RCNJ

RAMAPO COLLEGE OF NEW JERSEY

Ramapo College of New Jersey

Annual Campus Security and Fire Safety Report 2026

Contains Statistics for Calendar Years

2023 | 2024 | 2025

ACKNOWLEDGMENTS

The Clery team is acknowledged for their time, hard work, and dedication in preparing the Annual Campus Security and Fire Safety Report.

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ABOUT THE ANNUAL SECURITY REPORT

The Ramapo College of New Jersey Department of Public Safety's mission is to partner with the College community to create a peaceful and safe environment, as free as possible from threats to safety and well-being, and to enhance the quality of academic life at Ramapo College.

The members of Ramapo College of New Jersey RCNJ Public Safety Department are pleased to present this year's Annual Security and Fire Safety Report. The Annual Security and Fire Safety Report contains important information for the Ramapo College of New Jersey community and is prepared in compliance with the Clery Act, Section 485(f) of the Higher Education Act of 1965, and the Violence Against Women Act (VAWA) as amended. The current published version of this Annual Security and Fire Safety Report may be found on the public safety website.

The Annual Security and Fire Safety Report also includes an annual notice regarding College policies and programs to prevent the use of illicit drugs and alcohol under the Drug-Free Schools and Communities Act.

Paper copies of the Annual Security and Fire Safety Report are available by request through the RCNJ Public Safety Department located on the college's Main Campus, 505 Ramapo Valley Road, Mahwah, NJ 07430, in Room C-102.

WHO WAS JEANNE CLERY

Jeanne Clery was a 19-year-old freshman student at Lehigh College in Pennsylvania when she was sexually assaulted and murdered in her campus residence hall. Her parents, Connie and Howard Clery, were unaware of the danger she was in because standards for campus crime reporting did not exist in 1986. Following Jeanne's death, the Clery's put into motion transformative changes that created the reporting required to ensure transparency in safety and security conditions on college and university campuses nation-wide.

THE CLERY ACT

The Jeanne Clery Campus Safety Act (formerly the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, now commonly referred to as The Clery Act) is a federal statute that requires institutions of higher education (public and private) who participate in federal student aid programs (known as Title IV) to publish an annual Security and Fire Safety Report that accurately discloses campus crime statistics and security information. The report must also contain certain policies and procedures as well as campus fire statistics. These statistics are submitted to the U.S. Department of Education (DOE) annually by October 1. The statistical information submitted to the DOE is available to the public through their website.

Crime and fire statistics that have been compiled by the RCNJ Public Safety Department and the Fire Marshal are based not only on information reported directly to Ramapo College of New Jersey RCNJ Public Safety Department (RCNJ PSD), but also from information provided by local police departments and "Campus Security Authorities" (CSAs). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to local police departments, and all CSAs (as defined by federal law). CSAs are individuals or organizations that "have significant responsibility for students and campus activities including student housing, student discipline, and campus judicial proceedings," as defined by The Clery Act.

ANNUAL DISCLOSURE AND DISTRIBUTION

The RCNJ Public Safety Department is responsible for preparing and distributing the Ramapo College of New Jersey's Annual Security and Fire Safety Report annually by October 1. Notification of the publication of the Annual Security and Fire Safety Report is sent to students and employees by electronic mail, through a posting on the Ramapo College of New Jersey Public Safety Website.

CAMPUS OVERVIEW – RAMAPO COLLEGE OF NEW JERSEY

Ramapo College enrolls approximately 6,000 students and is located on a suburban 315-acre campus near major highways. The College has one main academic complex, several residence facilities, a recreation and athletics center, a visual and performing arts center, a state-of-the-art library, and a number of smaller buildings housing individual academic or support units. The College offers close to 2,700 residential beds in its residence facilities. First-year students typically live-in traditional suite-style or adjoining room configurations. Upper-division students live in traditional-style rooms and in garden-style apartments.

PUBLIC SAFETY AND CRIME PREVENTION

DEPARTMENT OF PUBLIC SAFETY

The Ramapo College of New Jersey maintains a full-service Public Safety Department whose primary concern is the safety and security of all members and guests of the campus community. Ramapo College of New Jersey Public Safety Department's (RCNJ PSD) vision is to enhance and preserve the quality of life, learning opportunities, and life experiences of each member of the college community. Public Safety staff members work 24 hours a day, seven days a week, providing security for both the academic and residential buildings on campus. The staff consists of the Director, Assistant Director, Assistant Chiefs, Sergeants, Officers, Investigators, and clerical support personnel. RCNJ PSD Officers are not sworn police officers, are not authorized to make arrests, and do not have jurisdiction to provide services beyond the boundaries of Ramapo College of New Jersey campus locations.

The RCNJ Public Safety Department and its administrative office are located on the Main Campus at Building C 102. The administrative office is open during normal business hours, Monday through Friday, from 8:30 a.m. to 4:30 p.m. The administrative office can be reached at (201) 684-7742.

RCNJ PSD conducts vehicle and foot patrols on campus and is charged with enforcing College policies and regulations, which include monitoring conformity with federal, state and local laws; deterring and investigating crime (in cooperation with local law enforcement); maintaining a lost and found; supervising special events; and providing general information to visitors and members of the Ramapo College of New Jersey community. RCNJ PSD monitors the electronic access control system, closed-circuit television cameras, and emergency alarms.

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 RCNJ 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 RCNJ Public Safety procedures.

WORKING TOGETHER FOR A SAFE CAMPUS

The RCNJ Public Safety Department works actively with the Office of Residence Life to review policies, procedures and potential risks to students. The RCNJ 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. Each year, the RCNJ Public Safety Department staff members speak to potential and enrolled students about safety precautions and disclose crime statistics. The RCNJ Public Safety Department is available to make presentations to student organizations. Residence Life Student Staff training includes a session 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 Officers provide general and specific presentations upon request, to students, faculty and staff, groups, and organizations, such as sororities and fraternities. For information, email Public Safety at publicsafety@ramapo.edu or call 201-684-7432.

PERSONAL RESPONSIBILITY

The cooperation, involvement, and personal support of students, faculty, and staff are crucial to the success of a campus safety program. Each person must assume responsibility for their own personal safety and the security of their belongings by taking common-sense precautions. Awareness of the environment and surroundings are strongly encouraged. All members of the College community should strive to perform the following practices:

- Never prop doors open.
- Lock rooms or office doors, even if leaving for a short period of time.
- Ask unknown persons to identify themselves before allowing them access to a building, office, or room.
- Always carry personal keys and access cards and never loan them to others; report lost or stolen keys and access cards immediately.
- Never leave valuables in open view or unattended.
- Use the College shuttle bus system or escort service at night, particularly when traveling alone.
- Park cars in well-lit areas and keep them locked at all times; valuables should be removed from the vehicle.
- Report suspicious persons or activities to RCNJ PSD immediately.

Bear Sightings, in particular, are common. If you do see a bear:

- Make lots of noise so that the bear is aware of your presence.
- Stay at least 100 feet away from the bear.
- Slowly back away if you are too close to the bear.

RISK REDUCTION

Crime Prevention Information

Protect Your Property

- Use a discus-style padlock (not the master lock type) on all storage units; check the unit periodically to make sure nothing has been disturbed.
- Don’t lend your keys; keys can be duplicated.
- Don’t mark your keychain with your name, address or license number; lost keys can lead to theft.
- Engrave or mark all valuable personal property with your name and driver’s license number.
- Keep an inventory of all items.
- Move valuable items out of easy sight of windows and doors.
- Lock your vehicle at all times.

- Copy all important papers and cards that you carry in your purse or wallet, including your driver's license.
- Keep the copies in a safe place, as the information will be invaluable if they are stolen or lost.
- Copy your vehicle identification and tag number; if your vehicle is stolen, it cannot be entered into the nationwide law enforcement network without this information

In Your Car

- Check the back seat before entering.
- Keep your vehicle doors locked at all times, even when driving in daylight, so no one can jump in at a red light.
- Keep enough gas in your tank for emergencies and don't offer rides to anyone you do not know, even if he, she or they claim to be a student.
- Honk your horn if someone suspicious approaches your vehicle; criminals don't like attention.
- Lift the hood, put on the flashers and wait inside for help with the doors locked if your car breaks down.
- Ask people who stop to call the police or AAA for you; don't accept a ride with anyone you do not know.

At Home

- Keep doors locked at all times, even if you are only away for a few moments; do not prop open doors in the residence halls.
- Be assertive and demand that any unwanted person in your residence leave, or leave yourself.
- Anyone who refuses to leave is a trespasser; if you live in a residence hall, call the Office of Public Safety.
- Make sure hallways, entrances, garages and grounds are well-lit. Leave porch lights on all night. When you expect to return after dark, leave an interior light on with shades drawn. If you live on campus, report any malfunctioning lights.
- Know who is at your door before you open it. Campus staff should carry identification, and no solicitors are allowed on campus. If you live off campus, install a peephole in your front door.
- Make calls for strangers who want to use your phone; don't open your door or let them in.
- Get to know your neighbors; if you live off campus, join a neighborhood watch system and share information about suspicious circumstances.

Away from Home

- Walk or jog with a friend. Avoid jogging after dark. If you must, stay in well-lit areas. Walk midway between curbs and buildings, and away from alleys and bushes.
- Don't stop for stranded motorists; you are of greater help to them by calling the police.
- Keep valuables in the trunk of your vehicle, not on the seats.
- Park your car in well-lit areas.
- Remove all keys from your vehicle. Thieves look for keys. Walk with your keys in your hand.
- Tell someone where you are going and when you will return.
- Don't fight back if your purse or wallet is snatched; turn it over to the thief rather than risk personal injury, and call the police immediately.
- Be careful about when and where you patronize Automatic Teller Machines (ATMs). Accessing ATM cash in remote locations, particularly at night, could expose you to risk of robbery and personal injury.
- Avoid working or studying alone in a public-access building at night.

PUBLIC SAFETY CRIME PREVENTION FEATURES

1. A total of 43 emergency “Blue Light” phones primarily in residential 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 RCNJ Public Safety Department has access and capability to monitor more than 600 cameras throughout the campus and residence halls.
4. Safety screens on lower windows in some campus residence locations.
5. Students, faculty, staff, or visitors, or any combination of these groups, in need of mobility assistance on campus should call the RCNJ 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 and Campus Alerts issued by the RCNJ Public Safety Department to inform the community about ongoing dangers to their safety or well-being.
8. Digital guest registration kiosks for use 24 hours a day; this allows students to register their guests at each residence hall community.
9. Lockable closet spaces in certain residence halls.
10. State-of-the-Art fire suppression system and carbon monoxide detection systems.

BEHAVIORAL INTERVENTION TEAM

The Behavioral Intervention Team (The Team) provides caring prevention and early intervention for students experiencing serious distress or engaging in harmful or disruptive behaviors. This process provides the community with a tool and conduit with which to alert relevant campus authorities of their worry and concern for a student. The Team aims to intervene and assist these students in meeting their academic, personal, and professional goals at the College. The reported behaviors might relate to the safety and rights of others; therefore, the Team may mobilize resources in order to minimize the disruption to the College and help prevent violence on campus. The Team will develop strategies for and provide consultation to the community when concerns arise about a student’s well-being or when there is a behavior that is potentially harmful to themselves, to other, or both or is disruptive, threatening, or both. The Team will regularly assess these situations in the community and recommend actions in accordance with existing college policies. The Team does not serve as a crisis response unit, nor does it replace faculty classroom management or the Department of Public Safety’s response to an incident. Emergencies must be reported to the RCNJ Public Safety Department at (201) 684-6666.

COUNSELING SERVICES

Counseling Services are available to all students, both residential and commuter. All our counselors are professionally trained. Our mission is to support the mental health and emotional well-being of students at Ramapo College by offering a range of free and confidential services, including short-term individual counseling, drop-in hours, crisis intervention, psychiatric services, substance use disorders assessment and treatment and referrals to long-term therapy in the community.

For Parents or Faculty and Staff with a concern about their student, please check out their website for more resources, or contact them.

Drop-In Hours: Monday - Friday 1-3 p.m.

Location: Building D, Room D-216 (entrance behind stairwell on left)

(201) 684-7522 | Counseling Services Website

SECURITY AND ACCESS TO COLLEGE FACILITIES

Ramapo College of New Jersey is part of the town of Mahwah and as such, is open to the public. The College's facilities are open and accessible to the public during normal hours of operation. RCNJ PSD closes and opens buildings on a daily basis. Most facilities have individual hours and the hours vary at different times of the year. Assisted access to closed facilities by authorized individuals is granted only with approval from the RCNJ PSD Administration. Contractors are required to obtain identification badges and will then be placed on the authorization list for access to certain locations after normal hours of operation. The RCNJ PSD conducts routine security patrols of campus buildings. Vehicle access to the campus is restricted from 11 p.m. to 5 a.m. daily. In addition, visitors are required to register with the main booth located at the main entrance to campus 24 hours a day.

ACCESS & SECURITY IN THE RESIDENTIAL AREAS

A resident's student ID will allow access to only their assigned room, suite or apartment. Additionally, exterior main entrance doors to traditional style residence halls (Bischoff, Laurel, Mackin, Overlook, and Pine Halls) are controlled by an electronic card access system.

Residential areas remain open for access by residents and their guests during the academic year, except during scheduled semester breaks. Throughout Winter Session, access to the residential areas is limited to individuals approved for winter housing. All other student IDs are temporarily disabled during semester breaks. Students approved to remain on campus for Winter Break housing (time between Christmas and New Year's when the College is closed) are relocated to apartment complex areas. Summer housing is located in one apartment complex area and access is limited to individuals approved for summer housing.

Residence Life staff, in addition to RCNJ Public Safety Officers, conduct regular rounds of the residence areas. Residents may register guests at electronic kiosks located in each residence hall, 24 hours a day. Students and guests may receive assistance registering their guests from their hall office, or by contacting Public Safety. During floor meetings, RAs review resident's responsibility for their personal safety, security of their room and possessions, and procedures for fire safety and evacuation.

Guests and visitors are required to comply with College policy and procedures. Resident students are responsible for their guests and visitors, and guests and visitors should remain with their host at all times. Residents will be held accountable for the behavior and actions of their guests and visitors. The College automatically assumes that all residents within a shared housing unit (room, suite, or apartment) agree to permit their roommate, suitemates, and apartment-mates to register guests in their shared housing unit, without having to provide prior acknowledgement of those guests. However, residents have the right to opt-out of the automatic Guest Registration by contacting their Resident Assistant to facilitate a roommate, suitemate, and apartment-mate contract. See guest policies for more information.

MAINTENANCE & SECURITY OF CAMPUS FACILITIES

The College maintains a strong commitment to campus safety and security. RCNJ PSD Officers are required to report hazardous and unsafe conditions during their routine patrols. Parking lots and pathways are illuminated with lighting. RCNJ PSD works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. RCNJ PSD encourages our campus community to report inoperative exterior lights, malfunctioning emergency phones, and other hazardous conditions immediately to RCNJ PSD or Facilities Management, at which time they will be given the highest priority to assure the completion of necessary repairs.

The College is mindful of the security needs during the daily operation of campus facilities and residential areas. When repairs are requested, the use of master keys is logged using a sign-in/out method by authorized maintenance staff members. These authorized staff members are required to display a photo identification badge and must have possession of a work order upon entering secure campus facilities and assigned residential living quarters. Whenever possible, resident students who have requested maintenance service are given the opportunity to be present while repairs are made.

MONITORING & RECORDING OF CRIMINAL ACTIVITY AT NON-CAMPUS LOCATIONS OF RECOGNIZED STUDENT ORGANIZATIONS

Ramapo College of New Jersey does not have any officially recognized student organizations that own or control housing facilities outside of the Main Campus.

PUBLIC SAFETY AND LAW ENFORCEMENT

Public Safety maintains a great working relationship with the Mahwah Police Department, Bergen County Prosecutor's Office, Bergen County Sheriff, New Jersey State Police, and the Federal Bureau of Investigation. It is with the support of these departments that RCNJ PSD can provide and maintain the safety and security of students, employees, guests, and visitors. *The College has a written Memorandum of Understanding (MOU) with the Mahwah Police Department and Bergen County Prosecutor's Office.*

RCNJ PSD relies on the cooperation of all within the College Community in their efforts to ensure a safe and secure environment. Employees, students, guests, and visitors are required and expected to adhere to College policies and rules of conduct in addition to local, state, and federal laws. Members of the RCNJ community are encouraged to report unsafe conditions, illegal activity, or suspicious activity to Public Safety.

CAMPUS SECURITY AUTHORITY (CSA)

The Clery Act requires institutions of higher education to identify persons within their community as a Campus Security Authority. The law defines Campus Security Authority (CSA) as individuals or organizations that "have significant responsibility for students and campus activities including student housing, student discipline, and campus judicial proceedings," as defined by the Clery Act. The role of a CSA is to collect information on certain criminal offenses, if such offenses are reported to them and report that information to the proper authorities (Public Safety). Reporting of such crimes must be timely to allow for issuance of a Timely Warning, if deemed necessary. It is important that CSAs also refer victims to seek other assistance if they so choose, including offering to help them contact Public Safety, the College Counseling Center, Student Health Services, or other outside agencies.

The Clery Act requires institutions to list each individual or organization that has been identified as CSAs and designated to receive reports of Clery Act crimes.

Ramapo College of New Jersey considers the following individuals and departments as having significant responsibility for student or campus activities. CSAs include, but are not limited to, the following:

- The RCNJ Public Safety Department
- Director, Center for Health and Counseling Services
- Vice President for People Operations and Employee Resources
- Director of People Operations
- The Roukema Center for International Education, Study Abroad
- Residence Life
- Athletic Director and Coaches (including associate and assistant coaches and trainers)
- Office of Access, Belonging, and Community (ABC)

- Ombudsperson
- Office of Specialized Services
- Student Affairs Office
- Center for Student Involvement Advisors of Clubs and Organizations
- Office of Student Conduct
- Title IX Office
- Women's Center Coordinator
- Office of Violence Prevention Staff

Note: Faculty members who do not have any responsibility for students or campus activity beyond the classroom, as well as clerical and cafeteria staff, are NOT considered CSAs.

Additionally, campus pastoral and professional counselors are obligated to protect the confidentiality of communications with those they counsel and are NOT CSAs when functioning within the role of their pastoral or professional counselor duties.

The College does not have a formal policy requiring pastoral or professional counselors to offer the following, though they are encouraged to provide information about college resources available to those they counsel; and if they deem it appropriate, may inform the person they are counseling on procedures to report crimes voluntarily, and that the report may be included in the crime statistics.

- **Pastoral Counselor**: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional Counselor**: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

For additional information regarding the Clery Act and Annual Security and Fire Safety Report please visit the Clery Center website.

REPORTING CRIMES AND OTHER EMERGENCIES

For EMERGENCIES, dial the 6666 extension from any campus landline phone or dial (201) 684-6666 from any other phone to be connected to the RCNJ Public Safety Department Dispatch. Dial 911 to be connected to Local Law Enforcement Dispatch. Additionally, the Regroup mobile may be downloaded to your phone for immediate contact with Public Safety. Use the following link for details: RCNJ Alerts.

The RCNJ Public Safety Department follows all applicable policies and laws regarding the confidentiality of records and reserves the right to provide law enforcement agencies with any information obtained as a result of a criminal investigation. Members of the College community retain the right to file the complaint of a crime if they so choose. We strongly encourage complainants, victims and witnesses to promptly report crimes to the Department of Public Safety. Additionally, the RCNJ Public Safety Department can offer assistance with contacting the appropriate local police department according to the jurisdiction of where the criminal act occurred.

The RCNJ Public Safety Department encourages all members of its community, visitors, and guests to accurately and promptly report any potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned or controlled by Ramapo College of New Jersey. Reports may be made in person at the office located on the main campus in building C room 102. Reports may also be made by calling one of the following numbers:

EMERGENCIES: 911 OR (201) 684-6666 (RCNJ PSD)

RCNJ PSD (non-emergency): (201) 684-7432

Mahwah Police Department (non-emergency): (201) 529-1000

The College is equipped with Emergency Phone Stations and Call Boxes strategically placed throughout the campus. Emergency Phones and Call Boxes provide direct communication with the RCNJ PSD Dispatch Communications Center.

College community members are encouraged to become familiar with the locations of the Emergency Phone Stations and Call Boxes. Maps displaying the locations of Emergency Phones and Call Boxes are listed under the Emergency Call Boxes tab available on the RCNJ PSD website.

When reporting an incident, it is imperative to accurately provide as much information as possible. The RCNJ Public Safety Department understands that under certain emergency circumstances this may be difficult to do. In this case, we ask that at a bare minimum you provide:

1. Incident type (reason for your call)
2. When the incident took place (approximate date and time)
3. Where the incident occurred (or is occurring)
4. Who is involved (description of the suspect; victims' information if other than yourself)
5. Your contact information (name and phone number)

Dispatchers are available at the respective telephone numbers 24 hours a day to answer your calls. In response to a call, The RCNJ Public Safety Department will take the required action. Either an officer will be dispatched to the reported location to meet with the complainant and to investigate the complaint or ask the victim to report to the Public Safety Office to file an incident report. All reported crimes will be investigated by the College, the Mahwah Police Department, or other law enforcement entity with the appropriate jurisdiction for the alleged incident. Complainants and witnesses may be asked to provide a signed statement attesting to the facts of the incident. Persons reporting incidents may request to remain anonymous.

Note: If assistance is required from local law enforcement or the local fire department, the RCNJ Public Safety Department will contact the appropriate agency. If a sexual assault or rape has occurred, staff on scene, including The Department of Public Safety, will notify the Title IX Director who will then take over the case according to Title IX procedures.

For information regarding the procedures, policies, and programs referring to Title IX, please see the "Sexual Misconduct" section of this report located in APPENDIX C Sexual Misconduct Policy (prior to August 14, 2020) and Appendix D Sexual Misconduct Policy (after August 14, 2020).

All RCNJ Public Safety Department incident reports involving violations of Student Conduct are forwarded for review to the Office of Student Conduct for potential action if deemed appropriate. Violations of College policy may be reported to RCNJ PSD by calling the Dispatch Communications Center non-emergency line at (201) 684-6666.

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 (201) 684-6666 or dial 911. The "Complaint Form" allows for the reporting person to provide contact information if they wish to be contacted about the complaint.

Criminal incidents should be reported to the RCNJ Public Safety Department or Primary CSAs as soon as possible. Reports made immediately following a criminal incident will allow the RCNJ Public Safety Department adequate time to issue a timely warning notice to the campus community, if and when deemed necessary. Additionally, reporting criminal incidents gives the RCNJ PSD an opportunity to assess crime trends, include an accurate recording of these incidents in the Annual Security and Fire Safety Report, and aids investigators in their effort to solve crimes.

Community members are a vital link to preventing and solving crimes. Thus, community members are asked to mark personal property with a unique identifier and maintain property records such as serial and model numbers. Personal identifiers and property records can assist the RCNJ Public Safety Department in their efforts of recovering stolen property.

VOLUNTARY CONFIDENTIAL REPORTING

Members of the Ramapo College of New Jersey community are encouraged to accurately and promptly report crime and emergencies to the RCNJ Public Safety Department and appropriate Law Enforcement agencies, including when the victim of a crime elects to or is unable to make such report.

If you are the victim of a crime and do not wish to pursue action within the College or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Public Safety Officer or CSA can file a report on the details of the incident without revealing your identity (with the exception of the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of confidential reporting is to comply with your request to keep the matter confidential while taking steps to enhance the future safety of yourself and others. With such information, the RCNJ Public Safety Department or CSA can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner remain confidential and are counted and disclosed in the annual crime statistics for the institution.

CRIME LOG

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 per day, 7 days per week, and 365 days per year. Persons wishing to view the Public Crime Log should 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 two (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 Department of Public Safety. There are two (2) 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 of a sexual offense.

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; (2) jeopardize the safety of an individual; (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 RCNJ Public Safety Department personnel) can determine following an investigation that a crime is “unfounded” (i.e., did not occur).

MISSING STUDENT REPORTING

If members of the Ramapo College of New Jersey community believe that a student has been missing, it is critical that they report this information immediately to Public Safety (RCNJ PSD) at **(201) 684-6666**. Public Safety will generate a missing person’s report and initiate an investigation. Due diligence will be performed to ensure that the student has not been by others on campus or off campus. The RCNJ Public Safety Department may contact emergency contacts identified by the student local authorities, legal guardians or domestic partners in the course of their investigation.

Residential students in campus housing will be informed annually that each student has the option to register a confidential contact person to be notified by the Ramapo College of New Jersey, RCNJ Public Safety Department no later than 24 hours, if they are determined to be missing. This confidential contact person will be contacted to confirm the student’s whereabouts. This name can be the same or different from the emergency contact person. Only authorized College officials and law enforcement working on a missing person investigation will have access to this information.

In the event that the missing student is under 18 years of age and not emancipated, Ramapo College of New Jersey **will** notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

For all missing students, the Ramapo College of New Jersey will notify the local law enforcement agency within 24 hours of the determination that the student is missing **and all gathered information will be shared with them**, unless the local law enforcement agency was the entity that made the determination that the student is missing. The Ramapo College of New Jersey will notify any residential missing student’s confidential contact(s), if provided, within 24 hours of the determination that the student is missing. A student is determined to be missing when the RCNJ Public Safety Department have verified that reported information is credible and circumstances warrant declaring the person missing.

REGISTERED SEX OFFENDER

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 required under state law, 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 promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes take effect October 28, 2002. These requirements are tied to state eligibility for certain types of federal grant funding and must be implemented through state law.

The 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, including the Adam Walsh Child Protection and Safety Act of 2006 (42 USC 16921), advising the campus community of where to obtain information provided by a state concerning registered sex offenders. 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 Registry.

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.

TIMELY WARNINGS, EMERGENCY NOTIFICATION AND EVACUATION

The Clery Act requires every Title IV institution to have and disclose emergency response and evacuation procedures, and when deemed necessary, issue timely warnings, emergency notifications and other efforts designed to protect and inform students and employees about threats to their health and safety.

For detailed information regarding federal disclosure and procedure requirements please refer to the Federal Register: Disclosure of emergency and evacuation procedures, citation 34 CFR 668.46(b)(13), and Emergency response and evacuation procedures statements, citation 34 CFR668.46(g).

TIMELY WARNINGS

Timely Warning Notifications (TWN) are issued "campus wide" for any crime defined by the Clery Act that occurs within the Ramapo College Clery Geography that may present a serious or on-going threat to members of the College Community. Timely warnings may be issued for other crime categories and for off campus crimes at the sole discretion of the College, if and when deemed necessary.

