:** increased heart rate, blood pressure; strokes, irregular heartbeat, extreme anorexia.

13. **NITROUS OXIDE** (Laughing Gas, Whip-its). Inhalant, colorless and sweet-smelling; inhaled with use of balloons, whipped-cream containers or small canisters. **Short term effects:** intoxication, feeling less inhibited, less in control; loss of consciousness; headache, muscle weakness; abdominal pain; mood swings; numbness and tingling of hands and feet; hearing loss; nausea; fatigue; lack of coordination. **Long term effects:** respiratory failure, central nervous system or brain damage; death.
14. **PCP (Phencyclidine):** (Angel Dust, Ozone, Rocket Fuel, Peace Pill, Elephant Tranquilizer, Dust). Hallucinogen, white crystalline powder readily dissolved in water; bitter chemical taste; tablets, capsules, colored powders; usually snorted or smoked with tobacco or marijuana. **Short term effects:** Small doses: slightly increased breathing rate, increased blood pressure, pulse rate; shallow respiration; rapid, involuntary eye movement; flushing, profuse sweating; slurred speech; numbness, lack of muscle control; changes in body awareness; extreme manifestations of rage, power, strength, invulnerability. High doses: decreased blood pressure, respiration; nausea, vomiting; blurred vision; drooling; large motor dysfunction, dizziness; auditory hallucinations, image distortion, mental turmoil, amnesia, blank stare, mangled and sparse speech; acute anxiety or paranoia, feelings of impending doom; Overdose: (seizure/coma); death from cardiac or respiratory arrest or stroke. **Long term effects:** memory loss, speech difficulties; depression, psychoses, mood disorders; weight loss; loss in fine motor skills, loss in short-term memory.
15. **RITALIN (Methylphenidate):** (Kibbles and Bits, Pineapple): pharmaceutical stimulant mainly used to treat ADHD. Effects less potent than amphetamines, more potent than caffeine; pill or tablet; crushed, snorted; dissolved in water and injected. **Short term effects:** nervousness, insomnia, loss of appetite, nausea/vomiting, dizziness, palpitations, headaches; changes in heart rate and blood pressure; skin rashes/itching; weight loss, digestive changes, abdominal pain; toxic psychoses, psychotic episodes; dependence, withdrawal syndrome. **Long term effects:** loss of appetite, malnutrition; tremors/muscle twitching; fevers, convulsions, headaches; irregular heartbeat and/or respirations; delusions; excessive repetition of movements and meaningless tasks.
16. **ROHYPNOL (Flunitrazepam):**(Roachies, La Roche, Rope, Rib, Rophies, Roofies, Mexican Valium, "Forget Me Pill"). Central nervous system depressant; seven to nine times more potent than valium; used as a tablet or mixed with a drink. **Short term effects:** felt within fifteen to twenty minutes when taken orally; muscle relaxation, slowed psychomotor responses; lowering of inhibitions; nausea, vomiting, dizziness; disorientation and blackouts when taken with alcohol; lasts for eight to twelve hours. **Long term effects:** decreased blood pressure; persistent dizziness and confusion; withdrawal; physical dependence; anxiety, insomnia, intense dreaming; seizures.
17. **Salvia Divinorum:** Salvia divinorum is a perennial herb in the mint family that is abused for its hallucinogenic effects. Street names Maria Pastora, Sally-D, Salvia Looks like The plant has spade-shaped variegated green leaves that look similar to mint. The plants themselves grow to more than three feet high, have large green leaves, hollow square stems, and white flowers with purple calyces. Methods of abuse Salvia can be chewed, smoked, or vaporized. Effect on mind Psychic effects include perceptions of bright lights, vivid colors, shapes, and body movement, as well as body or object distortions. Salvia divinorum may also cause fear and panic, uncontrollable laughter, a sense of overlapping realities, and hallucinations. Salvinorin A is believed to be the ingredient responsible for the psychoactive effects of Salvia divinorum. Effect on body Adverse physical effects may include: loss of coordination, dizziness, and slurred speech.
18. **Stimulants:** Stimulants speed up the body's systems. This class of drugs includes prescription drugs such as amphetamines (Adderall® and Dexedrine®), methylphenidate (Concerta® and Ritalin®), diet aids (such as Didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, Ionomin®, and Meridia®) and illicitly produced drugs