The Director of Public Safety or designee reviews all reports to determine if there is an on-going or serious threat to the community and if the distribution of a TWN is warranted. If it is determined that such an event has occurred, the Director of Public Safety and the Vice President – Chief of Staff will determine the initial general content of the notice and a campus wide TWN will be issued. In certain cases, and when necessary, the Office of Communications and Public Relations may also draft the TWN.

TWN's will be distributed as soon as pertinent information becomes available. However, the name(s) of any complainant(s) or confidential complainant(s) are confidential and will be withheld, as the purpose and intent of a TWN is to aid in the prevention of similar occurrences.

The RCNJ Public Safety Department works with the Office of Communications and Public Relations to distribute the timely warning notice to the campus community via notice to the campus community via email blast to all Ramapo College assigned email accounts. Timely warnings may also be issued using some or all of the following, but are not limited to email, flyers, and RCNJ Text messaging. *Please see the notification flow chart provided below.*

	EMAIL BLAST (Primary)	Flyers Posted in Bldgs.	Text	Press Release	Website
Primary Creator	DPS	DPS	DPS	MAC	MAC
Backup Creator	MAC	N/A	MAC	N/A	N/A
Authority for Messages	DPS/MAC	DPS	DPS /MAC	MAC	DPS/ MAC
Primary Message Distributor	MAC	DPS	DPS	MAC	MAC/ DPS

TWN's are typically issued for the following Uniform Crime Reporting Program (UCR) and National Incident Based Reporting System (NIBRS) crime classifications, though The RCNJ Public Safety Department reserves the right to issue Timely Warning notifications relative to other crime classifications if deemed necessary.

- MURDER/NON-NEGLIGENT MANSLAUGHTER
- AGGRAVATED ASSAULT (Note: cases involving assaults among known parties, such as two roommates' fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the Ramapo College of New Jersey community.)
- ROBBERY INVOLVING FORCE OR VIOLENCE
- SEXUAL ASSAULT (Note: Considered on a case-by-case basis depending on the facts of the case; when and where the incident occurred, when it was reported, and the information known by the Director of Public Safety, or designee. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger or acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.)
- MAJOR INCIDENT OF ARSON
- Other Clery crimes as determined necessary by the Director of Public Safety or designee. Timely Warning Notifications, at the sole discretion of the Director of Public Safety and the Vice President – Chief of Staff, may also be posted for other crime classifications and locations even though it is not required by the law.

Note: The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Information contained within the Timely Warning notice may include, but is not limited to, the following: the nature of the crime, date, and location of crime, suspect(s)/involved parties, and any additional details that would benefit members of the community. Timely Warnings may include information about the process to be followed for anyone having additional information regarding the incident and precautions that individuals may take to reduce any further risk of crimes being committed.

EMERGENCY RESPONSE AND NOTIFICATION

Ramapo College of New Jersey has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation:

1. An active shooter on campus
2. Hostage/barricade situation
3. Civil unrest (riot)
4. Severe weather events with little or no warning
5. Fire/explosion
6. Suspicious death
7. Structural damage to a Ramapo College of New Jersey owned or controlled facility
8. Biological threat (such as anthrax, etc.)
9. Significant flooding
10. Hazardous materials incidents

In the event of an emergency, the Ramapo College of New Jersey Public Safety will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

The RCNJ Public Safety Department is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders, public health agencies and/or the national weather center.

If RCNJ PSD confirms that there is a significant emergency or dangerous situation involving an immediate or ongoing threat to the health and safety of some or all of the members of the Ramapo College of New Jersey community, RCNJ PSD will determine the content of the message and will use some or all of the systems described below to communicate the threat to the Ramapo College of New Jersey Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. At such time, the College will, without delay and taking into account efforts to assist a victim or efforts to contain, respond to, or otherwise mitigate the emergency.

METHODS OF EMERGENCY NOTIFICATIONS

The primary method of communication to alert faculty, staff, and student of an emergency is through a mass notification system. The College uses the RCNJ ALERTS mass notification system, which is a web-based system that allows designated College officials to send time-sensitive communication to college students, faculty, and staff. All active students, faculty, and staff automatically receive such alerts via their college email. Students, faculty, and staff who have active cell phone numbers recorded in the College's database also receive alerts via text message and phone calls.

The RCNJ ALERTS mass notification allows an authorized College administrator(s) (i.e., Department of Public Safety or Marketing and Communications) to send a message to the College community within minutes. When deployed, RCNJ ALERTS mass notification is able to broadcast messages to the community by several methods:

- Text message
- Phone call
- Twitter
- E-mail
- Facebook

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information. Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Ramapo College of New Jersey homepage and/or social media.

Students and employees should confirm or add their cell phone information to ensure they receive emergency notification. Students and employees may also add parents and significant others for emergency notification. To opt-in for emergency text and voice messaging, students, faculty, and staff can do so by visiting the Ramapo College of New Jersey RCNJ Alerts website.

OTHER METHODS OF NOTIFICATION

The Ramapo College of New Jersey may employ other methods to communicate emergency messages to the community as warranted. These methods include the following:

- Public Safety vehicles equipped with bull horns
- College website
- In-person communications
- Local Radio Stations
    - WBGO 88.3 FM
    - WPSC 88.7 FM
    - WFDU 89.1 FM
- Local Television Stations
    - WCBS 12
    - WNBC 4
    - WNYW 5

If any of these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College will follow emergency notification procedures. In such a case the College may not issue a timely warning based on the same circumstances; however, the College will provide adequate follow-up information to the community as needed.

If an emergency occurs on a day and time prior to the start of classes, notification to members of the College community will occur according to normal weather closing policies and procedures. Additional RCNJ PSD personnel will be utilized to maintain order and compliance.

EVACUATIONS

Ramapo College of New Jersey maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions. The plan may be obtained by reviewing the Emergency Preparedness Plan.

Building fire alarm systems are used to notify occupants of the requirement to evacuate a facility unless an emergency precludes this action. All faculty, staff and students have been directed to become familiar with the Emergency Management and Evacuation Plan for their organizational unit as well as the buildings where they work and study. College units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

In conjunction with other emergency agencies, the College conducts tests, drills and exercises each year, such as tabletop exercises, field exercises, testing of the emergency notification systems on campus and conducts the follow-through activities designed for assessment and evaluation of emergency plans and capabilities. Ramapo College Fire Marshal coordinates evacuation drills each semester to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. The College will publish a summary of its emergency evacuation procedures in conjunction with at least one drill or exercise each calendar year that meets all the requirements of the Higher Education Opportunity Act. These drills and exercises may be announced or unannounced. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

EMERGENCY EVACUATION PROCEDURES

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Fire Drills are conducted unannounced. The Public Safety Department does not tell building occupants in advance about the designated location for long-term evacuation because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Public Safety staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At the Ramapo College of New Jersey, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Instructions to evacuate will be issued by first responders that may include the following agencies or Departments but not limited to:

- The Public Safety Department
- Local Police Department/Officials
- Local Fire Department/Officials
- Ramapo College of New Jersey Officials

Upon instruction, faculty, students and staff are required to immediately evacuate in a calm and orderly fashion to a safe area or area designated by first responders. The RCNJ Public Safety Department asks that you:

- Remain Calm.
- Carefully follow instructions.
- Assist handicapped person and others in need of assistance.
- Do not turn off lights or equipment.
- Do not lock doors.
- Do not touch or handle anything you suspect is suspicious; immediately notify a first responder.
- Remain in the safe or designated area until a first responder or another official has deemed it safe to leave.

EVACUATION PROCEDURES

Before an Emergency Requiring Evacuation

In advance, locate the nearest exit from your work location and determine the route you will follow to reach that exit in an emergency. Establish an alternate route to be used in the event your route is blocked or unsafe.

During an Evacuation

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify The Public Safety Department at (201) 684- 6666 or Local Police Emergency or dial 911.

Only if time and conditions permit, secure your workplace and take with you important personal items that are easily accessible such as car keys, purse, medication, and glasses. Read and understand the following steps:

1. Follow instructions from emergency personnel.
2. Check doors for heat before opening and if the door is hot, do not open it.
3. Walk; DO NOT RUN, push, or crowd.
4. Use handrails in stairwells and stay to the right.
5. Keep noise to a minimum so you can hear emergency instructions.
6. Assist people with disabilities.
7. Unless otherwise instructed, move quickly away from the building towards an assembly point.
8. Watch for falling glass and other debris.
9. Keep roadways and walkways clear for emergency vehicles.
10. If you have relocated away from the building, DO NOT return until notified that it is safe.

Evacuation of Individuals with Disabilities or Special Needs

You should take into consideration that there might be someone near you who may need help during an evacuation. REMEMBER, the best way to help someone during an evacuation is to first consult with that person regarding how best to assist them.

SHELTER-IN-PLACE PROCEDURES

What It Means To “Shelter-In-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Shelter-in-place events are usually Weather-related emergencies requiring people to stay indoors. Remember that others may also need to shelter in place, thus DO NOT LOCK DOORS behind you.

How Do I Shelter in Place?

1. REMAIN CALM!
2. Immediately seek shelter inside the closest sturdy building.
3. Do not wait until you physically see a tornado or severe weather event to react.
4. Resist the temptation to go outside and check the weather conditions yourself.
5. Once inside, stay away from windows, glass, and unsecured objects that may fall.
6. Seek shelter in interior rooms and corridors.
7. Avoid large free-standing expenses such as auditoriums and gymnasiums.
8. DO NOT use elevators.
9. Await further instruction from RCNJ Alerts Emergency Notification System Alerts and emergency personnel.
10. DO NOT leave until an “All Clear” is received.
11. During a tornado, seek shelter on the lowest, interior level possible. If warranted, consider crouching near the floor and seeking additional shelter under a sturdy desk or table, or cover your head with your hands.

Remember, always use common sense. There are exceptions to all guidance and prescribed directions.

DEFINTIONS FOR DATING VIOLENCE, DOMESTIC VIOLENCE SEXUAL ASSAULT, AND STALKING.

In accordance with 34CFR 668.46(b)11 Ramapo College of New Jersey will provide a statement of policy regarding the institutions programs to prevent dating violence, domestic violence, sexual assault and stalking and of the procedures that the institution will follow when one of these crimes is reported. **Ramapo College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the Clery Act.** *For more detailed information please refer to APPENDIX C (prior to 8/14 2020) and D (after 8/14/20) Sexual Misconduct Policy.*

DEFINITION OF DATING VIOLENCE

- **UNIFORM CRIME REPORT DEFINITION**: Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; dating violence does not include acts covered under the definition of domestic violence.

- **NEW JERSEY DEFINITION**: "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner. In accordance with N.J.S.A.18A:37-34.

DEFINITION OF DOMESTIC VIOLENCE

- **UNIFORM CRIME REPORT DEFINITION**: Domestic Violence is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **NEW JERSEY DEFINITION:**

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

  1. Homicide N.J.S.2C:11-1 et seq.
  2. Assault N.J.S.2C:12-1
  3. Terroristic threats N.J.S.2C:12-3
  4. Kidnapping N.J.S.2C:13-1
  5. Criminal restraint N.J.S.2C:13-2
  6. False imprisonment N.J.S.2C:13-3
  7. Sexual assault N.J.S.2C:14-2
  8. Criminal sexual contact N.J.S.2C:14-3
  9. Lewdness N.J.S.2C:14-4
  10. Criminal mischief N.J.S.2C:17-3
  11. Burglary N.J.S.2C:18-2
  12. Criminal trespass N.J.S.2C:18-3
  13. Harassment N.J.S.2C:33-4
  14. Stalking P.L.1992, c.209 (C.2C:12-10)
  15. Criminal coercion N.J.S.2C:13-5
  16. Robbery N.J.S.2C:15-1

17. Contempt of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly persons offense.
18. Any other crime involving risk of death or serious bodily injury to a person protected under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.).
19. Cyber-harassment P.L.2013, c.272 (C.2C:33-4.1)

When one or more of these acts is inflicted by an unemancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c.77 (C.2A:4A-30).

DEFINITION OF STALKING

- **UNIFORM CRIME REPORT DEFINITION**: Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to; fear for the person's safety or the safety of others; or suffer substantial emotional distress.

- **NEW JERSEY DEFINITION:**
  1. "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.
  2. "Repeatedly" means on two or more occasions.
  3. "Emotional distress" means significant mental suffering or distress.
  4. "Cause a reasonable person to fear" means to cause fear which a reasonable victim, situated, would have under the circumstances.
     a. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.
     b. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.
     c. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.
     d. A person is guilty of a crime of the third degree if he commits the crime of stalking while any indictable offense under the laws of this State, any other state or the United States. e. This act shall not apply to conduct which occurs during organized group picketing. L.1992, c.209, s.1; amended 1996, c.39, s.1; 1998, c. 17, s.3; 1999, c.47, s.1; 2001, c.220, s.2; 2009, c.28.

DEFINITION OF SEXUAL ASSAULT

- **UNIFORM CRIME REPORT DEFINITION**: Sexual Assault (as defined by the Uniform Crime Report) means an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR Program. Sexual Assault involves any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape**: The penetration, no matter how slight of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. This offense includes the rape of both males and females.
  - **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim

is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental incapacity.
    - **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent.

- **NEW JERSEY DEFINITION**: 2C:14-2. Sexual assault. An actor is guilty of aggravated sexual assault if the actor commits an act of sexual penetration with another person under any one of the following circumstances:
    1. The victim is less than 13 years old;
    2. The victim is at least 13 but less than 16 years old; and
        a. The actor is related to the victim by blood or affinity to the third degree, or
        b. The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
        c. The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
    3. The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, carjacking, kidnapping, homicide, aggravated assault on the victim or a person other than the victim, burglary, arson, or criminal escape;
    4. The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
    5. The actor is aided or abetted by one or more other persons and the actor commits the act using coercion or without the victim's affirmative and freely-given permission;
    6. The actor commits the act using coercion or without the victim's affirmative and freely-given permission and severe personal injury is sustained by the victim;
    7. The victim, at the time of sexual penetration, is one whom the actor knew or should have known was:
        a. physically helpless or incapacitated;
        b. intellectually or mentally incapacitated; or
        c. had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the distinctively sexual nature of the conduct, including, but not limited to, being incapable of providing consent, or incapable of understanding or exercising the right to refuse to engage in the conduct.

Aggravated sexual assault is a crime of the first degree. Except as otherwise provided in subsection d. of this section, a person convicted under paragraph (1) of this subsection shall be sentenced to a specific term of years which shall be fixed by the court and shall be between 25 years and life imprisonment of which the person shall serve 25 years before being eligible for parole, unless a longer term of parole ineligibility is otherwise provided pursuant to this Title.

a. An actor is guilty of sexual assault if the actor commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim.
b. An actor is guilty of sexual assault if the actor commits an act of sexual penetration with another person under any one of the following circumstances:
    1. The actor commits the act using coercion or without the victim's affirmative and freely-given permission, but the victim does not sustain severe personal injury;
    2. The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;
c. The victim is at least 16 but less than 18 years old and:
        i. The actor is related to the victim by blood or affinity to the third degree; or
        ii. The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or

iii. The actor is a resource family parent, a guardian, or stands in loco parentis within the household;

d. The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim;
e. The victim is a pupil at least 18 but less than 22 years old and has not received a high school diploma and the actor is a teaching staff member or substitute teacher, school bus driver, other school employee, contracted service provider, or volunteer and the actor has supervisory or disciplinary power of any nature or in any capacity over the victim. As used in this paragraph, "teaching staff member" has the meaning set forth in N.J.S.18A:1-1.

Sexual assault is a crime of the second degree.

- Notwithstanding the provisions of subsection a. of this section, where a defendant is charged with a violation under paragraph (1) of subsection a. of this section, the prosecutor, in consideration of the interests of the victim, may offer a negotiated plea agreement in which the defendant would be sentenced to a specific term of imprisonment of not less than 15 years, during which the defendant shall not be eligible for parole. In such event, the court may accept the negotiated plea agreement and upon such conviction shall impose the term of imprisonment and period of parole ineligibility as provided for in the plea agreement, and may not impose a lesser term of imprisonment or parole or a lesser period of parole ineligibility than that expressly provided in the plea agreement. The Attorney General shall develop guidelines to ensure the uniform exercise of and period of parole ineligibility set forth in subsection a. of this section.

DEFINITION OF CONSENT

Ramapo Definition of 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.

- 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 reasonable person is assumed to be sober and using good judgment. A person cannot claim that being under the influence of alcohol or drugs is a defense or excuse for engaging in sexual misconduct.

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 consent, it shall not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

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

Additionally, it shall not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity if the Respondent 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;
2. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so
3. That the Complainant could not understand the fact, nature, or extent of the sexual activity; or
4. 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.

NEW JERSEY DEFINITION OF CONSENT

2C:2-10. Consent

a. In general, the consent of the victim to conduct charged to constitute an offense or to the result thereof is a defense if such consent negatives an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense.
b. Consent to bodily harm. When conduct is charged to constitute an offense because it causes or threatens bodily harm, consent to such conduct or to the infliction of such harm is a defense if:
    1. The bodily harm consented to or threatened by the conduct consented to is not serious; or
    2. The conduct and the harm are reasonably foreseeable hazards of joint participation in a concerted activity of a kind not forbidden by law; or
    3. The consent establishes a justification for the conduct under chapter 3 of the code.
c. Ineffective consent. Unless otherwise provided by the code or by the law defining the offense, assent does not constitute consent if:
    1. It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense; or
    2. It is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature of harmfulness of the conduct charged to constitute an offense; or
    3. It is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

L.1978, c. 95, s. 2C:2-10, eff. Sept. 1, 1979.

EDUCATIONAL PROGRAMS AND CAMPAIGNS TO PROMOTE THE AWARENESS OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING.

EDUCATIONAL PROGRAMS AND CAMPAIGNS FOR STUDENTS

Understanding Sexual Assault for Undergraduates (Everfi): An Online Course Programming for First Year Students which provides students with a comprehensive foundation in four areas: sex in college, partying smart, sexual violence, and healthy relationships. This course prepares students before they begin their life in college. "Choices and Consequences" is an online substance abuse training program that prepares students to confront and prevent serious campus problems. This program delivers Title IX and Campus SaVE Act training with a non-judgmental approach to effectively reach students.

Scream Theater: SCREAM Theater is the peer education improvisational theater group associated with the Office for Violence Prevention and Victim Assistance at Rutgers College. Scream uses use interactive, educational skits to educate audiences on issues of interpersonal violence, specifically on sexual assault, domestic and dating violence, stalking, sexual harassment, and bullying. Scream Theater has been coming to Ramapo colleges for several years. We did not have them during the 2020-2021 school year, due to the pandemic. They returned in fall 2021 and presented to all 1st and 2nd year residents since. SCREAM Theater is supported by evidence. This means that the program authors or researchers have established evidence of effectiveness of this program by demonstrating participants' improvements on one or more learning objectives, using an experimental or quasi-experimental design (with a comparison group). This evaluation data must have been published in at least one peer-reviewed publication.

Consent Culture 101: An affirmative consent/bystander intervention presentation given to all first-year students at first-year seminar. We have been giving this presentation to first year students since 2022.

Violence Prevention Peer (VIPs): Our VIP program consists of students who are trained by the Office of Violence Prevention, Title IX and the Center for student involvement to act as peer educators. After being trained the VIPs create evidence-based interactive programs and exhibits for all students.

Ongoing Prevention Programs: Sexual Violence Prevention Programming: On-going throughout the academic year: The Office of Violence Prevention and the Title IX Office offers a variety of prevention programs throughout the academic year pertaining to violence prevention ranging from National Campaigns like:

- It's on Us: We continue to use the Its on us video created by Ramapo students and staff to emphasize the importance of bystander intervention.
- Take Back the Night
- Denim Day
- No More Campaign
- Sexual Assault Awareness month
- Clothesline Project
- Various other bystander initiatives during key points of the academic year with specific focus on awareness months.

Ramapo developed programs such as:

- Ramapledge: Worked with the Ramapo Student Government Association to have students sign a pledge to be an active bystander, be aware of both confidential and non-confidential resources for victims of sexual violence, encourage and help foster a safe campus environment and to respect the rights of all individuals by always obtaining enthusiastic and affirmative consent when engaging in sexual activity.
- Healthy relationship workshops
- Consent Jeopardy/Kahoots
- Documentary screenings followed by discussions
    - Invisible War
    - Audrie & Daisy
    - Hunting Ground
- Presentations of:
    - Zero Shades of Gray
    - Supporting Male Survivors
    - LGBTQ+ and Interpersonal Violence
- Safer Spring Break
    - Party Smarts Trainings: talks about the role that alcohol and other drugs play in acts of sexual violence. This training also focuses on risk reduction practices.

Sexual Misconduct Open Forum: Held each year, this information session for students, faculty, and staff features Q&A on the revised Sexual Misconduct Policy and increased awareness of available campus resources.

TRAINING FOR ATHLETES

In accordance with the NCAA requirement that all athletes must be trained yearly on sexual violence prevention and bystander intervention, Ramapo College trains all of its athletes, coaches, and athletic department staff yearly using an on-line Power Point presentation with a quiz at the end. The presentation is provided by the Office of Violence Prevention.

EDUCATIONAL PROGRAMS AND TRAININGS FOR EMPLOYEES

The Office of Access, Belonging, and Community (ABC) provides mandatory training on sexual misconduct prevention/response and diversity awareness training to all new College employees in conjunction with the People Operations & Employee Resources Department. ABC also provides ongoing training to all employees regarding the New Jersey State Policy Prohibiting Discrimination in the Workplace.

Responsible Authority Proficiency in Incident Disclosure ("RAPID"), a 15-minute program and quiz that is designed to provide essential information to all Ramapo College mandatory reporters who are required to respond and report sexual violence and/or harassment. As a member of the College community, all faculty and staff are expected to participate in this educational program unless they are a Designated Confidential Resource. Online at the RAPID training page.

Know Your IX: This program provides participants with an understanding of applicable federal and state sexual harassment and discrimination laws as well College Title IX/sexual misconduct policies, reporting procedures, and available resources. This program is provided annually to the following student groups: Resident Assistants, SGA, Club/Organization leaders, Fraternity and Sorority leaders, and new international students.

RCNJ Public Safety Department Annual Title IX Training: All Public Safety supervisors, officers, and staff receive annual training on applicable federal and state sexual harassment and discrimination laws as well College Title IX/sexual misconduct policies, reporting procedures, and available resources. The training includes the following topics:

- Definitions of and College response to dating violence, domestic violence, sexual assault, sexual harassment, and stalking;
- How to conduct an investigation process that protects the safety of victims and promotes Accountability;
- The definition of sexual harassment in § 106.30 of the 2020 Title IX Regulations;
- The scope of the recipient's education program or activity;
- Impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- CSA Reporting requirements.

Title IX Administrator Annual Training: All Title IX Administrators (including the Title IX Coordinator, Deputy Coordinators, Investigators, Hearing Officers, and Appeals Officers) receive annual training on applicable federal and state sexual harassment and discrimination laws as well College Title IX/ sexual misconduct policies, reporting procedures, and available resources. The training includes the following topics:

- Definitions of and College response to dating violence, domestic violence, sexual assault, sexual harassment, and stalking;

- How to conduct an investigation process that protects the safety of victims and promotes accountability;
- The definition of sexual harassment in § 106.30 of the 2020 Title IX Regulations;
- The scope of the College's education program or activity;
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable;
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- Training on any technology to be used at a live hearing;
- Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant;
- Issues of relevance to create an investigative report that fairly summarizes relevant evidence.

INTERVENTION, PREVENTION AND RISK REDUCTION

How to be an active bystander:

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger: **call PUBLIC SAFETY at (201)684-6666 or dial 911**.

This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

a. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
b. Be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
c. Intervene when someone discusses plans to take sexual advantage of another person.
d. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
e. Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network).

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around. Walk with purpose even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.

- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money and/or an on-demand driver app loaded.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him, her or them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
    - Remember that being in this situation is not your fault.
    - You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are; needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
    - Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
    - If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

PROCEDURES VICTIMS SHOULD FOLLOW IF AN OFFENSE OCCURS

If an incident of, sexual assault, stalking, dating violence, domestic violence, or retaliation occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution. While preserved evidence is very helpful, a lack of preserved evidence should never prevent or discourage a victim from reporting misconduct.

Victims are strongly encouraged to take the following steps:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence. This evidence is critical.

- In cases of sexual assault, do not bathe, douche, and use the toilet, shower, brush teeth, or change clothing until you have had a medical exam. Any clothing removed should be placed in a paper bag. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department. Advocates are available to the victim to provide support.
- When appropriate, get medical attention as soon as possible – An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, prescriptions for antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted infections. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for 6–8 hours after ingestion.
- Document evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voice mail or other electronic communications should be saved and not altered in any way.
- Contact Public Safety. It is vital to report these crimes in a timely manner. It is important to remember reporting a crime does not require that criminal charges must be filed. The decision to prosecute may be made at another time, the victim has a right to decline notifying authorities.
- Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand his/her/their feelings and begin the process of recovery.

RESTRAINING ORDERS

Restraining Orders are judicial orders issued by a judge when the applicant appears to be in danger of domestic violence. In the State of New Jersey, domestic violence is defined as an adult or emancipated minor who has a specified relationship to the victim that commits one of the following crimes against the victim:

1. Homicide;
2. Assault;
3. Terroristic threats;
4. Kidnapping;
5. Criminal restraint;
6. False imprisonment;
7. Sexual assault;
8. Criminal sexual contact;
9. Lewdness;
10. Criminal mischief;
11. Burglary;
12. Criminal trespass;
13. Harassment;
14. Stalking.

In New Jersey, there are three kinds of Restraining Orders that can protect you and others in your family or home:

1. Emergency Order (designed to protect you after hours until a court opens and you have the ability to ask for a Temporary Restraining Order). These may be obtained by calling the police or 911. The judge on call will be able to grant you an Emergency Temporary Order if the judge feels the order is necessary to protect your life, health, or well-being.
2. Temporary Restraining Order (lasts until a full hearing). When you file a complaint for a restraining order during normal court business hours, you may ask for a temporary restraining order to be issued immediately. The judge will grant you this temporary restraining order (TRO) if they find that the order is necessary to protect your life, health, or well-being. TROs are issued when it would place the victim in danger by waiting to receive an order at the hearing for a final

restraining order. A full court hearing is scheduled within 10 days after the initial issuance of a TRO.

3. Final Order (lasts indefinitely, unless an expiration date is specified). After a hearing in which both sides have the opportunity to present testimony, evidence, and witnesses, a judge can grant you a final restraining order.

RCNJ Public Safety, the Title IX Coordinator, or the Mahwah Police Department are available to assist individuals seeking a protective order and will coordinate safety plans in collaboration with Student Life or Human Resources, when appropriate. Regardless of whether a complainant elects to pursue a criminal report, the College will assist reporters of sexual assault, domestic violence, dating violence, and stalking and will provide each complainant with a written explanation of his/her/their rights. The College complies with New Jersey's state law in recognizing restraining orders and encourages any person who obtains a restraining order from New Jersey or any other state to provide a copy to RCNJ Public Safety and the Title IX Coordinator. A complainant may then meet with RCNJ Public Safety to develop a Safety Action Plan, which is a plan for RCNJ Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, A Temporary Restraining Order may be available through a law enforcement officer or the victim may request one from the Family Part of the Chancery Division of the Superior Court located at the Bergen County Justice Center, Room 119 10 Main Street, Hackensack, NJ 07601 (Phone: 201-527-2300). The College cannot apply for an emergency restraining order, or final restraining order for a victim or on their behalf. The College can only apply for a Temporary Restraining Order on the victim's behalf only if there are extreme circumstances that prevent the victim from physically being in court. A judge may grant you a temporary restraining order with the sworn testimony of a person who represents you only if you are physically or mentally incapable of filing personally. Otherwise, the victim is required to apply directly for these orders and may be assisted by RCNJ Public Safety or local law enforcement.

PROCEDURES THAT THE INSTITUTION WILL FOLLOW IF ONE OF THESE SEXUAL ASSAULT CRIMES ARE REPORTED

Accommodations

If requested, the college will make changes in academic and living situations reasonably available in assisting victims of sexual assault, dating violence, domestic violence, and stalking. Options may include but are not limited to generating a no contact directive, changes to a victim's academic, living, transportation, and or working situation. When appropriate, will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services and accommodation measures available for victims, both within the institution and in the community. Whether a student or employee reports to law enforcement and/ or pursues any formal action, if they report an incident of sexual assault, domestic violence, dating violence or stalking, Ramapo College is committed to providing them as safe a learning or working environment as possible. Upon request, Ramapo College will make any reasonably available change to a victim's academic, living, transportation, and or working situation. Students may contact the Title IX Coordinator Kat McGee located in D-104, phone number (201) 684-7220. The Title IX Coordinator or their designee will provide the student and employee with their written notice of rights and options which includes information about existing:

- Counseling
- Health
- Mental health
- Victim advocacy
- Legal assistance

- Visa and immigration assistance
- Student and Financial Aid
- Other services available for victims both within the institution and in the community

The College may also issue a no-contact directive, which is an administrative remedy designed to curtail contact and communications between two or more individuals. No-contact directives issued by the College are not criminally enforceable Violations of no-contact orders are enforced through the College disciplinary processes. Law enforcement agencies, including the Department of Public Safety, may assist victims in obtaining a protective order from the appropriate court. Ramapo College is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. A protective order can contain several provisions to protect victims from any further harm, including no-contact provisions. In New Jersey, a violation of a protective order is a criminal offense and the violator may be immediately arrested without having to procure an arrest warrant.

The College is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of the Policy. The College uses two processes to resolve reports of prohibited conduct under the Sexual Misconduct Policy when a formal compliant has been filed by a complainant or signed by the Title IX Coordinator: Disciplinary Resolution and Informal Resolution. Disciplinary resolution involves an investigation and adjudication, and Informal includes informal or restorative options for resolving reports. Also, in cases that may potentially involve Non-Title IX Misconduct and the Title IX decides not to initiate an investigation and adjudication under the Sexual Misconduct Policy, Title IX may itself or in collaboration with or referral to other College offices, undertake efforts such as educational conversations with individuals, educational programs for departments or groups, or other efforts designed to improve the campus environment and/ or address concerns about behavior that may implicate this policy, but that is not appropriate for investigation and adjudication. An example of such a case would include a situation where a complainant does not wish to participate in a formal investigation and resolution process and the College can respect that wish due to the nature and level of the reported conduct, but where some action is nonetheless deemed appropriate by the Title IX office. Ramapo College will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Emergency Removal and Administrative Leave (Interim Suspension)

Where there is an immediate threat to the physical health or safety of any student or other individual arising from the alleged Prohibited Conduct, the College can remove a student or employee respondent from its education program or activity (which may include removing an employee respondent from their employment at the College) and issue any necessary related no-trespass and no-contact orders. The Title IX Coordinator will make the decision to remove a respondent from its education program or activity based on an individualized assessment and risk analysis. The Title IX Coordinator may consult with other College personnel, departments or teams to assist in the individualized assessment and risk analysis. If the College makes such a decision, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. The College always maintains the discretion to place employee respondents on paid or unpaid administrative leave during the pendency of an investigation and resolution process.

Timing of Investigations and Related Disciplinary Proceedings.

The College will seek to complete the fact-gathering portion of the investigation in approximately 150 calendar-days following issuance of the Notice of the Investigation. The Policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process (typically set forth in business days), but the College may extend any timeframe in the Sexual Misconduct Policy for good cause. An extension may be required for good cause to ensure, for example, the integrity and thoroughness of the investigation; to comply with a request by law enforcement; on account of the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the College calendar, College finals periods, the complexity of the investigation, the volume of information or length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the College cannot unduly or unreasonably delay the prompt resolution of a report. Reasonable requests for delays by the parties will serve to extend the 150-calendar-day time period for investigation of the report. The Title IX Coordinator, in consultation with the investigator, has the authority to determine whether an extension is required or warranted by the circumstances. The College will notify the parties in writing of any extension of the timeframes for good cause and the reason for the extension.

Title IX Coordinator will provide the parties with a written notice of investigation that includes: Upon the submission of a Formal Complaint alleging prohibited sexual misconduct, the Title IX Coordinator will send the parties a written Notice of Allegation by College email. The Notice of Allegation will contain a summary of the allegation(s) under the Policy. Once the Notice of Allegation has been delivered to the parties, the investigation phase begins. The College will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview. Upon receipt of the Notice of Allegation, or at any stage in the process, the Respondent may choose to accept responsibility for all or part of the alleged Policy violation(s). If the Respondent admits responsibility for alleged misconduct, the matter is referred directly to the Deputy Title IX Coordinator, who will make a determination that the Respondent is in violation of the Policy and determine appropriate sanctions.

During the disciplinary resolution process, both parties have equal rights, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting; to timely and equal access to information; to timely notice of meetings at which their presence will be requested or required; to written notice of the determination, rationale, and, as appropriate, any sanction; and to an appeal of the finding. Additionally, each party has the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney. The parties may be accompanied by their respective advisor at any meeting or proceeding related to the investigation and resolution of a report under the Policy. While the advisor may provide support and advice to the party at any meeting and/ or proceeding, the College has established restrictions regarding the extent to which the advisor may participate in the proceedings. An advisor may not speak on behalf of the party or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings, except as specifically permitted by the hearing procedures outlined below.

The Title IX Coordinator will appoint one or more investigators to conduct a prompt, thorough, fair, and impartial investigation. The investigator may be a College employee or an experienced external investigator. Any investigator used by the College will receive annual training on the issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct an investigation that is fair and impartial, provides parties with notice and a meaningful opportunity to be heard, and protects the safety of complainants while promoting accountability. The investigator will be impartial and free from conflict of interest or bias. During an investigation, the investigator will seek to meet separately with the complainant, respondent, and relevant witnesses. The investigator will also gather other relevant information or evidence, including documents,

photographs, communications between the parties, medical records (if voluntarily provided by a party)), and other electronic records as appropriate. The investigator will review all information identified or provided by the parties and will determine the appropriateness, relevance, and probative value of the information developed or received during the investigation. In general, the investigator will not consider statements of personal opinion or statements as to any party's general reputation for any character trait. In conjunction with the provision of a preliminary investigative report prepared by the investigator, the investigator or designee will provide each party with an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and/or which the investigator does not deem relevant, and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The complainant and the respondent will have an opportunity to concurrently review such information and may, within 10 calendar days, submit a written response to the investigator. The parties' written responses will be considered by the investigator prior to completion of the investigative report, and some or all of the responses may be attached or otherwise incorporated into the investigative report. In the event that new, relevant information is provided or identified at this stage, the information will be incorporated into the investigative report as deemed appropriate by the investigator. When deemed appropriate by the investigator, the investigator will prepare a final investigative report, which will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the investigator. The parties may provide a written response to the investigative report within ten calendar days of the issuance of the final investigative report. A hearing will be scheduled no earlier than ten days after the issuance of the final investigative report. The investigative report and the parties' written responses, if any, will be provided to the hearing officer in advance of the hearing. Hearings will be presided over by a hearing officer, who will make the decision by a preponderance of the evidence as to whether or not the respondent violated the policy provisions at issue. The hearing officer has broad authority to determine the process, timing and conduct of a hearing. Each party may have an advisor of their choice present at a hearing for the limited purpose of conducting cross-examination on behalf of that party. Advisors may be, but are not required to be, attorneys. If a party does not have an advisor of their choice present at a hearing, the College will without fee or charge to the party provide an advisor of the College's choice, again for the limited purpose of conducting cross-examination on behalf of that party. Within ten business days after the hearing, the hearing officer will prepare and issue a written determination regarding responsibility and any sanctions.

Withdrawal Prior to the Conclusion of an Investigation

The protocol established by this Policy will not be deferred due to the withdrawal from enrollment or employment at the College of a Complainant or Respondent after the Notice of Allegation has been issued. Should either party decide to withdraw and/or not participate in the investigation, the process will nonetheless proceed in his, her or their absence. The Title IX Coordinator will communicate the outcome, permanent protective measures (if any) and any sanction(s) (if any) to the withdrawn party using his, her or their last known e-mail and home address.

Appeals

Either party may file an appeal from a determination regarding responsibility on the following grounds:

a. Procedural irregularity that affected the outcome of the matter;
b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
d. The decision of the decision-maker was arbitrary or capricious. An appeal must be submitted in writing to the Title IX Coordinator no later than seven calendar days after the date on which the College transmitted the hearing officer's written determination to the parties. The appellate officer will not be the same person as the hearing officer, the investigator, the Title IX Coordinator, or a person who made a decision to dismiss a formal complaint. The College will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The other party may then have a period of five business days to submit a statement in support of the written determination and/ or in opposition to the appeal. Any such statement will be shared with the party who filed the appeal and their advisor.

The appellate officer will issue a written decision describing the result of the appeal and the rationale for the result, and the College will provide the written decision simultaneously to both parties. The appellate officer's decision on any appeal is the final step in the adjudication process, except as provided in such decision. The appellate officer may deny the appeal, or if one or more of the appeal grounds have been met, may:

- return the case to the original hearing officer for reconsideration; or
- appoint an Alternate hearing officer to review the case. It is the responsibility of the appellate officer to determine which if any aspects of the case merit a new review, and to direct the Title IX Coordinator accordingly. The decision made by the appellate officer to grant or deny the appeal is final. If an appeal is granted, the subsequent determination and/or sanction is/are final.

MEMBERS OF THE COLLEGE COMMUNITY MAY BE SUBJECT TO DISCIPLINARY PENALTIES FOR VIOLATING THE SEXUAL MISCONDUCT POLICY.

SANCTIONS AND REMEDIES

Possible Sanctions and Remedies for Student Respondents

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 his/her/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 bills from the Office of Student Accounts.

Possible Sanction(s) for Domestic Violence, Dating Violence, Sexual Harassment, Sexual Exploitation, Stalking, Retaliation, Sexual Assault and other Sexual Misconduct (excluding Rape or Sexual Assault: Non-Consensual Sexual Intercourse) may include:

1. 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 College's student conduct process does not have jurisdiction in this area.
2. Residence Probation: A defined period of time whereby a student living in College residence facilities is given an opportunity to modify his/her/their behavior or risk losing the privilege of living on campus. Any subsequent violation of this Policy or the Code of Conduct, while in this status, will likely result in suspension of residence privileges.

3. 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.
4. Disciplinary Probation: A defined period of time whereby any registered student is given an opportunity to modify her/his/their behavior or risk losing student status. Any subsequent violation of this Policy or the Code of Conduct, while in this status, will likely result in suspension or expulsion from the College.
5. Loss of Campus Housing Selection Privilege: Students assigned this sanction may only enter the housing 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. Community Restitution: The assignment of imposed service hours and/or participation in educational programs or projects. Students who are found responsible for violations which involve alcohol/drug use and/or abuse, or who otherwise engage in behavior associated with alcohol/ drug use and/or abuse, may be required to attend programs intended to inform them about alcohol/drug use and/or abuse.
11. Mental Health Consultation: A student may be required to participate in a mental health consultation through the Center for Health and Counseling. Students are strongly encouraged to follow the recommendation of the mental health practitioner.
12. 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 Rape or Sexual Assault: Non-Consensual Sexual Intercourse

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. 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).

Possible Sanctions and Remedies for Employee Respondents

Possible Sanction(s) for Sexual Misconduct may include:

1. Warning: Notice to the Respondent, orally, or in writing, that continuation or repetition of the conduct found wrongful, within a period of time stated in the warning, may be cause for disciplinary action.
2. Reprimand: Written notice to the Respondent for violation of specified regulations, including the possibility of a more severe disciplinary sanction in the event of future decisions that the offender violated any College policies.
3. Employment probation.
4. Suspension with or without pay for a specific period of time.
5. Termination or dismissal.
6. Other Sanctions: The College may recommend other sanctions as may be reasonable and appropriate in a particular case up to and including removal. Examples include:
    a. Referral for training;
    b. Referral for counseling;
    c. Job demotion or reassignment;
    d. Ineligible for rehire;
    e. Other sanction(s) or remedies as deemed appropriate under the circumstances.

Complainant Requests for Confidentiality: If the Complainant requests confidentiality, or declines the opportunity to file a Formal Complaint, the College will take all reasonable steps to respond consistent with this request. However, the Complainant should be mindful that the insistence that their name or other identifiable information not be disclosed to the Respondent, or the failure to file a Formal Complaint will severely limit the College's ability to respond to, address, and remedy the sexual misconduct.

The Title IX Coordinator will evaluate the confidentiality request in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all persons, recognizing that the College must move forward with cases in which there appears to be serious threat to any individual or the College as a whole. Where a Complainant requests that no formal action be taken, the Title IX Coordinator will balance this request against the following factors in reaching a determination whether the request can be honored:

- the nature and scope of the alleged conduct, including whether the reported misconduct involves the use of a weapon;
- the respective ages and roles of the parties;
- the risk posed to other individuals or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of misconduct by the Respondent;
- whether the report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- the presence of multiple perpetrators;
- threats of further violence or misconduct;
- the Complainant's wish to pursue formal action;
- whether the College possesses other means to obtain relevant evidence;
- considerations of fundamental fairness and due process with respect to the Respondent should the course of action include disciplinary action against the Respondent; and

- the obligation to provide a safe and non-discriminatory campus environment.

If the Title IX Coordinator determines that she/he/they cannot adhere to a request for confidentiality, the Title IX Coordinator will sign the Formal Complaint on behalf of the Complainant. A formal investigation only begins when a Complainant or the Title IX Coordinator signs a Formal Complaint. Additionally, personally 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 supportive 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.

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 (See Appendix A: "Resource Information" below for contact information). Conversations with the following 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 students impacted by sexual assault.
2. Counseling – 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 the College's Public Safety Department 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, 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 the Faith and Spirituality Services page.

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 made under this Policy is 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 any applicable state/federal law and/or regulation. Non- identifying information about a report may be shared with the College's Public Safety Department 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 Complainants in the College's Daily Crime Log or online. In addition, any person including a Complainant of sexual misconduct may request that her, his or their directory information on file be removed from

public sources. To request removal of directory information, students should contact the Registrar's Office.

RETALIATION

Retaliation, as defined in Section IV ("Definitions"), occurs when any materially adverse action is taken because of a person's participation in a protected activity, such as reporting an incident that may implicate 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 a violation of College policy to retaliate against an individual who reports sexual misconduct, is a Complainant in an investigation, serves as a witness, or is a third party involved in the investigation of such a report. 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.

FIRE SAFETY REPORT

INTRODUCTION

Fire safety is a top priority at Ramapo College. The College continues to be proactive in ensuring a fire safe environment and improving the fire prevention and preparedness measures on campus. Fire safety is an essential tool in preventing injuries and deaths and protecting the campus community from business interruption and property damage.

The College employs a full-time Fire Marshal to act as a fire safety specialist for the campus community. The Fire Marshal is available to assist students and staff with any fire safety questions or concerns that may arise. The Fire Marshal can be reached at (201) 684-6252 or through Public Safety after business hours.

The Office of the Fire Marshal, under the Department of Environmental Health and Safety, works in close partnership with resources both on campus and throughout the community to maintain a safe and healthy environment for all students and staff.

MISSION • VISION • VALUES

Mission: The Office of the Fire Marshal is dedicated to providing the students, faculty, staff, administration, and guests of Ramapo College of New Jersey with a sustainable educational environment free from recognized fire, life safety, and health hazards.

Vision: To build a sustainable fire safety culture. As an integral part of the region's premier public liberal arts college, the Office of the Fire Marshal is committed to supporting the current and future needs of the College through engagement and involvement with all aspects of the College's day-to-day operations, special events, and long-term strategic planning.

Values: The Ramapo College Office of the Fire Marshal safeguards the campus community with professionalism, integrity, and respect.

- Professionalism: "Excellence is our responsibility." Be innovative in protecting our people and the environment.
- Integrity: Be honest and accountable, committed to high standards and compliance with all laws and policies.
- Respect: Care for People. Encourage safe practices, support our community, and promote engagement.

Strategy: Our strategy begins with the value of human life above all else and managing all hazards and risks accordingly. To that end,

- We ensure the overall safety of the campus community through detailed inspections of all facilities.
- We are a learning organization that promotes fire prevention and life safety awareness by actively engaging all College departments and offering training, educational programs, and informational resources.
- We focus on the safety and coordination of responding firefighters and emergency services personnel through active communication and timely notification of all potential hazards.
- We establish measurable objectives to track our progress and to facilitate transparent reporting and assessment of incidents.
- We incorporate stakeholder impacts, social responsibility, and environmental protection into our decision-making processes.
- We provide expert guidance and accurate and timely information on fire and life safety concerns.
- We ensure the safe working condition of all fire protection systems through monitoring equipment installation, inspection, testing and maintenance.
- We comply with all laws and set higher standards for ourselves through continually improving systems and processes.
- We increase campus awareness of all laws, regulations, and literature affecting the enforcement of the Uniform Fire Code of New Jersey, other applicable standards, and fire prevention best practices.

OVERVIEW OF THE HEOA FIRE SAFETY REQUIREMENTS

Ramapo College is required to comply with the fire safety provisions in the Higher Education Opportunity Act (HEOA). The HEOA of 2008 (Pub. L. 110-315), signed into law on August 14, 2008, amends the Higher Education Act of 1965. The act is codified within 20 USC § 1092 (i) and published as 34 CFR 668.49, Institutional Fire Safety Policies and Fire Statistics.

The HEOA is enforced by the United States Department of Education. Institutions that fail to comply with the Act are subject to fines (34 CFR § 668.84). The act has three fire safety requirements, which mandate the following for Title IV institutions:

- Maintain a fire log
- Report fire statistics to the Secretary of Education
- Publish an annual fire safety report

NOTE: These requirements only pertain to on campus student housing facilities.

The College's Annual Fire Safety Report is produced by the Office of the Fire Marshal, under the supervision of the Department of Environmental Health and Safety. The College's HEOA compliant fire log is maintained by the Office of the Fire Marshal. The HEOA requires that all enrolled students and current employees receive either the Annual Fire Safety Report in its entirety or receive notice of the report's availability and location. The College notifies all students, staff, and faculty via email or other means of electronic communication regarding the website location for the reports availability. This report and the Colleges Fire Safety website will be the primary location for HEOA fire safety reporting requirements and information. A printed copy of the log is available upon request. The HEOA also requires that the Annual Fire Safety Report be made available to prospective students and employees. The College's Fire Safety website is available to the public for viewing of the fire log.

On-campus student housing facilities and all other campus buildings are also subject to fire safety codes as promulgated by the New Jersey Department of Consumer Affairs (DCA), Division of Fire Safety (DFS).

Mandatory reporting requirements under the Higher Education Opportunity Act (HEOA) include:

Disclosure of fire safety standards and measures report(s) that contains information about campus fire safety practices and standards, including:

1. A description of each on-campus student housing facility fire safety and sprinkler system;
2. The number of regular mandatory supervised fire drills;
3. The policies or rules on portable electrical appliances, smoking, open flames (such as candles);
4. The procedures for evacuation;
5. The policies regarding fire safety education and training programs provided to students, faculty, and staff.
6. List of titles to whom students should report fires.
7. Plans for future improvements in fire safety, if determined necessary by the institution.

Statistics for each on-campus housing facility, during the most recent calendar year, concerning each of the following:

1. The number of fires and the cause of each fire;
2. The number of injuries related to each fire that results in treatment at a medical facility;
3. The number of deaths related to each fire; and
4. The value of property damage caused by each fire.

Fire Log for on-campus student housing facilities only:

1. Building name
2. General location of fire
3. Date and time of occurrence
4. Date and time reported
5. Cause of fire

6. Logs must be updated within two business days of receipt of new information, 60-day log available for inspection during business hours and entire log available for inspection with two business days' notice.

Clery Act:

Ramapo College must also comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act codified at 20 USC 1092 (f) (Clery Act). In accordance with the Clery Act, each year the College prepares the Annual Security Report. This report contains statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings; on property owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from, the campus. This report contains institutional policies regarding campus security, such as sexual assault and other matters. Additionally, this report provides details about safety programs and resources provided to the campus community.

HEOA DEFINITIONS (§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.

FIRE SAFETY SYSTEMS

For the current calendar year, the College owned and operated 34 residence halls on campus. One building is currently vacant (White House/Visiting Scholars).

All residence halls and apartments are equipped with fire sprinkler, fire alarm, smoke/heat detection, fire extinguisher, and, where required, carbon monoxide detection systems. In addition, all other buildings on campus also include the required fire safety systems. The fire detection and suppression systems are monitored 24 hours per day, 365 days per year by Public Safety and all fire alarm notifications are relayed to the local Police Department who then immediately dispatch the local Fire Department to campus.

All fire safety systems are maintained in accordance with the requirements of the New Jersey Uniform Fire Code. Maintenance and inspection reports are reviewed annually by a representative of the NJ Division of Fire Safety. **Ramapo College is fully compliant with the New Jersey Uniform Fire Code requiring that all residential facilities (dormitories) be protected by fire sprinkler systems.**

The College Fire Marshal periodically visits each building on campus to inspect for safety related concerns and to ensure compliance with all mandatory fire safety measures.

All building fire alarm and sprinkler systems are inspected and tested annually:

- A licensed fire protection systems contractor annually inspects all fire suppression and detection systems. Any deficiencies found during the inspection and testing are repaired in accordance with the provisions of the appropriate National Fire Protection Association (NFPA) standard.
- All fire extinguishers are inspected monthly by a fire protection systems contractor.
- All fixed kitchen cooking locations are protected by fire protection systems. The systems are inspected regularly by a fire protection systems contractor and the ventilation hoods are periodically cleaned as required by code.
- All sprinkler systems and standpipe systems are inspected and tested every 5 years for pressure and internal corrosion.

STUDENT HOUSING FIRE SAFETY SYSTEM INVENTORY

On Campus Student Housing Facility	Occupancy	Use Group Classification	No. of Stories	No. of Elevators	No. of Stairways	Fire Sprinklers	Standpipes	Fire Extinguishers	Manual Pull Stations	Photo-electric Smoke Detectors	Duct Detectors	Heat Detectors	Combo Photo/Heat Detectors	Combo Photo/Heat/CO Detectors	CO Detectors
Laurel Hall	432	R2	8	2	3	Yes	Yes	Yes	22	562	8	117	0	0	3
Mackin Hall	245	R2	5	2	2	Yes	Yes	Yes	16	7	2	14	221	0	2
Bischoff Hall	244	R2	5	2	2	Yes	Yes	Yes	16	6	2	11	223	0	2
Overlook	295	R2	8	2	3	Yes	Yes	Yes	20	257	2	12	0	0	1
Pine Hall	347	R2	5	2	2	Yes	Yes	Yes	18	322	0	6	0	6	0
CPA Buckeye	32	R2	2	0	2	Yes	No	Yes	2	26	0	24	0	0	0
CPA Butternut	40	R2	3	0	8	Yes	No	Yes	14	45	0	13	0	0	13
CPA Cypress	80	R2	3	0	14	Yes	No	Yes	22	41	0	22	0	58	0
CPA Elm	32	R2	2	0	2	Yes	No	Yes	2	26	0	12	0	0	0
CPA Hickory	32	R2	2	0	1	Yes	No	Yes	2	26	0	24	0	0	0
CPA Holly	32	R2	2	0	2	Yes	No	Yes	2	26	0	12	0	0	0
CPA International	32	R2	2	0	2	Yes	No	Yes	2	26	0	12	0	0	0
CPA Mimosa	48	R2	2	0	3	Yes	No	Yes	3	39	0	18	0	0	0
CPA Mulberry	44	R2	3	0	8	Yes	No	Yes	13	23	0	22	0	13	0
CPA Palm	32	R2	2	0	2	Yes	No	Yes	2	26	0	12	0	0	0
CPA Redwood	32	R2	2	0	1	Yes	No	Yes	2	26	0	24	0	0	0
CPA Science	32	R2	2	0	2	Yes	No	Yes	2	26	0	12	0	0	0
CPA Sycamore	46	R2	3	0	8	Yes	No	Yes	14	45	0	13	0	0	13
CPA Tamarack	80	R2	3	0	14	Yes	No	Yes	24	78	0	23	0	0	9
Village 1, 2, & 3	72	R2	3	1	3	Yes	No	Yes	9	111	0	36	0	0	9
Village 4	24	R2	3	1	1	Yes	No	Yes	3	43	0	8	0	0	3
Village 5, 6, & 7	72	R2	3	1	3	Yes	No	Yes	9	111	0	36	0	0	9
Village 8	24	R2	3	1	1	Yes	No	Yes	3	42	0	8	0	0	3
Village 9, 10, & 11	72	R2	3	1	3	Yes	No	Yes	9	111	0	36	0	0	9
Village 12	24	R2	3	1	1	Yes	No	Yes	3	43	0	8	0	0	3
Village 13, 14, & 15	72	R2	3	1	3	Yes	No	Yes	9	111	0	36	0	0	9
Village 16	24	R2	3	1	1	Yes	No	Yes	3	43	0	8	0	0	3
Village 17 &18	48	R2	3	1	2	Yes	No	Yes	6	86	0	16	0	0	6
Village 19	24	R2	3	1	1	Yes	No	Yes	3	43	0	8	0	0	3
Village 20 & 21	48	R2	3	1	2	Yes	No	Yes	6	86	0	16	0	0	6
Village 22	24	R2	3	1	1	Yes	No	Yes	3	43	0	8	0	0	3
Thomases Commons	4	R2	1	1	0	Yes	No	Yes	5	11	3	3	0	0	3
White House	VACANT	R2	2	1	1	Yes	No	Yes	3	15	0	9	0	0	0

MANDATORY, SUPERVISED FIRE DRILLS

The College Fire Marshal, in collaboration with Public Safety, conducts four (4) fire drills per calendar year in on campus housing and two (2) fire drills in each of the academic and administrative buildings. The NJ Uniform Fire Code requires that a fire drill must be conducted within the first 10 days of each semester. The code further requires that at least 1 drill must be conducted after sunset or before sunrise. Inadvertent fire alarm activations do not count as part of the mandatory fire drill requirement.