such as methamphetamine, cocaine, and methcathinone. Street names Bennies, Black Beauties, Cat, Coke, Crank, Crystal, Flake, Ice, Pellets, R-Ball, Skippy, Snow, Speed, Uppers, Vitamin R Looks like Stimulants come in the form of pills, powder, rocks, injectable liquids. Methods of abuse Stimulants can be pills or capsules that are swallowed. Smoking, snorting, or injecting stimulants produces a sudden sensation known as a “rush” or a “flash.” Abuse is often associated with a pattern of binge use — sporadically consuming large doses of stimulants over a short period of time. Heavy users may inject themselves every few hours, continuing until they have depleted their drug supply or reached a point of delirium, psychosis, and physical exhaustion. During heavy use, all other interests become secondary to recreating the initial euphoric rush. Effect on mind When used as drugs of abuse and not under a doctor’s supervision, stimulants are frequently taken to: produce a sense of exhilaration, enhance self-esteem, improve mental and physical performance, increase activity, reduce appetite, extend wakefulness for prolonged period, and “get high.” Chronic, high-dose use is frequently associated with agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations, may also occur. Tolerance, in which more and more drug is needed to produce the usual effects, can develop rapidly, and psychological dependence occurs. In fact, the strongest psychological dependence observed occurs with the more potent stimulants, such as amphetamine, methylphenidate, methamphetamine, cocaine and methcathinone. Abrupt cessation is commonly followed by depression, anxiety, drug craving, and extreme fatigue, known as a “crash.” Effect on body Stimulants are sometimes referred to as uppers and reverse the effects of fatigue on both mental and physical tasks. Therapeutic levels of stimulants can produce exhilaration, extended wakefulness, and loss of appetite. These effects are greatly intensified when large doses of stimulants are taken. Taking too large a dose at one time or taking large doses over an extended period of time may cause such physical side effects as dizziness, tremors, headache, flushed skin, chest pain with palpitations, excessive sweating, vomiting, and abdominal cramps.

### **Drug Free Workplace Policy**

Ramapo College is committed to maintaining a drug free workplace in compliance with applicable laws. The unlawful possession, use, distribution, dispensation, sale or manufacture of controlled substances is prohibited on College premises.

#### **Procedures**

. At the discretion of the College, any employee convicted of a drug offense involving the workplace shall be subject to employee discipline and/or required to satisfactorily complete a drug rehabilitation program as a condition of continued employment.

The illegal use of controlled substances can seriously injure the health of employees; adversely impair the performance of their responsibilities; and endanger the safety and wellbeing of fellow employees, students, and members of the general public. Therefore, the College urges employees engaged in the illegal use of controlled substances to seek professional advice and treatment. Such employees are invited to contact the Department of Human Resources for information about available assistance. Faculty and staff may also contact the Employee Assistance Program provided by Employee Consulting Associates, **1.888.291.1524** or the Civil Service Commission’s Employee Advisory Service directly at **609.292.8543**. Information is available at <http://www.ramapo.edu/hr/alcohol-screening/>

As a condition of employment, Ramapo College employees must notify their supervisor if they are convicted of a criminal drug offense involving the workplace within five days of the conviction. In the event any such conviction involves an employee working on a Federal contract or grant, the College will notify the granting or

contracting Federal agency within ten days of receiving notice of a conviction. A statement to this effect shall be given to all employees.

This statement and its requirements are promulgated in accordance with the requirements of the Drug Free Workplace Act of 1988 enacted by the United States Congress. The College will continue its efforts to maintain a drug-free environment by adhering to the above policy and by providing ongoing drug awareness programs.

### **STATE OF NEW JERSEY EXECUTIVE ORDER NO. 204**

**WHEREAS**, the problem of drug abuse is adversely affecting the lives and safety of our citizens; and

**WHEREAS**, the abuse of drugs in the workplace, among other things, reduces job efficiency, increases absenteeism and sick leave, and, most importantly, jeopardizes the lives and safety of fellow employees and citizens; and

**WHEREAS**, the State of New Jersey has a vital interest in promoting a safe and drug-free workplace and in ensuring our citizens that public safety employees do not threaten life and limb due to the abuse of drugs; and

**WHEREAS**, the Federal Drug-Free Workplace Act of 1988, Public Law 100-690, Title V, Subtitle D, conditions receipt of Federal grant funds upon the grantee's agreement to provide a drug-free workplace; and

**WHEREAS**, the Federal Drug-Free Workplace Act requires a grantee to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, to specify actions that may be taken against employees who violate the prohibition, to establish a drug-free awareness program for employees, to require employees and employers to give notice of any conviction for a drug offense committed in the workplace; and

**WHEREAS**, the citizens of the State greatly benefit from the State government's participation in Federally funded programs;

**NOW, THEREFORE, I, THOMAS H. KEAN**, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The following "Policy for a Drug-Free Workplace in New Jersey State Government" shall apply to all principal executive departments in New Jersey State Government, the Office of the Governor, and all agencies that are in, but not of, principal executive departments.

This policy establishes minimum standards for the imposition of discipline and for participation in drug abuse treatment programs in the limited context of convictions for drug offenses committed in the workplace. Nothing in this Policy precludes the application of other more comprehensive or more stringent provisions governing drug offenses committed by State employees. In fact, the Cabinet Task Force on Drug Testing in the Workplace, which was created in Executive Order No. 191, will formulate a more comprehensive State policy regarding drug abuse and the workplace in the near future.

2. The State of New Jersey is committed to maintaining a drug-free workplace for all State employees in order to protect the health and safety of State employees and the public.
3. The unlawful manufacture, distribution, dispensation, possession, or use of a drug in the workplace is prohibited.
4. In addition to any other applicable civil or criminal penalty, any employee convicted of illegal manufacture, distribution, dispensation, possession, or use of a drug in the workplace shall be subject to the following consequences:
  - A. The State Forfeiture of Public Office Statute (N.J.S.A. 2C:51-2) requires forfeiture of public office or employment upon conviction of a crime of the third degree or higher. All convictions of crimes of the third degree or higher listed in the Comprehensive Drug Enforcement Act of 1987, and all convictions for equivalent Federal and out-of-state drug offenses, require forfeiture of public office or employment.

- B. The Forfeiture of Public Office Statute also requires forfeiture of public office or employment upon conviction for an offense involving dishonesty or upon conviction for an offense involving or touching upon the convicted person's public employment irrespective of the degree of the offense. Consequently, convictions for any drug offense occurring in the workplace (including fourth degree, disorderly persons, and petty disorderly persons offenses) which are determined to involve or touch upon the office or employment of an individual may result in the statutory forfeiture of public office or employment.
  - C. In the case of a drug conviction for an offense occurring in the workplace that does not result in statutory forfeiture of public office or employment, disciplinary action shall be taken. The extent of disciplinary action shall be determined by the appointing authority. In addition, in the case of any disciplinary action other than removal, an employee shall be required to satisfactorily participate in a program for the treatment of drug abuse approved by both the appointing authority and any Federal or State agency responsible for the approval or licensure of such programs.
  - D. Each department head, agency head, or their designee who receives notice of a drug offense conviction shall, within 30 days of receipt of notice, take the administrative action necessary for removal where statutory forfeiture is required, and where statutory forfeiture is not required, take the administrative action necessary to impose discipline and require satisfactory participation in an approved program for drug abuse where appropriate.
5. An employee who is convicted of a drug offense committed in the workplace must, within five days, report the conviction to his or her supervisor.
  6. Each supervisor who receives a report of a conviction for a drug offense in the workplace must immediately report the conviction, according to departmental or agency procedures, to the department head, agency head, or their designee.
  7. Within 10 days of the supervisor's receipt of notice of a conviction for a drug offense, the department head, agency head, or their designee shall ensure that notification of such conviction is provided to any Federal agency providing funds for a program in which the convicted employee is employed.
  8. Each department head, agency head, or their designee must develop and implement procedures to ensure that reports, which are received by supervisors concerning convictions for drug offenses in the workplace are reported promptly to the department head, agency head, or their designee.
  9. Each department head, agency head, or their designee must maintain records that contain the following information on each conviction for a drug offense committed in the workplace by an employee:
    - a) Date of conviction;
    - b) disciplinary action taken;
    - c) whether the employee is one whose duties involve the performance of a Federal grant; and
    - d) date Federal grantor was notified of the conviction, if applicable.
  10. Each department head, agency head, or their designee will distribute an Employee Notice, and this Executive Order to each current employee. Each department head, agency head, or their designee shall distribute these documents to any employee who joins the work force after the initial distribution. A program entitled, "Drug-Free Awareness" is being developed, and upon completion will be provided to all employees.