All occupants are required to immediately evacuate the building via the closest exit whenever the fire alarm sounds.

At the direction of the College Fire Marshal, staff members from Public Safety coordinate the evacuations of student housing and meet occupants at the Evacuation Assembly Areas. Public Safety personnel will also conduct a sweep of the residence halls with Fire Safety staff. Public Safety records details of each fire drill and forward a copy of the report to the College's Fire Marshal.

NJ Uniform Fire Code:

The following is taken directly from the "International Fire Code New Jersey Edition 2015" adopted 7/1/2018.

Definitions:

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EMERGENCY EVACUATION DRILL. An exercise performed to train staff and occupants and to evaluate their efficiency and effectiveness in carrying out emergency evacuation procedures.

SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities by not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

403.10.2 Group R-2 occupancies. Group R-2 occupancies located in high-rise buildings shall comply with Sections 403.10.2.1 through 403.10.2.3.

403.10.2.1 College and university buildings. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-2 college and university buildings. Group R-2 college and university buildings shall comply with Sections 403.10.2.1.1 and 403.10.2.1.2.

403.10.2.1.1 Fire emergency evacuation drill. The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.

403.10.2.1.2 Time of day. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when school is at assembly, during recess or gymnastic periods or during other times to avoid distinction between drills and actual fires. One required drill shall be held during hours after sunset or before sunrise.

403.10.2.2 Emergency guide. Fire emergency guides shall be provided for Group R-2 occupancies. Guide contents, maintenance and distribution shall comply with Sections 403.10.2.2.1 through 403.10.2.2.3.

403.10.2.2.1 Guide contents. A fire emergency guide shall describe the location, function and use of fire protection equipment and appliances accessible to residents, including fire alarm systems, smoke alarms and portable fire extinguishers. Guides shall include an emergency evacuation plan for each dwelling unit.

403.10.2.2.2 Emergency guide maintenance. Emergency guides shall be reviewed and approved by the fire code official.

403.10.2.2.3 Emergency guide distribution. A copy of the emergency guide shall be given to each tenant prior to initial occupancy.

403.10.2.3 Evacuation diagrams for dormitories. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each dormitory sleeping unit. Evacuation diagrams shall be reviewed and updated as needed to maintain accuracy.

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405.1 General. Emergency evacuation drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 404.2 or when required by the fire code official. Drills shall be designed in cooperation with the local authorities.

405.2 Frequency. Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

405.3 Leadership. Responsibility for the planning and conduct of drills shall be assigned to competent persons designated to exercise leadership.

405.4 Time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

405.5 Record keeping. Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.
6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

TABLE 405.2

FIRE AND EVACUATION DRILL

FREQUENCY AND PARTICIPATION

Group or Occupancy	Frequency	Participation
Group A	Quarterly	Employees
Group B[c]	Annually	All occupants
Group R-2[d]	Four Annually	All occupants
Group overnight stay	At the start of each night's activities	All occupants

Note c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

Note d. Emergency evacuation drills in Group R-2 college and university buildings shall be in accordance with Section 403.10.2.1. Other Group R-2 occupancies shall be in accordance with Section 403.10.2.2.

Group	Description
A-1 Assembly	Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures. Examples: Motion picture theaters; Symphony and concert halls; Television and radio studios admitting an audience; Theaters.
A-2 Assembly	Assembly uses intended for food and/or drink consumption. Examples: Banquet halls; Dance halls; Night clubs; Restaurants; Taverns and bars
A-3 Assembly	Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A. Examples: Amusement arcades; Art galleries; Bowling alleys; Places of religious worship; Community halls; Courtrooms; Exhibition halls; Funeral parlors; Gymnasiums (without spectator seating); Indoor swimming pools (without spectator seating); Indoor tennis courts (without spectator seating); Lecture halls; Libraries; Museums; Waiting areas in transportation terminals; Pool and billiard parlors.
A-4 Assembly	Assembly uses intended for viewing of indoor sporting events and activities with spectator seating. Examples: Arenas; Skating rinks; Swimming pools; Tennis courts.
A-5 Assembly	Assembly uses intended for participation in or viewing outdoor activities Examples: Amusement park structures; Bleachers; Grandstands; Stadiums.
Group A EXCEPTIONS:	1. A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy. 2. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy. 3. A room or space used for assembly purposes that is less than 750 square feet (70m2) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy. 4. Assembly areas that are accessory to Group E occupancies are not considered separate occupancies except when applying the assembly occupancy requirements of the barrier free subcode, N.J.A.C. 5:23-7. 5. Accessory religious educational rooms and religious auditoriums with occupant loads of less than 100 are not considered separate occupancies.
B Business	Use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Examples: Airport traffic control towers; Animal hospitals, kennels and pounds; Banks; Barber and beauty shops; Car wash; Civic administration; Clinic—outpatient; Dry cleaning and laundries: pick-up and delivery stations and self-service; Educational occupancies for students above the 12th grade; Electronic data processing; Laboratories—testing and research; Motor vehicle showrooms; Post offices; Print shops; Professional services (architects, attorneys, dentists, physicians, engineers, etc.); Radio and television stations; Telephone exchanges; Training and skill development not within a school or academic program.
E Educational	Use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade, and day care services for more than five children older than 2½ years of age.
Group E EXCEPTIONS:	1. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship having occupant loads of less than 100, shall be classified as A-3 occupancies.

NUMBER OF FIRE DRILLS CONDUCTED

On Campus Student Housing Facility	No. of Fire Drills Conducted
Laurel Hall	4
Mackin Hall	4
Bischoff Hall	4
Overlook	4
Pine Hall	4
Buckeye	4
Butternut	4
Cypress	4
Elm	4
Hickory	4
Holly	4
International	4
Mimosa	4
Mulberry	4
Palm	4
Redwood	4
Science	4
Sycamore	4
Tamarack	4
Village 1, 2, & 3	4
Village 4	4
Village 5, 6, & 7	4
Village 8	4
Village 9, 10, & 11	4
Village 12	4
Village 13, 14, & 15	4
Village 16	4
Village 17 &18	4
Village 19	4
Village 20 & 21	4
Village 22	4
Thomases Commons	4
White House (offline)	N/A

HOUSING EVACUATION GUIDELINES

Before an emergency, identify the location of the two closest exits to your location. Do not assume your usual exit is closest, safest, or available during a fire or other emergency.

A. If a fire should occur:

1. **ACTIVATE** the fire alarm system; pull stations are usually located next to exits or by stairwell doors. Alert others to the fire, but avoid putting yourself in further danger.
2. **IN CASE OF A STOVE, OVEN, OR MICROWAVE FIRE**
   - Turn off the stovetop burners. Slide a pan lid over flames to smother a grease or oil fire; and then leave the lid in place until the pan cools. It is not recommended that you try to carry the pan outside.
   - Extinguish grease fires with the fire extinguisher provided or use baking soda. Never use water or flour on grease fires.
   - Turn off the oven or microwave. Keep the appliances door shut to contain the smoke and heat.
   - A fire extinguisher is provided in every kitchen. Make sure that the fire extinguisher remains in the designated location. Remember **PASS** when operating the fire extinguisher. (Pull the pin, Aim at the base of the fire, Squeeze the handle and Sweep across the flame). Notify Public Safety at x6666 anytime the extinguisher is used.
3. **GET OUT** of the building and stay outside until help arrives.
4. **CLOSE** all doors as you leave to help prevent the fire from spreading. Don't lock doors which will impede the fire departments response.
5. **PROCEED** to the Evacuation Assembly Area. Residence Life Staff will assist you to the location of your Evacuation Assembly Area (which are all marked with a sign). Please review the assembly areas for your building in advance of any incident.
6. **NOTIFY** Public Safety at (201) 684-6666; then dial 9-911 to provide the fire dispatcher with additional information. You or someone you designate should make the telephone call from a safe location as quickly as possible. Once you have given the dispatcher the information related to the emergency, wait until the dispatcher tells you to hang up – they may want you to stay on the line.
7. **DO NOT GO BACK** into the building or try to save your possessions. **Clothes, books, and papers can be replaced – but you can't be!**

B. Fire Evacuation Procedures - When You Can Get Out

1. When the fire alarm sounds, leave the building immediately. Feel the doors and doorknobs with the back of your hand. If they are not hot, open the doors slightly to check the hallway for smoke or heat. If smoke or heat is present, attempt to crawl low to the floor. If the smoke is heavy, grab a wet towel or similar object and place it over your face (nose and mouth) and take short breaths through your nose.
2. Follow EXIT signs to the nearest egress from the building or fire stairwell. Do not use elevators.
3. Warn others by knocking on doors on your way to the closest exit. Assist any person in immediate danger, but avoid putting your safety at risk.
4. Close and leave doors unlocked. This will help to confine the smoke and fire to a smaller area and allow the fire department access to conduct search and rescue as well as fire suppression.
5. When possible, avoid exiting the building through the main entrance. Use the side or rear exits of the building. This will help keep the main entrance clear for arriving emergency responders.
6. Proceed to the designated Evacuation Assembly Area.
7. Do not delay exiting the building.
8. DO NOT re-enter the building until instructed to do so by Fire, Police, Public Safety or Residence Life Staff.

C. Fire Evacuation Procedures - When You Can't Get Out

1. Call Public Safety at (201) 684-6666 and then dial 9-911. Advise the dispatcher of your location and that you are unable to evacuate; do not hang up until the dispatcher tells you to.
2. Close the door to your room; the door can help hold back dangerous heat and smoke.
3. If the smoke is heavy, take a wet towel and place it over your nose and mouth. Stay low where the air may be cooler.
4. Using wet towels, sheets, or clothes, seal openings around doors and air ducts where smoke may enter.
5. Do not stay in internal rooms such as bathrooms or closets.
6. Stay close to the windows. Open them when you are sure there is no smoke or fire outside that could come into your room. Alert fire department personnel to your location by yelling and waving. Do not exit the window onto any ledge.
7. When safe to do so, exit your location as quickly as possible and evacuate the building.

D. Fire Evacuations for Persons with Disabilities

It's important that the appropriate staff in the Office of Specialized Services (OSS) be made aware of any students with disabilities that may limit their mobility, whether temporary or permanent. Staff may choose to advise HR of any disabilities requiring additional assistance on a voluntary self-disclosure form provided. Attempting to carry a person with limited mobility is discouraged. Evacuation chairs are strategically placed throughout campus and are often located on the top floor of each building in the stairwells. If an alarm is activated, the following procedures should be followed when possible:

1. Students and staff with limited mobility who are not located on the ground floor should proceed into the stairwell and wait on the landing until additional assistance can be summoned.
2. Students and staff with visual impairments should be guided through any evacuee traffic and then promptly assisted to the nearest exit.
3. Students and staff with hearing impairments may be unaware of the need to evacuate and should be advised of the situation. Promptly guide them to the nearest exit.
4. When necessary to summon additional assistance, use the Emergency Phones to call for help and to report the location of person(s) in need of rescue.
5. Emergency Phones that connect you to Public Safety are located in the Academic Cores and in the elevator lobbies on each floor in all other buildings. Provide the Public Safety Officer with your location (i.e. Core 3, floor 2). You may also call 9-911 and report your location to the Police Dispatcher; do not hang up until the Public Safety or Police Dispatcher tells you to.
6. Students and staff with other disabilities who may be unable to communicate, should be provided assistance and direction to the nearest exit.
7. The fire department will assist in completing the evacuation once they arrive on scene.

E. Procedures for Sheltering/ Protecting in Place

Building occupants that are not able to safely evacuate during a fire or emergency should shelter or seek protection in place. This may include students or staff with limited physical mobility that limits their ability to leave. This may also include situations where there is fire, smoke, or other hazard blocking the exits. Severe/inclement weather or other hazardous conditions may also exist outside that may further endanger the occupants.

1. In the event of an emergency (or a drill simulating an emergency), seek a safe area to shelter and protect in place. This may include staying in your room, suite, or apartment.
2. If unable to leave an occupied space, such as a dorm room, ensure the door is closed.
3. Immediately phone Public Safety at x6666 from a campus phone or 201-684-6666 from a cell phone to inform them of your location, circumstances for not evacuating, intention for remaining in the building, and inform them if you are in immediate danger.
4. Provide a phone number/extension you are calling from.

5. Public Safety will have radio contact with officers at the scene and will provide you with updates on the situation via the phone number provided. At any time, you can also call back for an update.
6. In the event that your safety could be compromised, Firefighters will assist in your safe evacuation.

F. **Areas of Rescue Assistance**

1. Areas of Rescue Assistance are areas, which have direct access to an exit, where people who are unable to use stairs may safely remain to await further instructions or assistance during emergency conditions. Each Area of Rescue Assistance has a phone which can be used to contact Public Safety. Consistent with code requirements, Areas of Rescue Assistance are enclosed with fire separation assemblies having the appropriate fire resistance rating. They are located immediately adjacent to an exit. Occupants should become familiar with the closest Area of Rescue Assistance. Occupants may also choose to take a “horizontal exit” by passing through a set of closed fire rated doors into a separate building. For example, an occupant on the 2nd floor of the C-wing who is unable to utilize the stairs in the event of an emergency, may move through closed fire rated doors into the Student Center or Academic Areas: The Academic Buildings Core stairwells, the landing of each floor of the G building and Anisfield, and the stairwells in the Berrie Center are also considered Areas of Rescue Assistance.
2. Campus Housing: Mackin, Bischoff, Pine, Laurel, and Overlook - The stairwells of each building are Areas of Rescue Assistance and the upper most floor has an evacuation chair in each stairwell.
3. Campus Housing: College Park Apartments (CPA) Phase I and Phase II and The Village - These areas are fully sprinklered, however, they do not qualify as an area of rescue assistance.

G. Evacuation Assembly Areas

Once outside, all students and staff shall report to a predetermined Evacuation Assembly Area. Those familiar with the campus shall guide any guests or visitors. Once at an Evacuation Assembly Area, check in with an RA for residence halls, Professor or Instructor for academic areas, or your supervisor. Emergency Coordinators from certain operational areas may be present to assist with evacuations and checking in evacuees. Emergency Coordinators should be wearing a bright vest for identification. The Emergency Coordinator will identify and log in those present at the assembly areas.

PROCEDURE FOR REPORTING FIRES

Situation:

Visible fire, smoke condition, explosion, odor of smoke in any campus building or on any campus property; including vehicle/trash/brush fires.

Action Required by Students and Staff:

Ramapo College students and staff are instructed to notify Public Safety at x6666 or (201) 684-6666 regarding all emergency situations including fires. If anyone finds evidence that a fire may have occurred on campus, they should immediately notify Public Safety to respond and document the incident.

Action Required by Public Safety:

Public Safety will immediately notify the fire department to respond. Public Safety also responds to all fire alarms on campus. Once on scene, Public Safety will assist with the orderly evacuation of the building,

locating the cause of the activation or fire, accessing the fire alarm panel, and logging all reports. Public Safety will act as Liaison with the local Police Department during all emergencies. Public Safety is staffed to support campus safety activities 24 hours per day, 365 days per year.

Division of Fire Safety Protocol:

This protocol was created by the New Jersey Division of Fire Safety to provide a clear and concise method for dealing with fire-related emergencies on the campuses of New Jersey's state colleges and universities. It provides campus safety personnel across the State with uniform procedures in regards to safeguarding life and property. This protocol and policy is based on the New Jersey Uniform Fire Code and nationally recognized fire safety standards.

1. The appropriate municipal fire suppression agency responsible for responding to the campus shall be immediately notified by campus personnel of the situation. Information to be provided to the emergency responding agency shall include:
   - The location of the fire/smoke condition/odor
   - What is on fire (building, car, brush, etc.)
   - A call back phone number
   - If possible, also report whether the building or vehicle is occupied.
2. Trained personnel will immediately begin evacuation of any building involved. If available, dispatch campus personnel to the main entrance and guide responding units to the scene.
3. Public Safety will contact the College Fire Marshal to make the appropriate notifications to the NJ Division of Fire Safety. The College Fire Marshal is required to report all fires on campus to the DFS. A representative from the DFS may be dispatched to investigate the origin and cause. Notification to the Division of Fire Safety shall be made as soon as possible, by calling 1-877-NJ-FIRES (1-877-653-4737) and providing information on the incident to the dispatch center.

HEOA Reporting:

The HEOA law requires that the College disclose annual statistical data on all fires that occur in on-campus student housing facilities. The Annual Fire Safety Report is completed by the Ramapo College Office of the Fire Marshal.

RESIDENCE HALL POLICIES ON FIRE PREVENTION

1. Immediately report any information regarding intentionally activated false alarms to a Residence Life staff member, Public Safety, or the College Fire Marshal. **Intentional false alarms are prohibited by law!**
2. Avoid inadvertently activating the fire alarm by not using any prohibited items in the Residence Halls and other buildings. Refer to the Prohibited Items and Conduct List.
3. In the event of an odor of smoke, visible smoke condition, or active fire, students and staff shall immediately activate the fire alarm via manual pull station and report such condition to Public Safety at x6666 (201.684.6666); Public Safety will dispatch an Officer and immediately report the incident to the Mahwah Police Department to have the fire department dispatched. You may also dial 911 (9-911 from a campus telephone).
4. Contact Public Safety at x6666 immediately after a fire extinguisher is discharged. A report will need to be taken and a work order put in for Facilities to install a replacement as quickly as possible.
5. Report any suspected malfunctions of fire safety systems or equipment to a Residence Life staff member or to Public Safety at x6666.
6. Know exactly where the nearest exits are located. Count the number of doors between your location and the nearest exit so that you can find your way out even if visibility is impaired by smoke and fire. Always be aware of alternate exits in the event that your primary exit is blocked.
7. Prepare an emergency escape route to use in case of a fire or other emergency in the building. Know at least two ways out of the building.

8. Keep essential items readily available at all times: keys, wallet, College ID, any required prescriptions, cell phone, etc.
9. Treat every fire alarm as the real thing. EXIT the building immediately!
10. If your clothing should catch fire, remember **STOP**, **DROP**, and **ROLL**. Don't run.
11. As you are exiting, check your kitchen to ensure that your stove and oven are off and all cooking appliances are unplugged before you leave the area. Don't place yourself in any further danger to do so.
12. Keep all doorways and windows leading to exits completely clear at all times. A minimum of 36" clearance to exits shall be maintained.
13. Report any obstructions or accumulations of rubbish in the hallways, stairwells, or other means of egress to Facilities. Unabated obstructions should also be reported to the College Fire Marshal.

FIRE SAFETY PROHIBITIONS

All residents are responsible for adhering to Ramapo College Fire Safety Policies and the New Jersey Uniform Fire Code. Students and resident staff are expected to follow all policies, not be in possession of prohibited items in campus housing, and be aware of the possible sanctions for violations of the prohibited items and actions list. In addition to sanctions imposed by the College, violators may also be responsible for fines issued by New Jersey Division of Fire Safety.

All residence halls and apartment units are subject to periodic fire and safety inspections, and students are expected to cooperate in removing any found violations when requested by Public Safety, the College Fire Marshal, the NJ Division of Fire Safety, or College Administration. The College may require personal furniture or furnishings to be removed from any residence when it determines the situation to be a fire, safety, or health hazard. Under no circumstance should furniture restrict free and easy movement within the room, suite, hallway, or apartment areas, or block egress in any way.

- **Air conditioners (both window and portable units)**
- **Ammunition/Gun Powder/Black Powder/Primers**
- **Animals**
  - Pet fish in a fish tank not exceeding 10 gallons are permitted.
  - Approved and documented Service Pets are permitted.
- **Cooking Appliances**
  - Candle and mug warmers
  - Coffee makers with hot plates*
  - Crockpots*
  - Countertop grills (George Foreman-style grills and/or panini makers) *
  - Deep fryers
  - Electric skillets*
  - Grills and barbecues
  - Hot plates*
  - Instant pots*
  - Microwaves (in addition to the College provided microwaves) *
  - Popcorn makers
  - Pressure cookers
  - Refrigerators (in addition to the College provided refrigerators or micro fridges)
  - Rice cookers*
  - Toasters and toaster ovens*
  - Waffle makers*
  - Water coolers (with refrigeration/heating elements)
  - Other Appliances with exposed heating elements. A general test of this rule is if the element or metal surface that produces the heat is exposed and is hot to the touch, the appliance is prohibited. Exceptions: Irons, Curling Irons
  - Blenders and coffee makers or hot water/tea kettles with auto-shut offs are the only appliances permitted in traditional halls.

**Above noted items and additional microwaves are permitted in College Park Apartments (CPA) and Village Apartments only. One (1) of each type of appliance per apartment is permitted.*

- **Candles**
  - Candles that produce flames are prohibited in residence halls and all campus buildings.
  - Flameless battery-operated imitation candles are permitted.
- **Chafing Dish Fuel**
  - Prohibited in residence halls and apartments (unless provided by the College for an approved event).
- **Decorations**
  - "In Group R-2 dormitories, within sleeping units and dwelling units, the permissible number of curtains, draperies, fabric hangings and other similar decorative materials suspended from walls…shall not exceed 50 percent of the aggregate wall areas…"
  - No cardboard of any kind may be placed on the walls
  - Hanging anything on or from a fire sprinkler head, fire sprinkler pipe, smoke detector, or alarm device.
  - Hanging of anything from the ceiling or windows is prohibited.
  - Signs, posters, lights, or decorations on the exterior of buildings or attached to window panes is prohibited.
  - Small signs and decoration may be applied to the exterior of sleeping and dwelling unit doors. Signs must not cover more than 5% of the door, must be attached with removable adhesive (not mechanical fasteners), must not obstruct the operation of the door, and must not further compromise the integrity of the fire rated assembly or contribute to fire development.
- **Fireworks/Explosives/Incendiary Devices**
  - Fireworks are defined as "Any device...intended to produce visible and/or audible effects, by combustion, deflagration, or detonation."
  - While the following items are now authorized in New Jersey for sale, possession, and use, by persons 16 years of age or older, they are prohibited in all facilities on campus:
    - Sparklers
    - Snakes and glow worms
    - Smoke devices
  - Any type of firework that shoots into the air and/or explodes such as firecrackers, roman candles, bottle rockets, sky rockets, M-80's or other such items are still illegal in New Jersey and are subjected to fines and penalties under NJ Statutes.
- **Extension Cords and Multi-Plug Adapters**
  - Extension cords and any devices that has the potential to overload electrical receptacles.
  - You are required to use power strips or surge protectors with circuit breakers that automatically shut off when overloaded.
  - Power strips and surge protectors may not be "piggy-backed" or used with one plugged into another. Power strips must be plugged directly into an electrical outlet.
  - Surge protectors are acceptable but must meet the following regulations:
    - Must be corded with a maximum cord length of 12 feet
    - Provide 600 or more joules of protection
    - Be UL 1449 compliant
    - Have a maximum of eight outlets
    - Have an independent on/off circuit breaker or reset switch
- **Flame Producing Devices**
  - Except in labs and other permitted areas or as otherwise approved in the Hot Work Policy.
- **Flammable Liquids**
  - All flammable, hazardous, and toxic liquids/substances including gasoline, motor oil, grill starter fluid, charcoal briquettes, propane, photographic development chemicals, flammable automotive products, tires, pesticides, paint thinners, etc.

    - Flammable liquids are prohibited in on campus student housing facilities. Items powered by flammable liquids such as mopeds, motorcycles, golf carts or similar vehicles are prohibited. Flammable liquids are only approved in permitted areas by the RCNJ Fire Marshal if stored in approved flammable liquid safety cabinets.
- **Fog Machines**
    - Any products including dry ice that produce mist, fog, smoke or simulated smoke conditions.
- **Furniture**
    - Small furniture items that meet California Tech. Bulletin 117 or 133 are acceptable. Examples would be folding padded butterfly or hang-a-round style chairs, gaming chairs, etc.
    - Large items such as couches, oversized beanbag chairs, etc. may be prohibited at the discretion of the College Fire Marshal.
    - Upholstered, padded, or cushioned furniture or beanbag chairs not certified by documentation from the manufacturer as flame retardant are prohibited.
    - Mattresses that meet California Tech. Bulletin 129 are acceptable.
    - Waterbeds are prohibited.
- **Hammocks**
    - Inside or outside of residence halls, due to risk of injury or damage to property.
- **Hoverboards/Electric Scooters**
    - Use and/or storage (including charging) on campus is prohibited.
- **Humidifiers and Ultrasonic Essential Oil Misters/Diffusers**
    - Only permitted with medical necessity. Student must discuss the need with OSS who will refer the situation to the Fire Marshal. May require smoke detector heads to be replaced.
    - Reed oil diffusers are permitted.
- **Immersion Coils**
- **Incense**
    - Paraphernalia and similar items
    - Potpourri burners
- **Lighting**
    - Dimmers, ceiling fans, or any devices that replaces, adds to, or interferes with College fixtures.
    - Halogen lamps and sun/heat lamps
    - Holiday, string, or rope lights, including those using LED bulbs, are prohibited. Battery operated lights are permitted.
    - Oil Lamps
    - Lava Lamps

    *Floor and table lamps using incandescent, fluorescent, or LED light bulbs are permitted.