**Definitions for purpose of this policy:**

- a) **Conviction** - means a finding of guilt, or a plea of guilty, before a court of competent jurisdiction, and, where applicable, a plea of *nolo contendere*. A conviction is deemed to occur at the time the plea is accepted or verdict returned. It does not include entry into and successful completion of a pre-trial intervention program, pursuant to N.J.S.A. 2C:43-12, et seq., or a conditional discharge, pursuant to N.J.S.A. 2C:36A-1.



- b) **Drug** – means a controlled dangerous substance, analog, or immediate precursor as listed in Schedules I through V in the New Jersey Controlled Dangerous Substances Act, N.J.S.A. 24:21-1, et seq., and as modified in any regulation issued by the Commissioner of the Department of Health. It also includes controlled substances in Schedules I through V of Section 202 of the Federal Controlled Substance Act of 21 U.S.C. 812. The term shall not include tobacco or tobacco products or distilled spirits, wine, or malt beverages as they are defined or used in N.J.S.A. 33:1-1, et seq.
- c) **Employee** – means all employees of the Office of the Governor or a department or agency within the scope of this Policy, whether full- or part-time and whether in the career, senior executive, or unclassified service.
- d) **Workplace** – for the purposes of this Policy only, means the physical area of operations of a department or agency including buildings, grounds, and parking facilities provided by the State. It includes any field location or site at which an employee is engaged, or authorized to engage, in work activity, and includes any travel between such sites.

12. This policy is effective March 18, 1989 and shall remain in effect until superseded by statute, regulation, or Executive Order.

Thomas H. Kean  
GOVERNOR

### Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule I)	500 - 4,999 gms	<p><b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p>	5 kgs or more	<p><b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment</p>
Cocaine Base (Schedule I)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule I)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule I)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		

DRUG/SCHEDULE	QUANTITY	PENALTIES
Other Schedule I & II drugs	Any amount	<p><b>First Offense:</b> Not more than 20yrs. If death or serious injury, not less than 20 or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Flunitrazepam (Schedule IV)	1 gm	
Other Schedule III drugs	Any amount	<p><b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>
Flunitrazepam (Schedule IV)	30 or more mgs	
All other Schedule IV drugs	Any amount	<p><b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>
Flunitrazepam (Schedule IV)	Less than 30 mgs	
All Schedule V drugs	Any amount	<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

### Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life if death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million if an individual, \$10 million if other than an individual.	Not less than 20 years, not more than life. If death or serious injury, mandatory life. Fine not more than \$8 million if an individual, \$20 million if other than an individual.
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million if an individual, \$5 million if other than an individual.	Not less than 10 years, not more than life. If death or serious injury, mandatory life. Fine not more than \$4 million if an individual, \$10 million if other than an individual.
Marijuana	10 kg or more hashish; 50 to 99 kg mixture 1 kg or more hashish oil; 50 to 99 plants	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 years. If death or serious injury, mandatory life. Fine \$2 million if an individual, \$10 million if other than individual.
Marijuana	1 to 49 plants; less than 50 kg mixture	Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

Source: <http://www.usdoj.gov/dea/agency/penalties.htm>

## FIRE SAFETY REPORT COMPLIANCE

### 1. Introduction

Fire Safety at Ramapo College is in keeping with the Strategic Plan Guiding Principles, “The College will promote campus safety and security and lifestyle practices that focus on safety, health and avoiding the abuse and illicit use of alcohol and other drugs”