- **Lofts**
    - Bed risers, cinderblocks, and lofted furniture of any kind
- **Recalled products at the discretion of the RCNJ Fire Marshal**
- **Room partitions or dividers**
- **Smoking Paraphernalia**
    - The presence and/or use of hookahs or illegal smoking paraphernalia in any on campus student housing facilities is prohibited.
- **Space Heaters**
    - Unless provided by Facilities
- **Thermometers containing mercury**
- **Swimming Pools and Hot Tubs**
    - Inside or outside of residence halls
- **Vegetation (decorative)**
    - All natural trees and wreaths are prohibited. Small tabletop living plants and flowers are permitted in containers of 1 gallon or less. Plants shall be checked regularly for dryness. Small artificial plants and decorative wreaths are permitted.

- **Weapons**
    - Knives, rifles, handguns, paintball guns, etc. Real or imitation.
    - Other weapons of any kind, even if they are presumed to be solely decorative or collectible.
    - Weapons that are props used for stage productions in the campus theaters are permitted only in those theater rooms but not in other areas of the campus.
    - Nerf weapons, water balloon launchers/slingshots, and similar projectile toys

PROHIBITED CONDUCT:

- **Aerosol Product Use**
    - Use of aerosol products may activate the fire alarm system. The use of these products in a manner that may activate the alarm is prohibited in all residences. This includes hair or body sprays, cleaning products, scented misters, etc. Keep use to the bathrooms when possible and limit the quantity and direction of the spray away from any smoke detectors.
- **Blocking Egress**
    - Failure to maintain a minimum 36" clearance in the path of egress
    - Obstructing and/or blocking EXIT doors
    - Propping open fire and smoke doors with wedges and other objects
    - Taping over door latches to prevent doors from locking
    - Storage behind doors that would prevent complete opening to 90°
- **Fire Alarm Activations**
    - Deliberately causing false fire alarms
    - Failure to evacuate during a fire drill
- **Fire Equipment Damage**
    - Breaking a sprinkler head
    - Covering or disabling smoke detectors or any other fire devices
    - Removing smoke detectors or covers
    - Tampering with or damaging fire EXIT lights and/or pull stations
    - Tampering with, or damaging fire extinguisher(s) or sprinkler control valves
- **Mischief**
    - Physical activities such as hockey, ball throwing/bouncing, skateboarding, frisbee, etc. that takes place near fire suppression and alarm systems, may cause unintentional activations.
- **Illegal Parking**
    - Blocking fire department connections (FDCs)
    - In any designated fire zones
    - Within 10 feet of a fire hydrant
- **Smoking**
    - Prohibited indoors or anywhere within 25 feet of any building including outdoors, on patios, or balconies.
    - Use of Hookahs, vapes, and/or e-cigarettes in any campus building is prohibited.
    - Vapes and E-cigarettes may be used outside in accordance with the campus smoking policy.

DO NOT:

1. Tamper with any fire safety equipment – it's against the law! Most of this equipment is electronically monitored and any sign of tampering will immediately notify Public Safety. Fire safety equipment includes, but is not limited to:
    - Fire extinguishers
    - EXIT signs
    - Emergency exit lighting
    - Pull stations
    - Bells, speakers, and strobes
    - Smoke/heat/CO detectors
    - Hydrants

- Fire department connections (FDCs)
- Standpipe cabinets
- Sprinklers and sprinkler pipes
- Alarm panels

Tampering includes:

- Covering devices with any item, including bags or plastic, food products, clothing, hats, shower caps or other materials.
- Hanging items from devices.
- Wrap or hang anything around or from sprinklers or sprinkler piping.
- Blocking or interfering with access to devices.
- Disconnecting or altering the function of any equipment.
- The intentional activation or use of devices or systems.
- Placing any items on or over electrical panels or circuit breaker boxes in your room or apartment (must maintain a minimum 36" clearance).

2. Deliberately cause a fire alarm, maliciously report a false fire, intentionally set a fire anywhere on campus, possess and/or use fireworks or other explosive devices. These acts are a violation of the NJ Uniform Fire Code and will be referred to the appropriate College officials for adjudication and may result in disciplinary action, fines, suspension from residence privilege, and probation from the College. Furthermore, violators may also be subject to criminal prosecution and civil liability for damages.
3. Leave cooking unattended.
4. Attempt to put out a fire once it begins to quickly spread. Individuals who attempt to put out small, contained fires should make sure they have a clear path of retreat from the area. In the event that you find yourself in a situation where the use of a fire extinguisher becomes vital to your safety or ability to exit the fire area, remember the acronym PASS: Pull the pin, Aim at the base of the fire, Squeeze the handle and Sweep across the flame.
5. Overload electrical outlets. Replace any electrical cord that is cracked or frayed. Do not repair with electrical tape.
6. Use extension cords for any reason. Use only power strips with circuit-breakers. Do not plug power strips into each other. **Power strips must be plugged directly into an electrical outlet; a requirement of the NJ Uniform Fire Code.**
7. Run electrical wires across the ceiling or in front of room doors.
8. Block any exit with curtains, netting, or beads; including separations between bedrooms and hallways and entry areas.
9. Block exits with furniture or other items.
10. Storing items behind doors that would prevent them from opening to a full 90-degree angle.
11. Prop open fire doors or place any object in an area that would prevent fire doors from closing.
12. Taping over door latches to prevent doors from catching.
13. Wrap doors in decorative paper, such as holiday or birthday wrapping paper.
14. Hang mirrors from exit doors.
15. Leave any item in the hallway outside of a room or door.
16. Leave hair care appliances with heating elements unattended when in use (e.g. flat irons, curling irons).
17. Overcrowd residence hall rooms or hall lounges. Occupancy limits for rooms/suites/apartments are found in the Guide to Community Living.

OTHER FIRE SAFETY POLICIES AND PROCEDURES

Other policies, procedures, and forms can be found on the College's Fire Safety website:

1. Barbeque Policy
2. Bonfire Policy
3. Candle, Incense, and Open Flame Policy
4. Chafing Dish Fuel Policy
5. Crowd Management Policy
6. Elevator Emergencies Policy

7. Event Props and Special Amusement Building Policy
8. Fire Alarm Response Policy
9. Fire Drill Policy
10. Fire Safety Penalties and Fines
11. Fireworks Display Policy
12. Food Truck Policy
13. Hazardous Materials Incident Policy
14. Hot Work Policy
15. Imminent Hazard Policy
16. Impairment and Fire Watch Policy
17. Lithium-Ion Battery Policy
18. Portable Space Heater Policy
19. Procedure for Reporting Fires
20. Prohibited Items and Conduct List
21. Protect in Place Policy
22. Safe Storage Policy
23. Sky Lantern Policy
24. Tent Use Policy

FIRE SAFETY EDUCATION FOR STUDENTS AND STAFF

Campus fire safety education and training is vital to helping prevent injury, loss of life, and property damage on Campus. Education and training are also components of the campus fire safety provisions of the Higher Education Opportunity Act (HEAO). Colleges and Universities throughout the Unites States are required to report on the fire safety training they are providing.

Fire safety protocol and evacuation procedures training for Residence Life staff is provided by the College Fire Marshal. For each housing facility, this training provides instruction on procedures to be followed in case of a fire and distribution of information on the College's fire safety policies.

During the first-floor meetings of the semester, Residence Life staff in each hall provide orientation to the new students living in each area. This mandatory meeting provides students with information on all required fire safety policies and procedures, including emergency evacuation plans and shelter in place procedures. Students are required to sign in for these meetings.

No training is provided to students or staff in firefighting activity, as this is inherently dangerous. Each person's only duty is to exit safely and quickly, shutting doors along their exit path to contain the spread of flames and smoke; and activating the fire alarm if not already sounding. At no time should the closing of the doors or activation of the alarm delay exit from the building.

A. Fire Safety education and training at Ramapo College is provided through the following:
    1. The Guide to Community Living – provides information to students and staff living in Residence Life housing on campus.
    2. The Student Code of Conduct – provides information to all students regarding the standards of behavior and prohibited conduct
    3. The Student Handbook – provides information to all students regarding the sanctions for Code of Conduct violations
    4. RCNJ Fire Safety Website– provides information to students and staff on fire safe practices, including policies, procedures, and registration forms for special events
    5. Fire Safety presentations for students' groups and residence life staff provided by the College Fire Marshal
    6. Fire Safety hands on training for Public Safety and Facilities staff provided by the College Fire Marshal
    7. Fire Safety training provided by the Bergen County Law and Public Safety Institute
    8. First Aid training provided by the Bergen County EMS Training Center

9. Outside speakers and instructors (such as PSEG)

B. The Ramapo First Responders Club is dedicated to E.M.T.s, firefighters, law enforcement officials, dispatchers, and anyone else interested in emergency services. The First Responders Club hosts events on campus including blood drives, lectures/discussions with local emergency service professionals, Stroke Awareness Month events, free classes, and many other events. It provides a forum where first responders and emergency services personnel can gather and share interests, knowledge, and passion for serving the community.

C. Ramapo College encourages students to pursue additional firefighter and Emergency Medical Technician (EMT) training in the community. Local first responder agencies provide advanced training at the Bergen County Law and Public Safety Institute located only 1.5 miles from campus, as well as the Bergen County EMS Training Center in Paramus, NJ.

D. For additional Fire Safety information, please visit the following recommended sites:
   - NFPA
   - Campus Firewatch
   - Consumer Product Safety Commissions
   - Fire Extinguisher Use Explained
   - United States Fire Administration
   - Children's Fire Safety Web site

FUTURE IMPROVEMENTS IN FIRE SAFETY

The Office of the Fire Marshal reviews fire safety policies, procedures, systems/equipment, service contracts, and training programs on an ongoing basis. Changes to current practices are instituted as deemed necessary to improve the safety of students and staff as well as protected property.

The Office of the Fire Marshal, on behalf of the entire Ramapo College community, will continue to:

- Ensure a healthy, fire safe environment
- Raise awareness of fire prevention and preparedness
- Annually review all campus fire safety policies and procedures
- Maintain updated maps of all fire hydrants and Evacuation Assembly Areas
- Update available training programs and information resources
- Ensure completion of all required inspections, testing, and maintenance of fire suppression and fire protection systems in accordance with the International Fire Code 2015 New Jersey Edition.

Future Improvement Projects:

Improvements to the College's fire protection systems are assessed on an ongoing basis and evaluated based on life safety, code and insurance requirements, availability of new technology, timeframe, and availability of funding.

FIRE LOG

Ramapo College maintains a written fire log as required by the HEOA. This log includes: the date, time, general location, and cause of each fire. The fire log is open to public inspection during normal business hours in the Public Safety Office or with the Office of the Fire Marshal. Older fire logs are available by request and will be provided within two (2) business days.

On Campus Student Housing Facility	No. of Fires During Current Reporting Year
Laurel Hall	0
Mackin Hall	1
Bischoff Hall	0
Overlook	0
Pine Hall	0
Buckeye	0
Butternut	0
Cypress	0
Elm	0
Hickory	0
Holly	1
International	0
Mimosa	0
Mulberry	0
Palm	0
Redwood	0
Science	0
Sycamore	0
Tamarack	0
Village 1, 2, & 3	0
Village 4	0
Village 5, 6, & 7	0
Village 8	0
Village 9, 10, & 11	0
Village 12	0
Village 13, 14, & 15	0
Village 16	0
Village 17 &18	0
Village 19	0
Village 20 & 21	1
Village 22	0
Thomases Commons	0
White House (offline)	N/A
**All Residence Halls are located on the main campus at: 505 Ramapo Valley Road, Mahwah, NJ 07430*	

RESIDENCE HALL FIRE STATISTICS FOR REPORTING YEAR 2025

Ramapo College of New Jersey
2025 Fire 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.

Log # (i)	Incident Number	Date of Incident	Time of Incident	Date Reported	Time Reported	General Location	Cause/Nature of Each Fire (i)	Incident Description	Number of Injuries (ii)	Number of Deaths (iii)	Value of Property Damage (iv)
1	25-00484	3/17/2025	7:48 PM	3/17/2025	7:48 PM	Holly	Cooking	Air fryer with extension to kitchen cabinets	0	0	$25,000-49,999
2	25-00492	3/21/2025	4:28 PM	3/21/2025	4:28 PM	Village 20	Other	Bag was placed on top of a stove that had been left on	0	0	$100-999
3	PSD2025-000731	12/27/2025	1:27 PM	12/27/2025	1:27 PM	Mackin	Electrical	Fire alarm system power supply damaged due to water leak	0	0	$1,000 – 9,999

(i) The number of fires and the cause of each fire.
(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. (Amounts are extimated)

Cause Categories
Unintentional
- Cooking
- Smoking materials
- Open Flames
- Electrical
- Heating equipment
- Hazardous products
- Machinery/Industrial
- Natural
- Other
Intentional
Undetermined

Value Ranges for Estimated Property Damage Due to Fire	
$0 – 99	$50, 000 – 99,999
$100 – 999	$100,000 – 249,999
$1,000 – 9,999	$250,000 – 499,999
$10,000 – 24,999	$500,000 – 999,999
$25,000 – 49,999	>$1,000,000

RESIDENCE HALL FIRE STATISTICS FOR REPORTING YEAR 2024

Ramapo College of New Jersey
2024 Fire 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.

Log # (i)	Incident Number	Date of Incident	Time of Incident	Date Reported	Time Reported	General Location	Cause/Nature of Each Fire (i)	Incident Description	Number of Injuries (ii)	Number of Deaths (iii)	Value of Property Damage (iv)
1	24-00283	3/3/2024	10:30 PM	3/3/2024	10:30 PM	Mackin	Hazardous products	Overcharged battery in electric skateboard	0	0	$0

(i) The number of fires and the cause of each fire.
(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. (Amounts are extimated)

Cause Categories
Unintentional
- Cooking
- Smoking materials
- Open Flames
- Electrical
- Heating equipment
- Hazardous products
- Machinery/Industrial
- Natural
- Other
Intentional
Undetermined

Value Ranges for Estimated Property Damage Due to Fire	
$0 – 99	$50, 000 – 99,999
$100 – 999	$100,000 – 249,999
$1,000 – 9,999	$250,000 – 499,999
$10,000 – 24,999	$500,000 – 999,999
$25,000 – 49,999	>$1,000,000

RESIDENCE HALL FIRE STATISTICS FOR REPORTING YEAR 2023

Ramapo College of New Jersey
2023 Fire 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.

Log # (i)	Incident Number	Date of Incident	Time of Incident	Date Reported	Time Reported	General Location	Cause/Nature of Each Fire (i)	Incident Description	Number of Injuries (ii)	Number of Deaths (iii)	Value of Property Damage (iv)
1	23-00066	1/23/2023	1:25PM	1/23/2023	1:25PM	Village 7	Cooking	Overcooked food in the microwave	0	0	$0-99
2	23-00278	2/27/2023	1:04 PM	2/27/2023	1:04 PM	Village 2	Cooking	Overcooked food in the microwave	0	0	$100 – 999
3	23-00742	7/17/2023	12:44 AM	7/17/2023	12:44 AM	Village 15	Electrical	Elevator machine room exhaust fan motor failure	0	0	$100 – 999
4	23-00769	7/25/2023	7:25 PM	7/25/2023	7:25 PM	Mimosa	Intentional	Toilet paper roll lit on fire w/ electric stove	0	0	$0-99
5	23-01191	10/17/2023	1:09 AM	10/17/2023	1:11 AM	Overlook	Electrical	Outlet caught fire w/ space heater plugged in	0	0	$100 – 999

(i) The number of fires and the cause of each fire.
(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. (Amounts are extimated)

Cause Categories
Unintentional
- Cooking
- Smoking materials
- Open Flames
- Electrical
- Heating equipment
- Hazardous products
- Machinery/Industrial
- Natural
- Other
Intentional
Undetermined

Value Ranges for Estimated Property Damage Due to Fire	
$0 – 99	$50, 000 – 99,999
$100 – 999	$100,000 – 249,999
$1,000 – 9,999	$250,000 – 499,999
$10,000 – 24,999	$500,000 – 999,999
$25,000 – 49,999	>$1,000,000

ALCOHOL AND OTHER DRUG POLICIES

The Drug-Free Schools and Communities Act of 1989 (DFSCA) requires the Ramapo College of New Jersey, as a recipient of Federal funds, to certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees both on College premises and as a part of any College activities. The College must annually distribute the following information, in writing, to all students enrolled for academic credit and to all employees:

Information regarding prevention programs;

Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;

A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;

A description of applicable health risks associated with the abuse of alcohol or illicit drug use;

A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to students or employees; and

A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions (up to and including expulsion or termination of employment) and referral for prosecution, for violations of the standards of conduct.

The law further requires that the institution conduct a biennial review of its program with the following objectives:

Determine the effectiveness of the policy and implement changes to the alcohol and other drug programs if they are needed; and

To ensure that the sanctions developed are enforced consistently.

The biennial review must also include a determination as to:

The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and

The number and types of sanctions institutions of higher education (IHEs) impose on students or employees as a result of such violations or fatalities.

DRUG AND ALCOHOL POLICY STATEMENTS:

Alcohol Laws

The purchase and consumption of alcohol is a right extended by the State of New Jersey. The legal age to purchase and consume alcoholic beverages in the State of New Jersey is twenty-one. New Jersey state law prohibits the sale, possession, or consumption of alcohol by individuals under 21 years of age. Ramapo College is a public institution governed by Federal, State, and local laws, and by College regulations. The College complies with municipal and other law enforcement authorities in enforcing these laws. The Alcohol and Drug Policy may be found in the Student Conduct Handbook.

Students should review and are expected to abide by New Jersey state laws and the Ramapo College of New Jersey alcohol policy as published in the student handbook.

- Members of the College community or guests/ visitors under the age of 21 may not possess or consume alcoholic beverages.
- Individuals may not distribute, transport, serve and/or purchase alcohol to/for minors.
- Students who are disruptive as a result of intoxicated behaviors due to the consumption of alcohol or illegal drugs are subject to disciplinary action.
- Operating a motor vehicle while under the influence of alcohol is prohibited.

Persons under the age of twenty-one MAY NOT:

- Be in possession of or in the presence of alcohol in any living unit or anyplace on campus.
- Permit persons to bring in or consume alcohol in their living unit.
- Carry opened or unopened alcoholic beverage containers any place on campus.
- Provide alcohol to any persons on campus.
- Possess alcohol displays made up of empty alcoholic beverage containers.
- Be present on campus or attend college sponsored events while under the influence of alcohol.

Public intoxication/drunkenness is not an acceptable condition for anyone on campus, whether the drinking which led to it took place on or off campus.

Persons twenty-one and older MAY NOT:

- Consume alcohol outside of a living unit (lobby, hallways, stairwells, grounds, etc.).
- Consume alcohol, as a guest, in an alcohol allowed living unit when a legal age resident is not present.
- Provide alcohol to others under the age of twenty-one.
- Charge in any way for alcohol consumption by others.
- Possess kegs, beer balls or paraphernalia that promotes large consumption of alcohol.
- Permit underage persons to possess or be in the presence of alcohol in their living unit.
- Possess alcohol or alcohol displays within Pine, Bischoff Hall, Mackin Hall, The Overlook, The College Park Apartments, assigned alcohol prohibited living units in Laurel Hall and the Village, or any other designated alcohol prohibited living units.
- Engage in high risk drinking behaviors such as smoking alcohol or binge drinking numerous shots of alcohol.
- Participate in any kind of drinking contest or drinking game, or any activity that may lead to the consumption of excessive amounts of alcohol.
- Be present on campus or attend college sponsored events while under the influence of alcohol.

Public intoxication/drunkenness is not an acceptable condition for anyone on campus, whether the drinking which led to it took place on or off campus.

Persons twenty-one and older MAY:

- Consume alcohol in their living unit when the living unit is designated as alcohol allowed.
- Consume alcohol in another alcohol allowed living unit if a host is twenty-one or older and is present.
- Carry unopened alcoholic beverage containers on campus (must be sealed and out of plain view.)• Provide alcohol in their alcohol allowed living unit to others aged twenty-one or older and within the guidelines of the social gathering policy.
- Possess alcohol displays made up of alcoholic beverage containers if all residents are over the age of twenty-one (window decorations are prohibited in ALL living units).

The RCNJ PSD is responsible for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

DRUG POLICY (S):

- The possession and/or use of illegal or harmful drugs is prohibited.
- The manufacture, distribution, possession with intent to sell and/or sale of prescription medication, illegal or harmful drugs is prohibited.
- The possession and/or use of drug paraphernalia is prohibited.
- The improper possession and/or misuse of prescription medication is prohibited.

Marijuana

In accordance with Federal law, the College does not permit the possession, use or distribution of marijuana, medical or otherwise. As such, employees in possession of medical marijuana prescriptions (issued in Connecticut or any other state) are not permitted to use or possess marijuana on College property or as part of College activities.

Violations of the Code of Conduct and/or Federal, State, or local statutes related to the possession, use, or distribution of cannabis are treated as very serious matters. Students found responsible, through the College's disciplinary process, for the possession, use, or distribution of cannabis on campus or at College-related events can expect serious consequences including loss of housing privileges, suspension, or expulsion from the College. In certain cases, a student's financial aid or scholarship funds may be negatively affected as called for by law or college policies. College officials may inform local or other law enforcement authorities about suspected or known cannabis violations.

In the Presence of Cannabis or Cannabis Paraphernalia

When a student is present where a cannabis policy violation is taking place, even if not actually in possession of or consuming cannabis or the use or possession of cannabis paraphernalia. Evidence must be found that it was more likely than not that a student was not possessing cannabis paraphernalia or possessing/ingesting cannabis.

1st violation –$100 fine, referral to an online alcohol/cannabis program.

If issued sanctions for In the Presence of Cannabis or Cannabis paraphernalia, subsequent violations will be considered a second violation of the College's Cannabis Policy and subjected to 2nd violation of Cannabis Possession/Possession of Cannabis Paraphernalia.

Cannabis Possession/Possession of Cannabis Paraphernalia

1st violation – $200 fine, Probation, referral to an online alcohol/cannabis program, Parental Notification, possible Suspension of Activities Privileges, possible Suspension of Residence Privileges and possible Suspension from the College.

2nd violation –$400 fine, referral to CheckPoint, Disciplinary Probation, Parental Notification, possible Suspension of Activities Privileges, possible Suspension of Residence Privileges and possible Suspension from the College.

3rd violation –$800 fine, 10 Community Restitution hours, referral to CheckPoint, Disciplinary

Probation, Suspension of Activities Privileges, Suspension of Residence Privileges, Parental Notification, and possible Suspension from the College.

4th violation – Suspension from the College and Parental Notification.

Distribution of Cannabis

1st violation – Suspension from the College or possible Expulsion, and Parental Notification.

2nd violation – Expulsion and Parental Notification.

Factors to be considered in deciding sanctions shall include the past disciplinary record of the student, the nature of the offense, and severity of any damage, injury, or harm resulting from it as perceived by the victim and/or appropriate College officials. Repeated or aggravated violations of any provisions of this policy may result in expulsion, suspension, or in the imposition of such lesser sanctions as may be appropriate.

RECOMMENDED SANCTIONS FOR OTHER DRUG POLICY VIOLATIONS

In the Presence of Other Drugs or Other Drug Paraphernalia

When a student is present where a drug policy violation is taking place, even if not actually in possession of or consuming drugs or the use or possession of drug paraphernalia. Evidence must be found that it was more likely than not that a student was not possessing drug paraphernalia or possessing/consuming other drugs.

1st violation –$150 fine, referral to CheckPoint.

If issued sanctions for In the Presence of Other Drugs or Other Drug paraphernalia, subsequent violations will be considered a second violation of the College's Other Drug Policy and subjected to

2nd violation of Other Drug Possession/Possession of Other Drug Paraphernalia.

Other Drug Possession/Possession of Other Drug Paraphernalia

1st violation – $ 300 fine, 20 Community Restitution hours, Disciplinary Probation, referral to CheckPoint, Parental Notification, possible Suspension of Activities Privileges, possible Suspension of Residence Privileges and possible Suspension from the College.

2nd violation – Suspension of Residence Privilege, possible Suspension from the College or possible expulsion, Parental Notification.

3rd violation - Suspension from the College or possible Expulsion.

Distribution of Other Drugs

1st violation – Suspension from the College or possible Expulsion, and Parental Notification.

2nd violation – Expulsion and Parental Notification.

Factors to be considered in deciding sanctions shall include the past disciplinary record of the student, the nature of the offense, and severity of any damage, injury, or harm resulting from it as perceived by the victim and/or appropriate College officials. Repeated or aggravated violations of any provisions of this policy may result in expulsion, suspension, or in the imposition of such lesser sanctions as may be appropriate.

HEALTH RISKS

In addition to enforcement of its institutional policies, the College abides by and enforces (with the assistance of local law enforcement) New Jersey State laws and local ordinances pertaining to the use, consumption, possession, sale, and distribution of alcoholic beverages and illegal drugs. Due to the potentially negative effect on academic performance, health, personal relationships, and safety, the College is concerned about alcohol abuse and illegal drug use. The College provides alcohol education programs, on-campus counseling services, and referrals to off-campus counseling and treatment programs. Some of the prevention programs are described below.

Student Athlete Substance Use & Mental Well-Being

Each Athletic Team receives a 90-minute interactive program regarding "general use" of alcohol/other drugs and how these substances affect not only their athletic acuity but also academics, their mental health, and social activities; programs are mandated through each coach and Athletic Director.

Health & Wellness 1st Year Students receive SUD laws (State and local), campus policies and related Sanctions; during this interactive program we discuss the variety of choices they now have available to them (away from parents, etc.) and the positive and/or negative consequences that result--in their academics, mental and physical health, social lives, etc.

Residence Life Assistants Substance Use Disorders and Mental Health --- interactive discussions and pictures of "how to spot" a variety of substances in a student's room, back-packs, etc.; taught specific tools of how to "read" and/or talk with students possibly under the influence of a substance; how to "spot" a student in distress and activate assistance (911, PS).

Peer Facilitators Review of 4 specific programs that 1st Year students are required to complete beginning August 1 and running through the first 6 weeks of fall semester (Alcohol, EDIC, Sexual Assault Prevention, Mental Health). Interactive role play provides each student the tools and ability to use them while working with their assigned students.

POP-UPS Interactive programs, usually Multiple Choice and/or True/False focused on Alcohol, Cannabis, Uppers, Prescription drugs-----that will just "pop-up" in the lobbies of Residence Hall, areas within Student Center-----when correct answers are given the student receives a free T-Shirt and/or Stress Balls for the Roadrunner Collegiate Recovery Program and it Recovery Allies Fusion program.

Hazing Workshops Interactive programs for Fraternities and Sororities, Athletic Teams, Campus Clubs/Organization ----- dangers of these behaviors physically, medically, mentally; laws that are used to prevent this behavior

Recovery Allies Fusion 90-minute interactive training regarding substance use prevention, how to talk with students, staff and faculty about SUD and Recovery; WORDS Matter training.

Students and employees are provided with a description of the health risks associated with alcohol abuse and the use of illegal drugs, a description of applicable legal sanctions under local, state, and federal laws, a description of any treatment, counseling, rehabilitation, or re-entry programs available at our institution and a statement of the institution's disciplinary measures regarding alcohol and illegal drug use by students and employees through email distribution of the Ramapo College Annual Campus Security and Fire Safety Report Clery Report. Email is considered to be the official method of communication at the College. This information can also be found at the Public Safety website.

HEALTH RISKS ASSOCIATED WITH DRUG AND ALCOHOL USE

A. DRUGS

Narcotics including opioids such as hydrocodone, oxycodone, heroin, and fentanyl can cause euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, and loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating. Depressants such as barbiturates and benzodiazepines (Xanax, etc.) can cause slurred speech, disorientation, and drunken behavior. An overdose of a depressant results in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants such as amphetamines, methylphenidate, and cocaine (or its derivative, crack cocaine) can cause increased alertness or euphoria, an increased pulse rate and blood pressure, insomnia, and loss of appetite. An overdose of stimulants results in agitation, anxiety, an increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression, and/or disorientation.

Hallucinogens such as LSD, mushrooms or psilocybin, and club or “designer drugs” cause illusions and hallucinations and poor perception of time and distance. The effects of an overdose include psychosis and possible death.

Marijuana, THC infused edibles, and hashish can cause euphoria, increased appetite, relaxed inhibitions, and disoriented behavior. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and difficulty with attention, cannabinoid hyperemesis syndrome, and decreased appetite.

B. ALCOHOL

Alcohol consumption may cause a number of changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, convulsions, or potentially delirium tremens. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

CAMPUS SAFETY CRIME STATISTICS

Containing Statistics for Calendar Years 2025 | 2024 | 2023

Current crime reporting and statistics for calendar year 2025 are as follows:

Offense	**On Campus**	**On Campus Student Housing Facilities**	**Non-Campus Building or Property**	**Public Property**
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	1	1	0	0
Fondling	3	2	0	0
Statutory Rape	0	0	0	0
Incest	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Arrests				
Weapon Possession	0	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
Disciplinary Actions/Referrals				
Weapon Possession	0	0	0	0
Drug Abuse Violations	33	33	0	0
Liquor Law Violations	60	59	0	0
Offense (VAWA)				
Domestic Violence	4	2	0	0
Dating Violence	1	0	0	0
Stalking	1	0	0	0
Offense (Hate Crime)				
Vandalism	1	0	0	0

Note: There were no Clery crimes that were Unfounded in 2025.
Note: Report posted 9/29/2026, amended and republished 10/22/2026.

Current crime reporting and statistics for calendar year 2024 are as follows:

Offense	**On Campus**	**On Campus Student Housing Facilities**	**Non-Campus Building or Property**	**Public Property**
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	1	1	0	0
Statutory Rape	0	0	0	0
Incest	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	1	0	0	0
Arson	0	0	0	0
	Arrests			
Weapon Possession	1	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
	Disciplinary Actions/Referrals			
Weapon Possession	0	0	0	0
Drug Abuse Violations	8	8	0	0
Liquor Law Violations	88	88	0	0
	Offense (VAWA)			
Domestic Violence	0	0	0	0
Dating Violence	5	5	0	0
Stalking	3	1	0	0
Offense (Hate Crime)				
Vandalism	1	0	0	0

There were no Clery crimes that were Unfounded in 2024.
The Motor Vehicle Theft was a golf cart, which was recovered on campus.

Current crime reporting and statistics for calendar year 2023 are as follows:

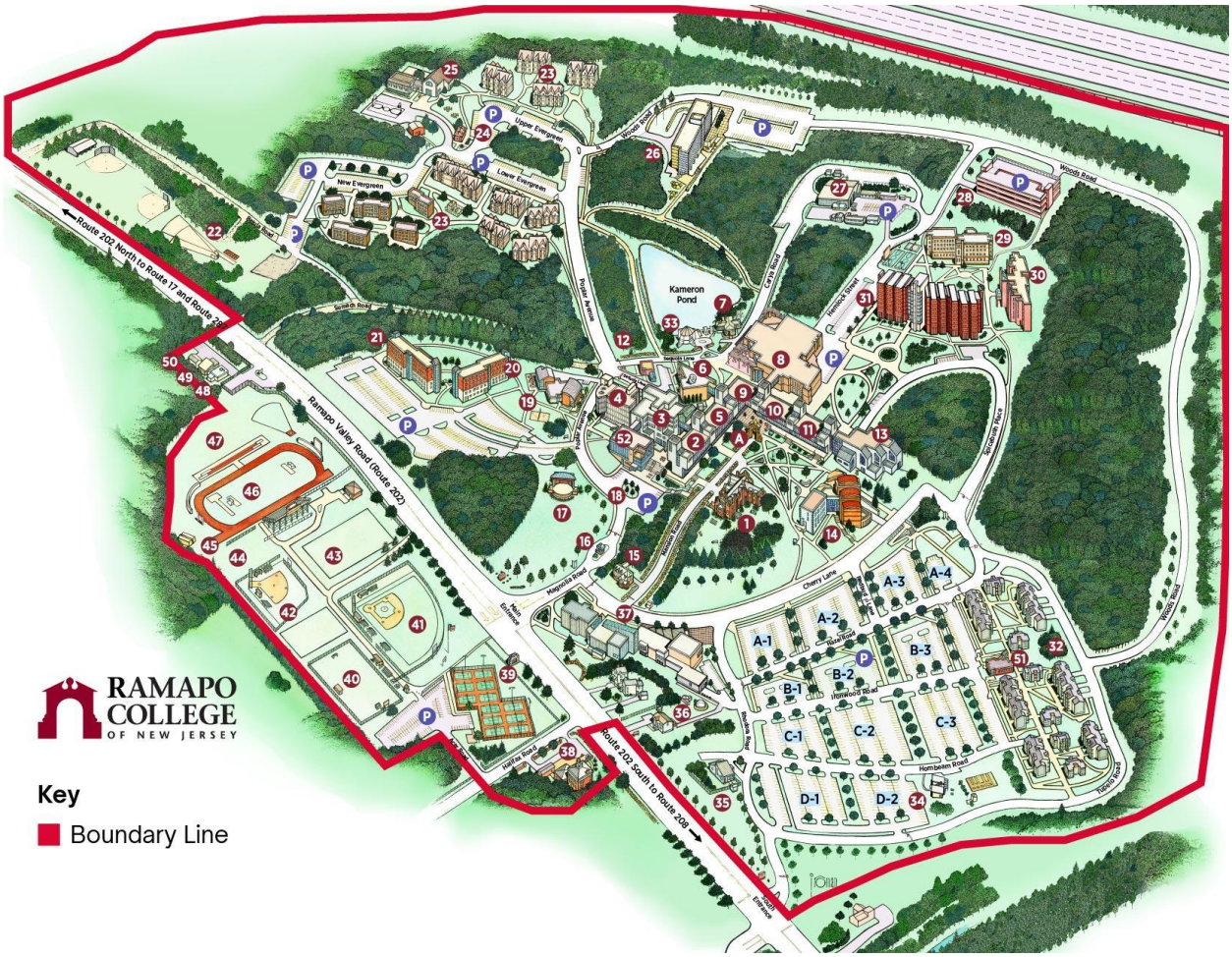
Offense	**On Campus**	**On Campus Student Housing Facilities**	**Non-Campus Building or Property**	**Public Property**
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	1	1	0	0
Fondling	1	1	0	0
Statutory Rape	0	0	0	0
Incest	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	1	1	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	1	0	0	1
Arson	1	1	0	0
Arrests				
Weapon Possession	1	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
Disciplinary Actions/Referrals				
Weapon Possession	0	0	0	0
Drug Abuse Violations	20	20	0	0
Liquor Law Violations	28	28	0	0
Offense (VAWA)				
Domestic Violence	4	4	0	0
Dating Violence	2	2	0	0
Stalking	1	1	0	0

Note: There were zero (0) hate crimes reported in 2023.
There were no Clery crimes that were Unfounded in 2023.
The Motor Vehicle Theft was a golf cart, which was recovered on campus.

APPENDIX A

CLERY MAP

Information for the 2025 Academic Year



APPENDIX B

SEXUAL MISCONDUCT POLICY GOVERNING STUDENTS

Ramapo College of New Jersey

ACADEMIC YEAR 2024 – 2025

PREFACE: EMERGENCY INFORMATION

Ramapo College is committed to providing timely support and assistance to victims and/or survivors[1] of sexual assault or misconduct. Students who experience an incident of sexual misconduct should consider the information and resources provided below.

FOR IMMEDIATE ASSISTANCE:

1. **Confidential Support:**
   Any student in need of immediate emotional support should call Counseling Services at (201) 684-7522 and request to speak with a confidential counselor. Survivors may also contact the healingSPACE Sexual Violence Resource Center to speak with a confidential advocate 24 hours a day, 7 days a week by calling (201) 487-2227.
2. **Reporting:**
   Students are strongly encouraged to report sexual misconduct to college authorities and to the police in order to protect themselves and others. Even if the survivor does not want to make a formal incident report or file charges, the survivor still has the right to other victims' services.

   To file a report, a student can contact any of the following:

   RCNJ Public Safety Department: (available 24 hours a day, 7days a week)
   (201) 684-6666
   Office Location: C-102

   Title IX Coordinator: (available during regular business hours)
   Kat McGee, Director of Title IX, ADA and Compliance Training
   E-mail: kmcgee@ramapo.edu
   Phone: (201) 684-7220

   The Mahwah Police Department: (available 24 hours a day, 7days a week)
   (201) 529-1000

   If the assault took place within the past five days the responding officer will ask the survivor if the survivor wishes 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 does not require that a police report be filed.

[1] A note on language: The words "victim" and "survivor" are used interchangeably here. Ramapo College respects the decision of those who have experienced violence to identify as a victim or a survivor. We recognize that choosing to identify as a survivor is an important part of the healing process for some who have experienced sexual violence.

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 the victim so desires.

ANONYMOUS ONLINE REPORTING:

A reporting form is available at the Sexual Assault Information and Reporting Options page. (See "Report an Incident Now"). The form may be filled out anonymously, or the survivor may choose to include identifying information. This form is not to be used for emergencies that require an immediate response.

MEDICAL TREATMENT AND EVIDENCE PRESERVATION:

After an incident of sexual assault occurs, the victim should consider seeking medical attention as soon as possible at a local emergency room such as Valley Hospital in Ridgewood, New Jersey to have forensic evidence collection completed to preserve evidence in case the survivor decides to file a police report or pursue criminal charges. **Emergency transportation is available**: please contact the Public Safety Department at (201) 684-6666 and request to speak with an Emergency on Call Counselor to request transportation.

A victim does not have to make a criminal complaint or decide whether to file charges to have forensic evidence collection completed, however the survivor must use his/her/their legal name. In circumstances of sexual assault, if a complainant does not opt for forensic evidence collection, health care providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually-transmitted infection.

It is important that a survivor of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where the survivor was assaulted within 96 hours after the incident occurred so that evidence may be preserved. Complainants of sexual assault, domestic violence, dating violence, or stalking also are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if any exist that may be useful to College investigators, Public Safety personnel, or local police.

INVESTIGATIONS:

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.

ACCOMMODATIONS:

A survivor may make a request for accommodations to the Title IX Coordinator. The survivor does not need to participate in an investigation or file charges in order to request 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. Accommodations include:

- Accommodations related to academics, transportation, medical services and counseling.
- 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 the survivor has classes in common with the accused.
- A “no-contact” order may 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 of addressing concerns about loan repayment.

More information about resources and reporting is available at the Support for Victims / Survivors page.

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The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereinafter referred to as the "Clery Act"): Ramapo College of New Jersey is committed to helping all members of the campus community provide for their own safety and security. Information on campus security and personal safety, including alerts, crime prevention tips and crime statistics may be found on the Public Safety website.

Questions or comments about the Sexual Misconduct Policy Governing Students may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training

E-mail: kmcgee@ramapo.edu

For more information about the Office of Title IX please visit the Title IX page.

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.

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

1. **Sexual Harassment**
2. **Sexual Assault**
3. **Sexual Exploitation**
4. **Stalking**
5. **Dating Violence**
6. **Domestic Violence**

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

The Ramapo College Sexual Misconduct Policy Governing Students (hereinafter referred to as the "Sexual Misconduct 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 Clery Act. The Clery Act was amended by the Violence Against Women Reauthorization Act of 2013 (VAWA).

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, her or them and makes recommendations for campus wide training and education programs.

   Title IX Coordinator:
   Kat McGee, J.D. Director of Title IX, ADA and Compliance Training
   E-mail: kmcgee@ramapo.edu
   Phone: (201) 684-7220
   Office: D104

B. A Deputy Title IX Coordinator (hereafter "Deputy Coordinator") will be assigned by the Title IX Coordinator for the investigation of an alleged violation of this Policy. The Deputy Coordinator will make a determination as to whether the Policy has been violated. The Deputy Coordinator will determine and issue any sanctions and permanent protective measures. (*See Investigation & Resolution Article VII, infra*). A Deputy Title IX Coordinator may also serve as a designee 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/their 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. 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:

- Vice President for People Operations: Virginia Galdieri, MBA
- Director of Student Conduct: Kathleen Hallissey
- Associate Director for Campus Inclusion & Intercultural Affairs: Costin Thampikutty, PhD.

C. The Title IX Investigator(s) conducts thorough and impartial investigations into the facts of a case including the following steps:

- interviewing the complainant
- interviewing the respondent
- interviewing witnesses or others who may have relevant information
- 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 all parties and promotes accountability.

IV. DEFINITIONS

A. Definitions of Prohibited Sexual Misconduct[2]:

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, or by a person cohabitating with (or having cohabitated with) the victim who is or has been in a social relationship of a romantic or intimate nature with the victim.[3]

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.

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[2] Please note that these definitions are behavioral definitions, not legal or criminal definitions.

[3] Domestic violence, as defined by the Violence Against Women Reauthorization Act of 2013 (VAWA), is a type of Relationship Violence. For purposes of this Policy, Relationship Violence does not include acts that meet the definition of domestic violence under New Jersey laws that are based solely on cohabitation (e.g., roommates).

- Touching an intimate partner sexually without the person's consent.

RETALIATION: Retaliation is defined as any materially adverse action taken because of a person's participation in a protected activity. Protected activity includes reporting an incident that may implicate this Policy and assisting in providing information relevant to an investigation. Reprisal, interference, restraint, penalty, discrimination, intimidation, threats, harassment or any other adverse action taken against a person who reports sexual misconduct, is a Complainant in an investigation, serves as a witness, or is a third party 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 XIII, 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 or any other bodily contact in a sexual manner. 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 or contact, 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, her or their 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 sexual advantage (or attempts to take sexual 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:

- Photographing or videotaping another in a state of undress without consent;

- 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;
- Allowing others to have sex with an incapacitated person; or
- Exposing one's genitals in non-consensual circumstances, or inducing others to expose their genitals or intimate parts.

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 they are not interested; or
- Exposing your private parts to another person without his, her or their consent.

STALKING: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his, her or their 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.[4]

- 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 reasonable person is assumed to be sober and using good judgment. 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.*

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;
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: Consensual relationships are romantic and/or sexual relationships between two or more individuals entered into with the consent of both parties. Consensual relationships between College employees and students, even with students who are not subject to direct supervision or

[4] New Jersey Coalition Against Sexual Assault (2014).

evaluation by the faculty or staff member, should be avoided because they may negatively impact the learning environment.

Moreover, the 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, her or them to assume educational instruction, evaluation or supervisory authority over a student with whom the supervisor has, or has had, a romantic or sexual relationship, the supervisor shall immediately disclose the identity of the student to the unit head and shall refrain from exercising such authority over the student. The unit head 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.[5]

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

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.[6]

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.[7]

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[5] See Ramapo College Administrative Policy Number 633, Preserving Professional Relationships.

[6] 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)

[7] Sylvia Rivera Law Project. SRLP Fact Sheet: Transgender & Nonconforming Youth in School

IMPAIRMENT: The state of being diminished or weakened due to the consumption of alcohol or other drugs. Impairment begins as soon as alcohol or drugs enter the bloodstream of the user, and increases with consumption.

INCAPACITATION: Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent. Individuals who are incapacitated cannot consent to sexual activity. Incapacitation renders an individual unable to understand the fact, nature, or extent of the sexual activity. *For more information regarding incapacitation please see Appendix B*.

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: The 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, her or their 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 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 professionals who are required by law to report 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 requests for confidentiality against the safety of other members of the College community. If the Title IX Coordinator determines that there is a threat of imminent or ongoing harm to an individual or to the community, such information may need to be shared and then only with appropriate individuals.

If the Complainant reports an incident of sexual misconduct to a College official or the Title IX Coordinator 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. However, if a Complainant insists that his/her/their 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, her or their 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 prevent the harassment of other members of the College community. The Title IX Coordinator will evaluate the confidentiality request in the context of his/her/their 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 College policy to retaliate against an individual who reports sexual misconduct, is a Complainant in an investigation, serves as a witness, or is a third party involved in the investigation of such a report.

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 the College's Public Safety Department 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, 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 the Faith and Spirituality Services page.

B. Prevention Education Coordinator

The Prevention Education Coordinator ("PEC") oversees the Office of Violence Prevention and focuses on strategic planning for an ongoing, comprehensive, systemic approach to violence prevention through programing and educational campaigns. The PEC is a private resource, but non-confidential: if an incident of sexual misconduct is reported to the PEC and the incident is a crime on campus or within the geographic areas designated by the Clery Act, the PEC is required to report the incident without any identifying information to the Public Safety Department for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act). A timely warning will not identify the victim, but may include information such as the location of the incident, a succinct description of the incident, and prevention and reporting strategies. The PEC may report incidents without any identifying information to the Title IX Coordinator to enable the College to understand the existence and extent of the problem (Title IX).

C. 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 made under this Policy is protected by FERPA and will not be released, except as required by law.[8] In the event that any such report involves treatment records, those records will remain confidential subject to any applicable state/federal law and/or regulation. Non-identifying information about a report may be shared with the College's Public Safety Department 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, his or their directory information on file be removed from public sources. To request removal of directory information, students should contact the Registrar's Office.

VI. REPORTING

If any student has been the victim of sexual misconduct the student should report the incident promptly to the Title IX Coordinator or the Department of Public Safety. 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

Any person who believes they have been the subject of sexual misconduct or who is aware of a student or employee of the College who has been subject to sexual misconduct is strongly encouraged to contact:

[8] Information gathered in the course of an investigation under this policy may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

1. **Title IX Coordinator**: (available during regular business hours)
Kat McGee, Director of Title IX, ADA and Compliance Training
E-mail: kmcgee@ramapo.edu
Phone: (201) 684-7220
Office: D104
2. **The Public Safety Department**: (available 24 hours a day, 7days a week)
(201) 684-6666
Office: C-102

If applicable, the Title IX Coordinator or the Public Safety Department will provide a copy of the Sexual Assault Survivor Intake Resource Form (See Appendix G, infra for an example Sexual Assault Survivor Intake Resource Form) and/or the Sexual Violence Resource Packet.

B. Responsibility of College Employees to Report

Every College 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). The report must include the name of the Complainant and Respondent, if known.[9]

In addition, the College requires everyone in the campus community to report the suspected abuse of minors (children 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, is 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 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. When a report of sexual assault is provided to the Title IX Coordinator, the Title IX Coordinator will provide the victim with options to seek prompt medical attention. (*See Appendix A, infra for medical treatment options*).

E. Resources

Upon receipt of a report, the College will inform the complainant 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.

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[9] 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.

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 the victim 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.
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 make a report to police, he/she/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/their 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, or obtaining protection from protective orders related to the incident more difficult. If a victim chooses not to make a report regarding an incident, the victim 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 the victim changes her/his/their mind at a later time.

H. Anonymous Online Reporting

A reporting form is available at the Sexual Assault Information and Reporting Options page (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. 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 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. The initial assessment will determine whether the alleged conduct would present a potential violation of the Policy and whether further action is warranted based on the alleged conduct.
   A. The first step of the initial assessment will usually be a preliminary meeting between the Complainant and Title IX Coordinator or designee to gather facts that will enable the Title IX Coordinator to assess the nature and circumstances of the allegation and institute appropriate interim protective measures.
   B. Where a Complainant requests that their name or other identifiable information not be shared with the Respondent or that no formal action be taken, the Title IX Coordinator will balance this request against the following factors in reaching a determination whether the request can be honored:
      - the nature and scope of the alleged conduct, including whether the reported misconduct involves the use of a weapon;
      - the respective ages and roles of the parties;
      - the risk posed to other individuals or to the campus community by not proceeding, including the risk of additional violence;
      - whether there have been other reports of misconduct by the Respondent;
      - whether the report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group
      - the presence of multiple perpetrators
      - threats of further violence or misconduct
      - the Complainant's wish to pursue formal action;
      - whether the College possesses other means to obtain relevant evidence;
      - considerations of fundamental fairness and due process with respect to the Respondent should the course of action include disciplinary action against the Respondent; and
      - the obligation to provide a safe and non-discriminatory campus environment.
   C. Where possible based on the facts and circumstances, the Title IX Coordinator will seek action consistent with the Complainant's expressed preference for manner of resolution, recognizing that the College must move forward with cases in which there appears to be a threat to any individual or the College as a whole. The College's ability to fully investigate and respond to a report may be limited if the Complainant requests that their name not be disclosed to the Respondent or declines to participate in an investigation.
   D. At the conclusion of the initial assessment, the Title IX Coordinator will determine the appropriate resolution route, which may include: 1) no further action, 2) informal resolution (*See Informal Resolution, Section E, infra*), or 3) the initiation of an investigation. If an allegation does not meet the elements of a Policy violation, the matter will not be investigated under this Policy.
2) If the report and/or intake appear, upon initial assessment, to be a possible violation of this Policy requiring investigation:
   A. The Title IX Coordinator will send the parties a written Notice of Investigation which will contain a summary of the allegation(s) under the Policy. Once the Notice of Investigation has

been delivered to the parties, the investigation phase begins. Upon receipt of the Notice of Investigation, or at any stage in the process, the Respondent may choose to accept responsibility for all or part of the alleged the Policy violation(s). If the Respondent accepts responsibility for misconduct, the Title IX Coordinator will facilitate the resolution and give final sanction(s) as deemed suitable.

B. The Title IX Coordinator shall assign the case to an Investigator(s) and a Deputy Title IX Coordinator. 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 New Jersey 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 other individuals who may have relevant information[10], and collect any other evidence deemed relevant to the case. Preliminary and follow-up interviews will be conducted as appropriate.
   A. Critical Witnesses: The Title IX Coordinator may identify a student as a Critical Witness if the student may have information critical to the outcome of an investigation. A Critical Witnesses may be required by the Title IX Coordinator to meet with a Title IX Investigator. A Critical Witness who refuses to do so may be charged with "failure to comply with the directions of College officials, including RCNJ Public Safety officers, or officers of the law, acting in performance of their duties (Ramapo College Code of Conduct, H.17)."
   B. Unavailable Witnesses: Under rare circumstances, a signed, dated, and notarized statement of a witness who is unable to appear or who has been excused may be submitted to the Investigator. The decision as to whether such a document or any other alternative means of providing evidence may be considered lies solely with the Title IX Coordinator.
4) At the conclusion of the investigation the Investigator will deliver a preliminary report to the Title IX Coordinator and Deputy Coordinator. Either the Title IX Coordinator or the Deputy Coordinator will meet with the Complainant and Respondent separately to discuss the evidence 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, will inform the Title IX Coordinator. The Title IX 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. The Deputy Coordinator will review the final report and make a determination as to whether the Policy has been violated. The Deputy Coordinator will determine and issue any sanctions and permanent protective measures for students. (See Sanctions Article IX, infra).
7) The Deputy Coordinator will communicate decisions regarding the finding, the reason for the determination of the finding, 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.[11] The Title IX Coordinator and the Chief Equity and Diversity Officer shall be copied on all outcome notices.
8) Admission of Violation: The Respondent may admit responsibility for all or part of the alleged Policy violations at any point during the investigation process. If the Respondent admits

[10] If the Complainant or Respondent does not respond to the Investigator within10 business days of the Investigator's initial outreach the investigation will nonetheless proceed in his or her absence.

[11] Requests for email-only notification may be made by the Complainant or Respondent to the Title IX Coordinator.

responsibility for the alleged misconduct, the matter is directly referred to the Deputy Title IX Coordinator, who will make a determination that the individual is in violation of the Policy and determine appropriate sanctions.

B. Appeals

All determinations, including not responsible findings, may be appealed to the Chief Equity and Diversity Officer (or designee) 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 Chief Equity and Diversity Officer (or designee such as a Deputy Coordinator not previously assigned to the investigation) 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 Chief Equity and Diversity Officer (or designee) finds no grounds for an appeal, then the decision will become final. There is no further appeal within the College.

If the Chief Equity and Diversity Officer (or designee) finds grounds for appeal, then s/he may dismiss the case, change the sanction, modify the finding, or uphold the finding based on the grounds identified. The decision of the Chief Equity and Diversity Officer (or designee) is final. There is no further appeal within the College.

The Title IX Coordinator will send the parties a written Notice of Appeal when an appeal is submitted. The Chief Equity and Diversity Officer (or designee) will communicate decisions regarding the appeal to the Complainant and Respondent simultaneously and in writing via the College email system and U.S. Mail.[12] The Title IX Coordinator and the Deputy Coordinator shall be copied on all outcome notices.

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, her or their choice (to include permitting an attorney to be an advisor), at his/her/their 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, her or their personal advisor. An advisor may only consult and advise his, her or their advisee, but not speak for the

[12] Requests for email-only notification may be made by the complainant or respondent to the Title IX Coordinator.

advisee at any meeting. In addition, an advisor may not direct questions to any College administrator, party, or witness in the process. A personal advisor may not participate in any other capacity in reference to the same incident, including, but not limited to, serving as a Witness, Co-Complainant, or Co-Respondent. Meetings and interviews will not be substantially delayed due to an advisor's availability.[13] The College will communicate at all times directly with the parties. It is the responsibility of the parties to forward any communication to their advisor.