Toward that end, Fire Safety has always been and continues to be a high priority at Ramapo College. We continue to assess what more can be done to:

- Assure a Fire Safe Environment
- Raise our Fire Preparedness and Prevention
- Re-examine and update Fire Safety Instructions and Fire Evacuation Procedures
- Review and update available Training and Information

Fire Safety is an essential tool in protecting our campus community from injuries, deaths, business interruption, and property damage resulting from fires and related perils. Fire Safety includes education, training, and policies and procedures designed to ensure that all students, staff and faculty are aware of and understand the fundamentals that help to ensure their safety; and a maintenance support program intended to help sustain the continued operations of our fire safety systems; thereby further ensuring the safety of our campus community.

### 2. HEA Definition of Terms for purposes of Fire Safety Reporting (§668.49(a)):

- a. **Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- b. **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
- c. **Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.
- d. **Fire-related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of a fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.
- e. **Fire-related Death:** Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of a fire.
- f. **Fire Safety Systems:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- g. **Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
- h. **On-Campus Student Housing Facility:** any student housing facility that is owned or controlled by the institution’ or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

### 3. Evacuation of Campus Buildings

When a Fire Alarm or other means of notification requires evacuation of a campus building, all occupants are to proceed to the assigned “**Evacuation Assembly Site**” and check-in with a “Fire Marshal” or administrator

from the building. Once at the Evacuation Site, await further instruction. Evacuation Assembly sites are marked by signage in the area of each building. Once a building is evacuated, **do not re-enter** unless instructed to do so by the Fire Marshal or other law enforcement official. **If you believe someone is trapped in the building notify arriving emergency workers of the situation.**

#### **4. Fire Reporting Logs**

As per law, Ramapo College maintains a written fire log by the date that the fire occurred in an on-campus student housing facility. This log includes: the nature, date, time, and general location of each fire for the most recent 60 day period and is open to public inspection during normal business hours. Older fire logs shall be available within 2 business days of request.

#### **Ramapo College 2015 Fire Report Log**

**The Higher Education Opportunity Act (HEOA Public Law 110-315) signed into law by President George H. Bush on August 14, 2008 and effective July 1, 2010 requires institutions with on campus student housing facilities to provide the following to enrolled students and current employees.**

<b>Line No.</b>	<b>Case Number</b>	<b>Incident Type</b>	<b>Date of Incident (i)</b>	<b>Time of Incident</b>	<b>General Location</b>	<b>Nature of the Fire (i)</b>	<b>Number of Injuries (ii)</b>	<b>Number of Deaths (iii)</b>	<b>Value of Property Damage (iv)</b>
1	15-00570	Fire	01/21/15	4:38 PM	Elm G	Cooking	0	0	\$0
2	15-10117	Fire	10/02/16	7:06 PM	Mimosa L	Cooking	0	0	\$0

**Note: There were no fires in or on any On Campus Housing Buildings in the calendar year 2014.**

(i) The number of fires and the cause of each fire. Date of incident is the date incident discovered and reported.

(ii) The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center

(iii) The number of deaths related to a fire

(iv) The value of property damage caused by a fire..

#### **5. LINKS TO RAMAPO COLLEGE FIRE SAFETY REPORTS AND FIRE SAFETY INFORMATION**

The Headings of the information required by the HEOA to enrolled students, current employees and perspective students and employees are listed below and are located at the following web address:

The direct link to the following information is:

<http://www.ramapo.edu/ehs/fire-safety/>

- Fire Drills Information
- Student On Campus Housing Facilities Fire Safety Systems - Summary Report
- Smoking Policy
- Open Flame Policy
- Education and Training
- Evacuation Policy and Procedures for Students and Employees
- Reporting Fires
- Plans for Future Improvements in Fire Safety

**Paper copies of these documents are available upon request to: Dennis Harrington, Fire Marshal, Ramapo College of New Jersey at: [dharring@ramapo.edu](mailto:dharring@ramapo.edu).**