D. Time Frames

The College will endeavor to conduct and complete an investigation and/or other appropriate resolution of a report of sexual misconduct in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. In the event the investigation is anticipated to exceed one hundred and fifty (150) days, the Title IX Coordinator or his/her/their designee will notify the Complainant and Respondent in writing at least one (1) week prior to the end of the one hundred and twenty (120) days. In this event, the Title IX Coordinator will advise the parties of the anticipated timeframe for the completion of the investigation. The College also reserves the right to retain external investigators as it sees fit based on the complexity and scope of the complaint.

Informal resolution is a procedure designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the Complainant and the safety and welfare of the campus community. When appropriate, certain student-on-student complaints may be resolved by the Title IX Coordinator or Deputy Coordinator without a full investigation. (For example, a Complainant and Respondent may agree with the Title IX Coordinator that education and training for the Respondent are an appropriate and sufficient response in a particular case, or that a No Contact Order between the parties provides remediation for the Complainant).

If a Complainant requests informal resolution, and the Title IX Coordinator concludes that informal resolution is appropriate, the Title IX Coordinator will take appropriate action by imposing individual and/or community remedies designed to maximize the Complainant's access to all educational and extracurricular opportunities and benefits at the College and to eliminate a potential hostile environment.

Informal resolution may include: establishing interim protective measures; conducting targeted or broad-based educational programming or training for relevant individuals or groups (i.e., sexual harassment training, consent workshop, healthy relationships workshop, alcohol education classes); a verbal or written apology; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the Respondent with the Complainant present (in cases that do not involve Sexual Assault: Non-Consensual Sexual Intercourse); a letter of warning to the Respondent, permanent extension of a No Contact Order; restriction from participation in specific clubs and/or organizations; restriction from participation in particular events (ie. Senior Sendoff) and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of informal resolution, the remedies imposed will focus on supporting the Complainant with no participation or involvement by the Respondent. Depending on the type of remedy used, it may be possible for a Complainant to maintain anonymity.

The informal resolution process does not conclude with a finding; the Respondent is not charged with a policy violation and is not found to be "responsible" or "not responsible" of a policy violation. If the parties

[13] 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.

agree to an informal resolution process sanctions will not be imposed on either party, however, the parties may agree to appropriate remedies.

In cases in which the informal resolution involves either the notification to or participation by the Respondent, it is the Respondent's decision whether to accept informal resolution. The Respondent has fourteen (14) days from receiving an invitation to participate in informal resolution to reply. The Title IX Coordinator may, in their discretion, and where circumstances warrant, extend this time line. If a Respondent does not reply or refuses to participate in informal resolution, the Title IX Coordinator will notify the Complainant of same and discuss other procedural options of resolution. Either party can request to end informal resolution and request to have a formal investigation of the complaint at any period prior to the resolution. Similarly, a Complainant can request to end an investigation and pursue informal resolution at any time prior to the issuance of investigation outcome letters to the parties. If both Complainant and Respondent are satisfied with the proposed resolution and the Title IX Coordinator believes the resolution satisfies the College's obligation to provide a safe and non-discriminatory environment for all students, the resolution will be implemented, the investigation process will be concluded, the matter will be closed and both parties will be provided with written notice of the resolution. Failure to comply with the resolution may be considered a violation of "failure to comply with the directions of College officials, including RCNJ Public Safety Officers, or Officers of the law, acting in performance of their duties." (Ramapo College Code of Conduct H.17)

To assess pattern or systemic behavior fairly, the Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution. The time frame for completion of informal resolution may vary, but the College will seek to complete the process within sixty (60) days of the Complainant's request.

Informal resolutions are only possible when the violations do not involve Sexual Assault: Non-Consensual Sexual Intercourse or Domestic/Dating Violence and/or may not meet the criteria for classification as a crime. Mediation will never be used in the resolution of complaints of Sexual Assault or Domestic/Dating violence.

F. Withdrawal Prior to the Conclusion of an Investigation

The protocol established by this Policy will not be deferred due to the withdrawal from enrollment at the College of a Complainant or Respondent. Should either party decide to withdraw and/or not participate in the investigation, the process will nonetheless proceed in his, her or their absence. The Title IX Coordinator will communicate the outcome, permanent protective measures (if any) and any sanction(s) (if any) to the withdrawn party using his, her or their last known e-mail and home address.

G. Evidentiary Considerations in the Investigation

Unless the Title IX Coordinator determines it is appropriate, the investigation does not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern, (2) the sexual history of the parties (though there may be a limited exception made in regard to the sexual history between the parties or when evidence regarding the Complainant's sexual history is offered to prove that someone other than the Respondent engaged in the reported misconduct), or (3) the character of the parties.

VIII. 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 an accused student takes part in Interim Suspension Hearing, notes taken by College officials during the Interim Suspension Hearing may become a part of the investigation record.

If the Respondent is a member of the College, 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 a student has been the victim of domestic or dating violence, stalking or sexual abuse, the victim also should consider obtaining a restraining order from the State of New Jersey (*see Appendix C, infra*).

IX. 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, Public Safety Officers, and/or other College employees acting in performance of their duties. Sanctions other than those outlined in this Policy 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 his/her/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 bills from the Office of Student Accounts.

Recommended Sanction(s) for Domestic Violence, Dating Violence, Stalking, Retaliation, 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 College's 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 this Policy or 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/their behavior or risk losing student status. Any subsequent violation of this Policy or 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 housing 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 Consultation**: A student may be required to participate in a mental health consultation 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 Sexual Assault: Non-Consensual Sexual Intercourse

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.[14] 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

[14] 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.

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).

The College has a compelling obligation to address allegations and suspected instances of sexual misconduct when it knows or should have known information that would lead a reasonable person to believe that this policy has been violated.

This Policy applies to sexual misconduct that occurs on College premises; in any College facility or property; or at a College sponsored, recognized, or approved program or activity. 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 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.

The College's disciplinary response may be limited if the respondent is a visitor or other third-party or is not subject to the College's jurisdiction. If the respondent is not subject to the College's jurisdiction at the time the report is made, then the College will determine appropriate action to prevent the recurrence of such conduct and remedy the effects, if appropriate.

XI. 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 College's 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, the 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.

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 Title IX Coordinator for a minimum period of seven (7) years from the date of the outcome letter, regardless of case outcome.

Student sexual misconduct records will be maintained in accordance with the storage and retention schedules for student records at the College and the New Jersey Division of Archives and Records Management. Such records are protected in accordance with current guidelines established under

FERPA and the New Jersey Open Records Act (OPRA). Generally, 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, her or their consent.

Retaliation, as defined in Section IV ("Definitions"), occurs when any materially adverse action is taken because of a person's participation in a protected activity, such as reporting an incident that may implicate 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 Director of Employment Equity and Affirmative Action at (201) 684-7540.*

Questions or comments about the Sexual Misconduct Policy Governing Students may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training

E-mail: kmcgee@ramapo.edu

For more information please visit the Office of Title IX website.

APPENDIX A. RESOURCE DIRECTORY

A. On-Campus Resources

Type of Resource	Office on Campus	Location	Telephone
Health/Medical Treatment	Health Services*	Near South Gate entrance	(201) 684-7536
Mental Health	Counseling Services*[15]	D-216	(201) 684-7522
Legal Assistance	*Refer to "Off Campus Resources" Below*		
Advocacy and Education	Women's Center	C-214	(201) 684-7468
Assistance with Financial Aid	Financial Aid	E-210	(201) 684-7549
Assistance with Visa & Immigration	Office of International Student and Scholar Services	ASB-213	(201) 684-7533
Title IX Coordinator	Equity, Diversity, Inclusion & Compliance	D-104	(201) 684-7220
Public Safety	Public Safety Department	C-102	(201) 684-6666
Prevention Education Coordinator	Office of Violence Prevention	C-216	(201) 684-7430

* **Designated confidential resource**. Confidential resources are not obligated to report information that is given to them. This allows students to explore his, her or their options 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.

B. Off-Campus Resources

Type of Resource	Off Campus Provider	Contact Information
Health/Medical Treatment	Planned Parenthood - Hackensack Center Valley Hospital, Ridgewood New Jersey	(201) 489-1140 (201) 447-8000
Mental Health	Bergen County Division of Mental Health Services Bergen Regional Medical Center	(201) 634-2745 1 (800) 730-2762
Legal Assistance	Bergen County Prosecutor's Office Bergen County Bar Association Bergen County Victim Witness Advocacy Unit Department of Justice	(201) 646-2300 (201) 488-0044 (201) 646-2057 ovw.usdoj.gov/sexassault.htm
Survivor Advocacy and Resources	healingSPACE Sexual Violence Resource Center Alternatives to Domestic Violence	(201) 487-2227

[15] Please request to speak with a **confidential** Counselor.

	Rape, Abuse and Incest National Network	(201) 336-7575 Rape, Abuse and Incest National Network
Counseling	Bergen County Div. of Mental Health Services	(201) 634-2745
Assistance with Financial Aid	Free Application for Federal Student Aid (FAFSA)	https://fafsa.ed.gov/
Assistance with Visa & Immigration	U.S. Department of State, Bureau of Consular Affairs Nonimmigrant Visa inquiries Immigrant Visa inquiries	 202-485-7600 603-334-0700
Local Law Enforcement	Mahwah Police Department	(201) 529-1000
State Law Enforcement	New Jersey State Police	(973) 344-1704
Where to obtain a Restraining Order	Mahwah Police Department	(201) 529-1000

Department of Education Office for Civil Rights
The OCR office for New Jersey is located at:
New York Office
Office for Civil Rights, U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843; TDD: 800-877-8339
Email: OCR.NewYork@ed.gov

C. How to Contact the Director of Title IX, ADA and Compliance Training

Kat McGee, Director of Title IX, ADA and Compliance Training / Title IX Coordinator
E-mail: kmcgee@ramapo.edu
Phone: (201) 684-7220
Office: D104

D. Frequently Asked Questions

Q: Do I have the right to contact no one if I have been sexually harassed or sexually assaulted?

A: Yes, you control who you tell and how much information you share. However, the College encourages prompt reporting of sexual harassment and sexual misconduct, so the College may take prompt steps to end the misconduct, prevent the recurrence, and to remedy the effects of such harassment or violence. Even if you do not want to make a report so an investigation can occur, we strongly encourage you to visit the Counseling Services to discuss your options and to get mental health assistance/counseling services, victim advocacy, and support. Please request to speak with a **confidential** counselor if you do not wish to make a formal report of the sexual misconduct.

Q: What happens when I report sexual misconduct to an office or college employee that is not confidential?

A: When you report an incident(s), the College employee will report the misconduct to the Title IX Coordinator. The Title IX Coordinator will invite you to participate in a Title IX investigation. The Title IX Coordinator (or designee) will take notes and ask specific questions with regard to who harmed you, where the incident(s) took place, how many times the incident(s) took place, and if there were any witnesses to the incident(s). At that point, if enough information is provided to determine that what you are describing could potentially be a violation of this Policy, then the Title IX Coordinator will assign your case for investigation. At least one Investigator will be assigned and will fully interview you, witnesses, and the accused party as well as to collect any and all evidence the parties may have. The preponderance of the evidence standard (more likely than not to have occurred) will be used to determine if the accused party is responsible. If the accused party is responsible, the respective Deputy Coordinator will issue sanctions and notify both parties in writing. If the accused party is not responsible, both the complainant and respondent will be notified in writing accordingly. No matter the outcome, both parties will receive notice, in writing and simultaneously, of any result and as such results become final.

Additionally, reports will be assessed to determine whether the College should send a Timely Warning Notice (TWN) in order to protect the community. A TWN will not identify the victim, but may include information such as the location of the incident and a succinct description of the incident.

Q: If I disclose my incident to a faculty member so I can get an accommodation in class, like an extension on a paper or a test, what will happen?

A: Your faculty member is a Responsible Employee under Title IX, and as such, will have to report information you provide to him/her/them to the Title IX Coordinator, including your name. If you need an accommodation, the best thing to do is to tell the Title IX Coordinator directly (or tell your faculty member, who will report on your behalf.) Reporting still gives you control over how much information you share and the College is still required to provide you with on and off campus resource information and support.

E. YWCA Bergen County's healingSPACE Mobile Application

The YWCA Bergen County's healingSPACE (hereafter "the Center") is the County's only sexual violence resource center. The Center has a mobile application that connects users directly to the Center. The mobile application helps users address the threat, treatment, and prevention of sexual violence. Users have the ability to make immediate, emergency, contact with a confidential sexual violence advocate hotline and obtain assistance concerning what to do in the case of a sexual assault. The mobile application also allows users to connect with friends through preprogrammed text messages.

The mobile application is free and downloadable from the App Store and Google Play (search for "ywhealingspace").

The Center is a safe, welcoming place for survivors of sexual assault/abuse and their families and friends. The Center provides free and confidential assistance through a 24/7 crisis intervention hotline (201-487-2227). The trained advocates provide counseling, as well as medical and legal accompaniments to survivors.

APPENDIX B. CONSENT AND INCAPACITATION

Individuals who are incapacitated cannot consent to sexual activity. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent. Incapacitation renders an individual unable to understand the fact, nature, or extent of the sexual activity, e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction.

Incapacitation that renders a person mentally or physically helpless may result from intoxication or substance use, passing out, being asleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Consent is not present if someone is incapacitated by alcohol or drugs (legal or illegal). A person with a cognitive impairment such as a mental illness or a mental condition that renders the person incapable of understanding the nature of his, her or their conduct cannot consent to sexual activity.

When incapacitation occurs because of alcohol or drug use, some indicators of incapacitation may include, but is not limited to:

- Slurred speech;
- Bloodshot or unfocused eyes;
- Shaky equilibrium;
- Needing assistance to walk/stand;
- Vomiting;
- Outrageous or unusual behavior;
- Highly diminished decision-making capacity or ability to make fully-informed judgments;
- Concern expressed by others about the individual; or
- Expressed memory loss or disorientation.

An individual also may be in a state known as a "blackout" when they are incapacitated and likely will have no memory of the sexual activity, but may still be walking and talking. Therefore, it is particularly important that people engaging in sexual activity know each person's level of intoxication or impairment before beginning sexual activity.

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 reasonable person is assumed to be sober and using good judgment. A respondent cannot claim that being under the influence of alcohol or drugs is a defense or excuse for engaging in sexual misconduct.

APPENDIX C. RESTRAINING ORDERS

What are Restraining Orders?

Restraining Orders are judicial orders issued by a judge when the applicant appears to be in danger of domestic violence. In the State of New Jersey, domestic violence is defined as an adult or emancipated minor who has a specified relationship to the victim that commits one of the following crimes against you:

1. Homicide;
2. Assault;
3. Terroristic threats;
4. Kidnapping;
5. Criminal restraint;

6. False imprisonment;
7. Sexual assault;
8. Criminal sexual contact;
9. Lewdness;
10. Criminal mischief;
11. Burglary;
12. Criminal trespass;
13. Harassment;
14. Stalking.

In New Jersey, there are three kinds of Restraining Orders that can protect you and others in your family or home:

1. Emergency Order (designed to protect you after hours until a court opens and you have the ability to ask for a Temporary Restraining Order). These may be obtained calling the police or 911. The judge on call will be able to grant you an Emergency Temporary Order if the judge feels the order is necessary to protect your life, health, or well-being.
2. Temporary Restraining Order (lasts until a full hearing). When you file a complaint for a restraining order during normal court business hours, you may ask for a temporary restraining order to be issued immediately. The judge will grant you this temporary restraining order (TRO) if they find that the order is necessary to protect your life, health, or well-being. TROs are issued when it would place the victim in danger by waiting to receive an order at the hearing for a final restraining order. A full court hearing is scheduled within 10 days after the initial issuance of a TRO.
3. Final Order (lasts indefinitely, unless an expiration date is specified). After a hearing in which both sides have the opportunity to present testimony, evidence, and witnesses, a judge can grant you a final restraining order.

How will I know when the Restraining Order ends?

An Emergency Order lasts until normal court business hours. A Temporary Restraining Order lasts until the full court hearing, which is scheduled within 10 days of its issuance. A Final Restraining Order lasts forever, unless the judge specifies an expiration date.

Where do I go to request a Temporary Restraining Order?

You should go to the general district court in the jurisdiction in which you reside. If the court is not open for normal business hours, you can request an Emergency Order by calling either 911 or the police.

How do I get a Temporary Restraining Order?

You must fill out court forms. You then may go into a courtroom where a judge may ask you questions to decide whether to issue a Temporary Restraining Order.

How much does it cost to file for a Restraining Order?

There is no cost.

Do I qualify for a Restraining Order?

In order to get a domestic violence restraining order, there must be a special relationship between you and the abuser. This relationship is defined as:

- A spouse or former spouse;
- Any present or former household member (if you are 18 or older, or an emancipated minor);

- Someone with whom you have a child in common, or are pregnant and expecting a child with;
- Someone you are dating or have dated.

Furthermore, any person alleging to be a victim of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, and who is not eligible for a restraining order as a "victim of domestic violence" may seek a temporary protective order under the Sexual Assault Survivor Protection Act of 2015.

> *Note*: If you do not have the necessary relationship to file for a domestic violence restraining order, the perpetrator may still be committing a crime for which you can get a criminal court restraining order if the perpetrator is arrested. If this is the case, you can call the police and ask for the perpetrator to be arrested. If they are charged in criminal court, you can ask for, and will likely receive, a criminal court restraining order that will prohibit your abuser from making any contact with you, or prohibit you from visiting your home, property, place of work, or any other venue named in the restraining order that you frequent.

What should I bring with me?

You should bring the name, address and identifying information of the person from whom you are seeking protection and a full description of the event(s) that led you to seek a protective order. The address should be the place where the person can be found and not a P.O. Box. You also should bring your copy of the Emergency Restraining Order and information about the warrant or petition alleging an act of violence, force or threat, if either was issued.

RCNJ Public Safety, the Title IX Coordinator, or the Mahwah police department is available to assist individuals seeking a protective order and will coordinate safety plans in collaboration with Student Life or Human Resources, when appropriate.

Regardless of whether a complainant elects to pursue a criminal report, the College will assist reporters of sexual assault, domestic violence, dating violence, and stalking and will provide each complainant with a written explanation of his/her/their rights. The College complies with New Jersey's state law in recognizing restraining orders and encourages any person who obtains a restraining order from New Jersey or any other state to provide a copy to RCNJ Public Safety and the Title IX Coordinator. A complainant may then meet with RCNJ Public Safety to develop a Safety Action Plan, which is a plan for RCNJ Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, etc.

A Temporary Restraining Order may be available through a law enforcement officer or the victim may request one from the Family Part of the Chancery Division of the Superior Court located at the Bergen County Justice Center, Room 119 10 Main Street, Hackensack, NJ 07601 (Phone: 201-527-2300). The College cannot apply for an emergency restraining order, or final restraining order for a victim or on their behalf. The College can only apply for a Temporary Restraining Order on the victim's behalf only if there are extreme circumstances that prevent the victim from physically being in court. A judge may grant you a temporary restraining order with the sworn testimony of a person who represents you only if you are physically or mentally incapable of filing personally. Otherwise, the victim is required to apply directly for these orders and may be assisted by RCNJ Public Safety or local law enforcement.

APPENDIX D. RISK REDUCTION

Sexual assault and sexual misconduct are never the fault of the victim. With no intent to blame complainants and in recognizing that only abusers are responsible for the acts of abuse they perpetrate, the following are some strategies to reduce one's risk of sexual assault or harassment:

- Make sure you understand how to get and give consent. Make sure all participants have given consent prior to engaging in sexual activity and throughout the sexual activity.
- Be active in supporting a safe and respectful community. If you see others engaging in disrespectful or inappropriate actions, speak up and get involved, or contact someone else to assist.
- Practice being assertive about your boundaries. Respect the boundaries of others.
- Trust your instincts. If you feel uneasy or sense something is wrong, call for assistance.

The following strategies are from the Rape, Abuse, & Incest National Network[16]:

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. **Avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones** in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is too intoxicated for the amount of alcohol they've had, or is acting out of character, get him, her or them to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. **Remember that being in this situation is not your fault**. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    b. **Be true to yourself**. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

[16] RAINN website

   c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
   d. **Lie**. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route**. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment.

APPENDIX E. EDUCATION AND PREVENTION

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to reduce and eliminate dating violence, domestic violence, sexual assault, stalking and other sexual misconduct which:

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

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs,” or other forums in which students, staff, or faculty members disclose incidents of sexual misconduct, are not considered a report of sexual misconduct or notice to the College of sexual misconduct for purposes of triggering the College’s obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about Title IX and Clery rights at these events.

The college delivers primary prevention and awareness programs and ongoing training and education campaigns to students and employees so they may identify: what behavior constitutes sexual misconduct; understand how to report such misconduct; recognize warning signs of potentially abusive behavior and ways to reduce risks; and learn about safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

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

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines using definitions provided both by the U.S. Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines what behavior and actions constitute consent to sexual activity in New Jersey and/or using the definition of consent found in this Policy;
d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
e. Delivers information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence; and
f. Provides assurances for due process as required by the Clery Act as amended by the 2013 Reauthorization of the Violence Against Women Act.

A. Faculty, Staff and Student Training

1. In addition to the Title IX Coordinator’s core responsibilities, additional services to the College community will include, working with available campus resources to provide ongoing training to new/current students, faculty, and staff on Title IX issues and procedures.

2. The College also has established a Title IX Committee that meets regularly and is responsible for developing, reviewing, and revising protocols, policies and procedures for addressing overall Title IX Compliance. The Title IX Compliance Committee is responsible for overall annual training to Responsible Employees. For information about the Committee please contact Kat McGee, Director of Title IX, ADA and Compliance Training at kmcgee@ramapo.edu.

B. Being an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. These individuals are not directly involved but have the choice to intervene, speak up, or do something about it."[17] The College promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do even if they want to help. Below is a list[18] of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911, if a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

C. Office of Violence Prevention

The Office of Violence Prevention houses prevention education programs addressing sexual assault, domestic violence, dating violence, and stalking. The office also houses the Violence Intervention Prevention (VIP) Peer Educators who teach other students about sexual violence and affirmative consent.

Location: C-216 (near the Fishbowl)

Phone Number: (201) 684-7430

APPENDIX F. NEW JERSEY CAMPUS SEXUAL ASSAULT VICTIM'S BILL OF RIGHTS

Pursuant to NJSA 18A, Chapter 61E

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

[17] Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.
[18] Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse.

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

Bill of Rights

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

- on the campus of any public or independent institution of higher education in the state of New Jersey, and
- where the victim or alleged perpetrator is a student at that institution, and/or
- when the victim is a student involved in an off campus sexual assault.

Human Dignity Rights

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

Rights to Resources On and Off Campus

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

Campus Judicial Rights

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

Legal Rights

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

- To receive full, prompt, and victim sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.
- To be free from any suggestion that victims were contributory negligent or assumed the risk of being assaulted.

Campus Intervention Rights

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

Statutory Mandates

Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required to implement the Bill of Rights and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation. Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document.

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

APPENDIX G. SEXUAL ASSAULT SURVIVOR INTAKE RESOURCE FORM (SAMPLE)

Ramapo College of New Jersey is committed to providing timely support and assistance to students who experience an incident of sexual assault. Please consider the following resources and information that are described below. Please initial next to the resource(s) you choose to utilize at this time:

- **Counseling**: an emergency Ramapo College of New Jersey counselor will listen and provide sensitive, nonjudgmental support. The counselor will review the New Jersey Campus Sexual Assault Victim's Bill of Rights and explain your options for medical treatment, support services, and accommodations.

- **healingSPACE Advocate**: a specially trained advocate will provide information, counseling, and support to help you cope with what you've been through. The advocate can discuss options and provide a variety of resources. Also, the advocate can accompany you to all related procedures including medical treatment and meeting with law enforcement or Public Safety.

- **Law Enforcement Officer**: a specially trained law enforcement officer will take your statement and investigate the crime of sexual assault. You will speak with the law enforcement officer and provide information for investigation. If you do not wish to contact law enforcement at this time you may contact law enforcement to pursue a criminal investigation in the future.

- **Medical Treatment with Evidence Collection (only available if the assault occurred within the last 5 days):** a specially trained nurse examiner will assist and treat your medical needs associated with the incident and collect evidence for save in the event of future prosecution. A nurse examiner can conduct an examination and provide preventative treatment for many kinds of sexually transmitted infections and pregnancy. The evidence collected by the nurse examiner can be kept for up to 5 years in the event you choose to speak with a law enforcement officer. Free transportation is available.

  Medical Treatment without Evidence Collection: If you do not wish to collect evidence for prosecution, a medical professional can examine you and administer preventative medications.

- *On-campus (available during Ramapo College business hours):* Ramapo College Health Services can provide emergency contraception, pregnancy testing, and/or testing for sexually transmitted infections. These services are provided free of charge for survivors of sexual assault.

- *Off-campus*: the Planned Parenthood Hackensack Health Center can provide emergency contraception, pregnancy testing and services, STI testing, treatment and vaccines. Planned Parenthood accepts insurance and also offers sliding scale payment options. Free transportation to Planned Parenthood is available. Alternatively, you may seek medical treatment from your own reproductive healthcare provider.

- **I do not want to utilize any of the above resources at this time**.

I have reviewed the resource list and initialed next to the resource(s) I choose to utilize at this time. I understand that I have the right to pursue these resources at a later date if I choose to do so. I understand that this form will be shared with the Ramapo College of New Jersey Director of Title IX to ensure that I have access to the requested resources.

Please indicate the nature of the sexual assault (check all that apply):
☐ Acquaintance/Date Rape ☐ Intimate Partner Assault ☐ Incest ☐ Unknown/Stranger Assault ☐ Other

_____	_____	_____
Ramapo College of New Jersey Student Signature	Print Name	Date
_____	_____	_____
Ramapo College of New Jersey Personnel Signature	Print Name	Date

Questions or comments about the Sexual Misconduct Policy Governing Students may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training

E-mail: kmcgee@ramapo.edu

For more information please visit the Office of Title IX website.

APPENDIX C

SEXUAL MISCONDUCT POLICY

Ramapo College of New Jersey

PUBLISHED SEPTEMBER 14, 2021

Sexual Misconduct Policy

PREFACE: EMERGENCY INFORMATION

Ramapo College of New Jersey is committed to providing timely support and assistance to anyone impacted by sexual assault or misconduct (hereafter referred to as the "Complainant")[19]. In the event of an emergency, please consider the information and resources provided below.

FOR IMMEDIATE ASSISTANCE:

1. Confidential Support:

Any student in need of immediate emotional support should call Counseling Services at 201-684-7522 and request to speak with a confidential counselor. Anyone impacted by sexual violence may contact the YWCA Northern New Jersey healingSPACE Sexual Violence Resource Center to speak with a confidential advocate 24 hours a day, 7 days a week by calling 201-487-2227.

2. Reporting:

Complainants are strongly encouraged to report all incident(s) of sexual misconduct to College authorities and to the police in order to protect themselves and others. Even if a Complainant does not want to make a formal complaint or file criminal charges, they still have the right to other support services. Also, investigation under the Sexual Misconduct Policy is independent from criminal or civil investigations. Campus personnel will not pressure Complainants to report a crime if they do not wish to do so.

To report an incident of sexual misconduct, please contact any of the following:

The Public Safety Department: (available 24 hours a day, 7days a week)
(201) 684-6666
Office Location: C-102

Title IX Coordinator: (available during regular business hours, however a report may be filed at any time using the email address or phone voicemail below)
Kat McGee, Director of Title IX, ADA and Compliance Training
E-mail: kmcgee@ramapo.edu
Phone: (201) 684-7220
Office Location: D-104

The Mahwah Police Department: (available 24 hours a day, 7days a week)
(201) 529-1000

[19] The person who is alleged to be the victim/survivor of sexual misconduct is referred to as the "Complainant" throughout this policy.

If the assault took place within the past five (5) days, the responding officer will ask the Complainant if they wish to activate the Bergen County Sexual Assault Response Team (SART). SART provides free coordinated community response in the aftermath of a recent sexual assault. It has been designed to offer a compassionate, trauma-informed approach while collecting evidence, including a forensic exam, that can be vital to the investigation and prosecution of the crime. Obtaining a forensic exam does not require that a police report be filed.

The College strongly encourages all members of its community to report violations of this Policy to law enforcement. However, it is the Complainant's choice whether to make such a report and Complainants 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 Complainant with notifying local police if they so desire.

ONLINE REPORTING:

A reporting form is available at the Sexual Assault Information and Reporting Options page (See "Report an Incident Now"). The form may be filled out anonymously, or the Complainant may choose to include identifying information. This form is **not** to be used for emergencies that require an immediate response. If the Complainant is identified the Title IX Coordinator will contact them to provide Supportive Measures and to provide information regarding their rights and resources.

MEDICAL TREATMENT AND EVIDENCE PRESERVATION:

After an incident of sexual assault occurs, the Complainant should consider seeking medical attention as soon as possible at a local emergency room such as Valley Hospital in Ridgewood, New Jersey to have forensic evidence collection (sometimes referred to as a "rape kit") completed to preserve evidence in case the Complainant decides to file a police report or pursue criminal charges. **Emergency transportation is available**: please contact the Public Safety Department at (201) 684-6666 and request to speak with an Emergency on Call Counselor to request transportation.

A Complainant does not have to make a criminal complaint or decide whether to file charges to have forensic evidence collection completed, however the Complainant must use his/her/their legal name. In circumstances of sexual assault, if a Complainant does not opt for forensic evidence collection, health care providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually-transmitted infection.

It is important that a person who has been sexual assaulted not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted within 96 hours after the incident occurred so that evidence may be preserved. A forensic examination can occur regardless of factors that may affect the validity of the sample, such as time elapsed (up to 96 hours), use of soaps or detergents, or temperature and humidity, etc. Complainants of sexual assault, domestic violence, dating violence, or stalking also are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if any exist that may be useful to College investigators, Public Safety personnel, or local police.

SUPPORTIVE MEASURES:

Requests for supportive measures may be made to the Title IX Coordinator. The parties do not need to participate in an investigation or file charges in order to request support. The Title IX Coordinator will work in conjunction with relevant parties to determine which measures are appropriate to ensure safety and equal access to educational programs and activities. Supportive measures may include:

- Accommodations related to academics, transportation, medical services and counseling.
- Relocation in their on-campus housing assignment, class schedule, or campus job if either will bring them into proximity with the other party.
- A “No Contact Order” may be put in place between the parties involved.
- Providing financial aid-related information, such as how to apply for a leave of absence or addressing concerns about loan repayment.

For more information, please see policy section “Supportive Measures” below.

More information about resources and reporting is available at the Victims/Survivors Support page.

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The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereinafter referred to as the "Clery Act"): Ramapo College of New Jersey is committed to helping all members of the campus community provide for their own safety and security. Information on campus security and personal safety, including alerts, crime prevention tips and crime statistics may be found on the Public Safety website.

Questions or comments about the Sexual Misconduct Policy may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training at kmcgee@ramapo.edu.

For more information visit the Office of Title IX website.

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. On May 19, 2020, the U.S. Department of Education (DOE) issued a Final Rule under Title IX of the Education Amendments of 1972[20] (hereafter "Final Rule") that applies to employees and students.

Sexual misconduct refers to a range of prohibited offenses designated under this Sexual Misconduct Policy (the "Policy"). **The following offenses are prohibited by this Policy:**

A. Sexual Harassment
B. Sexual Assault
C. Sexual Exploitation
D. Stalking
E. Dating Violence
F. Domestic Violence

In addition, it is a prohibited offense to retaliate against anyone who files a complaint under this Policy or participates in a related investigation.

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 the parties and holding persons accountable for established violations of this Policy; and
- Providing a written explanation of the rights and options available to persons impacted by sexual misconduct.

In addition, this Policy:

1. Identifies the College's Title IX Administrators, and describes their roles in compliance with guidance from the United States Department of Education's Office for Civil Rights and in compliance with the Clery Act.
2. Identifies how to confidentially report sexual misconduct to the College and what resources are available both on and off campus, including the right to notify local law enforcement and their right also to decline to notify such authorities.
3. Provides information about how student and/or faculty/staff 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,

[20] See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available at: http://bit.ly/TitleIXReg

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 another 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 program or activity, admission, 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"). Sexual assault, domestic violence, dating violence and stalking as defined by the Clery Act", are also prohibited conduct under Title IX. The Clery Act was amended by the Violence Against Women Reauthorization Act of 2013 (VAWA). The requirements and protections of this Policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant or Respondent[21].

For further information regarding equal opportunity, bias, disability, harassment, discrimination and retaliation that is ***not related to sexual misconduct****, please contact the Office of Equity, Diversity, Inclusion, and Compliance by calling (201) 684-6693.*

III. TITLE IX OFFICERS

A. **Title IX Coordinator**: 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 Formal Complaints of sexual misconduct at the College. The Title IX Coordinator may also evaluate trends on campus by using information reported to him, her or them and makes recommendations for campus wide training and education programs.

   Title IX Coordinator:
   Kat McGee, J.D. Director of Title IX, ADA and Compliance Training
   E-mail: kmcgee@ramapo.edu
   Phone: (201) 684-7220
   Office Location: D104

B. Title IX Deputy Coordinators: A Deputy Title IX Coordinator (hereafter "Deputy Coordinator") may serve as a designee 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 or potential bias in his/her/their 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. 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.

[21] The person who is alleged to have perpetrated sexual misconduct is referred to as the "Respondent" throughout this policy.

Title IX Deputy Coordinators:

- Virginia Galdieri, Vice President for People Operations and Employee Resources
  Email: vgaldier@ramapo.edu Phone: 201-684-7506
  Office: D110
- Kathleen Hallissey, Director of Student Conduct
  Email: khallis1@ramapo.edu Phone: 201-684-7869
  Office: C212
- Costin Thampikutty, Associate Director of Campus Inclusion & Intercultural Affairs
  Email: cthampik@ramapo.edu Phone: 201-684-7487
  Office: D104D

C. **Investigators**: The Investigator(s) conducts thorough and impartial investigations into the facts of a case including the following steps:
- interviewing the Complainant
- interviewing the Respondent
- interviewing witnesses or others who may have relevant information
- collecting any other evidence deemed relevant to a case
- preparing an investigative report that fairly summarizes relevant evidence

D. **Hearing Chair, Hearing Officer(s), and Hearing Administrator**
A single Hearing Chair or a panel of Hearing Officers (to include the Hearing Chair) may be utilized for a Title IX hearing. The Hearing Chair is responsible for conducting Title IX hearings in an orderly manner, controlling the conduct of all participants and attendees of the hearing, and rendering a written Determination Regarding Responsibility of the Respondent's alleged conduct charges in an impartial, neutral, and objective manner. If a panel is utilized, the Determination Regarding Responsibility and corresponding sanctions (if any) will be determined by a majority vote of the Hearing Officers.

The Hearing Chair/Officers may not:
- serve as the Title IX Coordinator, Investigator, Appeals Officer or advisor to any party in the same investigation;
- have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the parties to the particular case.

A hearing may also be facilitated by a Hearing Administrator, who is normally the Title IX Coordinator or designee. The Hearing Administrator may also comment on questions of procedure. The Hearing Administrator shall be excluded from Hearing Chair/Officers deliberations and shall not serve as a decision maker.

E. **Appeals Officer**: The Chief Equity and Diversity Officer (or designee) will serve as the Appeals Officer. The Appeals officer makes determinations of timely appeals submitted by either party. The Appeals Officer will be free of conflict of interest and bias, and will not serve as the Title IX Coordinator, Investigator, or Hearing Chair/Officer in the same matter. The decision of the Appeals Officer is final. There is no further appeal within the College.

Title IX Officer Training: all Title IX Officers 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 all parties and promotes accountability. They are also trained on the definition of sexual harassment, the scope of the College's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Hearing Chairs, Officers, and Administrators are trained on the use of any technology to be used at the hearing and on issues of relevance of questions and evidence. Both internal

and external investigators are trained to create an investigative report that fairly summarizes relevant evidence.

IV. DEFINITIONS

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.[22]

- 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 reasonable person is assumed to be sober and using good judgment. A person cannot claim that being under the influence of alcohol or drugs is a defense or excuse for engaging in sexual misconduct.

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 consent, it shall not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

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

Additionally, it shall not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity if the Respondent 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;
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.

[22] New Jersey Coalition Against Sexual Assault (2014).

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

Complainant: The person who is alleged to be the victim of conduct that could constitute sexual harassment or misconduct is the Complainant.

Consensual Relationships: Consensual relationships are romantic and/or sexual relationships between two or more individuals entered into with the consent of both parties. Consensual relationships between College faculty/staff 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, the College prohibits all faculty/staff 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/staff member is placed in a position that would require him, her or them to assume educational instruction, evaluation or supervisory authority over a student with whom the supervisor has, or has had, a romantic or sexual relationship, the supervisor shall immediately disclose the identity of the student to the unit head and shall refrain from exercising such authority over the student. The unit head shall notify the Office of Human Resources, and shall immediately arrange for another faculty/staff member to instruct, evaluate or supervise the student. Any faculty/staff or student who obtains knowledge of such a romantic or sexual relationship between a faculty/staff member and a student is required to disclose it to the Director of Employment Equity and Affirmative Action. Following a review of the information reported and/or a confidential investigation, the Director of Employment Equity and Affirmative Action may refer the matter to the Office of Human Resources for appropriate action.[23]

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

Force: Includes physical acts, coercion, threats, and intimidation.

Formal Complaint: A written document (including an electronic submission) describing the allegations, which is submitted by a Complainant alleging sexual misconduct against a Respondent and requesting that the College investigate the allegation of sexual misconduct. The document must include a signature or other indication that the Complainant is the person filing the Formal Complaint, or the document may be signed by the Title IX Coordinator if the College alleges sexual misconduct against a Respondent. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party in the complaint.

Gender: Gender refers to the bundle of dimensions related to 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 may or may not be consistent with a person's sex assigned at birth.

[23] See Ramapo College Administrative Policy Number 633, Preserving Professional Relationships.

Gender Bias: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., man, woman, transgender, gender nonbinary.

Gender Expression: The presentation of an individual, including physical appearance, clothing choice and accessories, and behaviors that express aspects of gender identity or role. Gender expression may or may not conform to a person's gender identity.

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. Gender identity may or may not correspond to a person's sex assigned at birth.

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 Nonbinary: This refers to individuals who identify and/or exist in ways that sit outside the gender binary. This can mean people whose gender is not at all man/male/masculine or woman/female/feminine, people whose gender involves elements of both of these, people whose gender involves one of these but also aspects outside the binary, people who identify with a third gender, and more. It can be an identity term (e.g., I am gender nonbinary) and an umbrella term of a variety of related experiences. People can be nonbinary and trans, nonbinary and not trans, and trans but not nonbinary.

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 sex they were assigned at birth.[24]

Impairment: The state of being diminished or weakened due to the consumption of alcohol or other drugs. Impairment begins as soon as alcohol or drugs enter the bloodstream of the user, and increases with consumption.

Incapacitation: Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent. Individuals who are incapacitated cannot consent to sexual activity. Incapacitation renders an individual unable to understand the fact, nature, or extent of the sexual activity, e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction.

Incapacitation that renders a person mentally or physically helpless may result from intoxication or substance use, passing out, being asleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. A person with a cognitive impairment such as a mental illness or a mental condition that renders the person incapable of understanding the nature of his, her or their conduct cannot consent to sexual activity.

When incapacitation occurs because of alcohol or drug use, some indicators of incapacitation may include, but is not limited to:

- Slurred speech;
- Bloodshot or unfocused eyes;
- Shaky equilibrium;
- Lack of control over physical movements (e.g., inability to dress/undress without assistance; needing assistance to walk/stand);
- Vomiting;
- Outrageous or unusual behavior;
- Highly diminished decision-making capacity or ability to make fully-informed judgments;

[24] Sylvia Rivera Law Project, http://srlp.org/resources/fact-sheet-transgender-gender-nonconforming-youth-school/

- Concern expressed by others about the individual; or
- Expressed memory loss or disorientation.

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

Parties: The Complainant and the Respondent in an incident reported to the College under this Policy.

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: The person reported to have perpetrated the conduct that could constitute sexual harassment or misconduct is the "Respondent."

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: The 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: individuals who are not obligated to report information that is given to them are Confidential. This allows a student to explore his, her or their 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 order. While specific information may be kept confidential, these incidents may be counted for statistical purposes, as per the Clery Act.

Non-Confidential Resources: professionals who are required to report incidents of alleged sexual misconduct to the Title IX Coordinator are "Mandatory Reporters". When possible, the Title IX Coordinator will keep the identity of an unwilling Complainant or witness confidential. However, confidentiality cannot be guaranteed as the Title IX Coordinator must balance requests for confidentiality against the safety of other members of the College community. If the Title IX Coordinator determines that there is a threat of imminent or ongoing harm to an individual or to the community, such information may need to be shared and then only with appropriate individuals.

A. Complainant Requests for Confidentiality: If the Complainant requests confidentiality, or declines the opportunity to file a Formal Complaint, the College will take all reasonable steps to respond consistent with this request. However, the Complainant should be mindful that the insistence that their name or other

identifiable information not be disclosed to the Respondent, or the failure to file a Formal Complaint will severely limit the College's ability to respond to, address, and remedy the sexual misconduct.

The Title IX Coordinator will evaluate the confidentiality request in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all persons, recognizing that the College must move forward with cases in which there appears to be serious threat to any individual or the College as a whole. Where a Complainant requests that no formal action be taken, the Title IX Coordinator will balance this request against the following factors in reaching a determination whether the request can be honored:

- the nature and scope of the alleged conduct, including whether the reported misconduct involves the use of a weapon;
- the respective ages and roles of the parties;
- the risk posed to other individuals or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of misconduct by the Respondent;
- whether the report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- the presence of multiple perpetrators;
- threats of further violence or misconduct;
- the Complainant's wish to pursue formal action;
- whether the College possesses other means to obtain relevant evidence;
- considerations of fundamental fairness and due process with respect to the Respondent should the course of action include disciplinary action against the Respondent; and
- the obligation to provide a safe and non-discriminatory campus environment.

If the Title IX Coordinator determines that she/he/they cannot adhere to a request for confidentiality, the Title IX Coordinator will sign the Formal Complaint on behalf of the Complainant. A formal investigation only begins when a Complainant or the Title IX Coordinator signs a Formal Complaint. Additionally, personally 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 supportive 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.

B. 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 (*See Appendix A: "Resource Information" below for contact information*). Conversations with the following 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 students impacted by sexual assault.
2. Counseling:
    a. 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.

b. healingSPACE Counseling Services on Campus: confidential counseling services from the YWCA Northern New Jersey healingSPACE Sexual Violence Resource Center are available on campus in room Lodge 123 by appointment.

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 the College's Public Safety Department 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, 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 the Faith and Spirituality Services page.

C. Prevention Education Coordinator

The Prevention Education Coordinator ("PEC") oversees the Office of Violence Prevention and focuses on strategic planning for an ongoing, comprehensive, systemic approach to violence prevention through programing and educational campaigns. The PEC is a private resource, but non-confidential: if an incident of sexual misconduct is reported to the PEC and the incident is a crime on campus or within the geographic areas designated by the Clery Act, the PEC is required to report the incident without any identifying information to the Public Safety Department for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning. A timely warning will not identify the Complainant, but may include information such as the location of the incident, a succinct description of the incident, and prevention and reporting strategies. The PEC may report incidents without any identifying information to the Title IX Coordinator to enable the College to understand the existence and extent of the problem.

D. 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 made under this Policy is protected by FERPA and will not be released, except as required by law[25]. In the event that any such report involves treatment records, those records will remain confidential subject to any applicable state/federal law and/or regulation. Non-identifying information about a report may be shared with the College's Public Safety Department 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 Complainants in the College's Daily Crime Log or online. In addition, any person including a Complainant of sexual misconduct may request that her, his or their directory information on file be removed from public sources. To request removal of directory information, students should contact the Registrar's Office.

VI. REPORTING

If any student or faculty/staff has been the Complainant of sexual misconduct, they should report the incident promptly to the Title IX Coordinator or the Department of Public Safety. The College will provide resources to any person who has been a Complainant of sexual misconduct and following a Formal

[25] Information gathered in the course of an investigation under this Policy may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

Complaint, will apply appropriate disciplinary procedures to those found to have violated 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 individuals found responsible for violating this Policy.

A. Contact Information for Reporting

Any person who believes they have been the subject of sexual misconduct or who is aware of a student or employee of the College who has been subject to sexual misconduct is strongly encouraged to report this information. An individual does not have to be a member of the College to file a report under this Policy. Please contact:

1. **Title IX Coordinator:**
   Kat McGee, Director of Title IX, ADA and Compliance Training
   E-mail: kmcgee@ramapo.edu
   Phone: (201) 684-7220
   Office: D104

2. **The Public Safety Department**: (available 24 hours a day, 7 days a week)
   Phone: (201) 684-6666
   Office: C-102

If applicable, the Title IX Coordinator or the Public Safety Department will provide a copy of the Sexual Assault Survivor Intake Resource Form (*See Appendix F, below for an example Sexual Assault Survivor Intake Resource Form*) and/or the Sexual Violence Resource Packet.

B. Responsibility of College Employees to Report

Every College employee (including faculty, staff, administrators and student employees) is deemed a Mandatory Reporter unless the employee is a designated Confidential Resource previously identified in the "Confidentiality" section of this Policy. A College employee/Mandatory Reporter who learns of an incident of sexual misconduct MUST report it to the Title IX Coordinator within 24 hours. The report must include the name of the Complainant and Respondent, if known.[26]

In addition, the College requires everyone in the campus community to report the suspected abuse of minors (children under the age of 18) to the Title IX Coordinator or the Public Safety Department.

C. Institutional Response Upon Receipt of a Report

Upon receipt of a report of sexual misconduct, the Title IX Coordinator will inform the Complainant of the availability of medical, counseling and support services, along with additional supportive measures such as housing, academic, transportation and working accommodations, if reasonably available. The Title IX Coordinator will explain the process for filing a Formal Complaint to the Complainant.

Multi-Party Situations: The College may consolidate Formal Complaints allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of covered sexual misconduct arise out of the same facts or circumstances.

D. Medical Attention

[26] Unless directed otherwise by the Title IX Coordinator or designee, Designated Campus Security Authorities must report statistical information so the College may comply with the Clery Act, but are not required to report identifying information.

After an incident of sexual assault, or any other incident of sexual misconduct, the Complainant should consider seeking medical attention as soon as possible at the closest emergency room. When a report of sexual assault is provided to the Title IX Coordinator, the Title IX Coordinator will provide the Complainant with options to seek prompt medical attention. (*See Appendix A, below for medical treatment options*).

E. 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 Complainant's choice whether to make such a report and Complainants 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 Complainant with notifying local police if the Complainant 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 may later choose to file a police report and cooperate with a criminal investigation.) Complainants 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.
4. There is no statute of limitations on reporting a sexual assault to the police department. A Complainant can make a report at any time. The Mahwah Police Department may be contacted for additional information concerning sexual assault reports.
5. If a Complainant does not want to make a report to the police, they may seek civil remedies, including the filing of an application for a restraining order. For additional information about civil remedies, the Complainant should contact their 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 as to whether criminal charges are filed, the Complainant can cooperate and provide as much timely information as may be possible.

F. Timing of Reporting

The College encourages prompt reporting of sexual misconduct so that it can respond promptly and equitably; however, the College does not limit the timeframe for reporting. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation or obtaining protection from protective orders related to the incident more difficult. If a Complainant chooses not to make a report regarding an incident, the Complainant nevertheless should consider speaking with the Title IX Coordinator, the Director of Public Safety or local law enforcement to preserve evidence in the event that the Complainant changes their mind at a later time.

G. Online Reporting

A reporting form is available at the Sexual Assault Information and Reporting Options page (See "*Report an Incident Now*"). The form may be filled out anonymously, or the Complainant may choose to include identifying information. The reporting form may be submitted anytime during the day or evening, however, if a person requires immediate assistance, they should contact Public Safety. The supplier of a report should be mindful that failure to disclose identifying information about the Respondent, the Complainant, 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.

H. Timely Warning Notice

The Clery Act requires institutions to disclose crime statistics and assess crime for purposes of issuing Timely Warning Notices (hereafter "TWN"). The Public Safety Department will assess whether a report of sexual misconduct warrants the College sending a TWN in order to protect the community. The College shall seek to maintain a balanced approach to timely warning situations, ensuring compliance with applicable law while considering the needs and concerns of both the campus community and the Complainant.

When reasonably practicable, the College's Title IX Coordinator or Director of Public Safety (or their designees) will provide the Complainant with:

- Advance notice that a TWN will be issued to the campus community. The content of the TWN will be described and explained to the Complainant;
- An anticipated timeframe of when the TWN will be issued to the campus; and
- The opportunity to speak with an Emergency On-Call Counselor.

H. Good Faith Reporting

Complaints made in good faith, even if found to be unsubstantiated, shall not be considered a false accusation. Any student, faculty or staff member, who knowingly makes a false accusation under this policy or knowingly provides false information in the course of an investigation of a complaint may be subjected to administrative and/or disciplinary action depending on 1) the circumstances presented and 2) the severity of the impact on the investigation.

VII. SUPPORTIVE MEASURES

The College may provide supportive measures with or without the filing of a Formal Complaint. These actions are designed to eliminate the harassment/sexual misconduct and prevent its recurrence. Supportive measures are non-disciplinary and non-punitive. Supportive measures may include, but are not limited to, the following to the extent reasonably available and appropriate:

For Students:

- Issuance of a No Contact Order to all parties. This will prohibit communication between the parties, including contact verbally, in writing, through technology, or by third parties.
- Academic measures, such as, assistance in transferring to another section of a course, assistance in requesting withdrawal or an incomplete grade in a particular course, leaves of absence or withdrawal from the College, or assistance requesting alternate methods of completing coursework;
- Increased security and monitoring of certain areas of the campus;
- Housing measures, such as changes in housing assignment;
- Employment measures, such as, arranging for alternate College employment, different work shifts, etc.;
- Arranging a meeting to discuss safety planning;
- Arranging access to counseling services and assistance in setting up initial appointments;
- Arranging access to medical services and assistance in setting up initial appointments;
- Transportation or parking accommodations;
- Any other measure that may be arranged by the College (to the extent reasonably available) to ensure the safety and well-being of a student and/or the College community.

For Faculty/Staff:

- Employment accommodations, such as temporary reassignment, if appropriate, to other work duties and responsibilities, or temporary relocation of work areas or assignment to alternate work groups/teams or alternative supervision/management;
- Increased security and monitoring of certain areas of the campus;
- Arranging a meeting to discuss safety planning;
- Arranging access to counseling services and assistance in setting up initial appointments via the College's Employee Assistance Program;
- Transportation or parking accommodations; and
- Any other measures that may be arranged by the College (to the extent reasonably available) to ensure the safety and well-being of an Employee and/or the College community.

If a Complainant has been impacted by domestic or dating violence, stalking or sexual abuse, they also should consider obtaining a restraining order from the State of New Jersey (see Appendix B, below).

VIII. INTERIM MEASURES

Emergency Removal: A Respondent may be issued an Interim Suspension (i.e., suspension from classes, work and other privileges or activities, or from the College) on an emergency basis until resolution of a case if the College: (1) undertakes an individualized safety and risk analysis, and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies a removal. If the Respondent is issued an Interim Suspension, they will be provided with notice and an opportunity to challenge the decision immediately following the issuance of the Interim Suspension. If a Respondent takes part in Interim Suspension Hearing, notes taken by College officials during the Interim Suspension Hearing may become a part of the investigation record.

The College retains the authority to place a non-student Respondent employee on administrative leave, consistent with the Employee Handbook and/or other applicable College policies.

IX. INFORMAL RESOLUTION

When appropriate, certain complaints may be resolved by the Title IX Coordinator or Deputy Coordinator without a full investigation or hearing. Informal resolution is a procedure designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the Complainant and the safety and welfare of the campus community. For example, a Complainant and Respondent may agree with the Title IX Coordinator that education and training for the Respondent are an appropriate and sufficient response in a particular case, or that a No Contact Order between the parties provides remediation. Informal resolution may NOT be used: 1) to resolve a complaint that an employee engaged in sexual misconduct against a student or 2) if a Respondent has previously engaged in an Informal Resolution process.

If a Complainant requests informal resolution[27], and the Title IX Coordinator concludes that informal resolution is appropriate, the Title IX Coordinator will offer informal resolution as an option to both parties. Both the Complainant and Respondent have the option to: 1) agree to participate or 2) not agree to participate in the informal resolution, and the parties may change their minds at any time until a resolution is reached. Prior to engaging in informal resolution, the Respondent must be made aware of the sanctions that could be employed during the formal resolution process. The time frame for completion of

[27] The College may not offer an informal resolution process unless a Formal Complaint is filed by the Complainant. See 85 Fed. Reg. 30407.

informal resolution may vary, but the College will seek to complete the process within sixty (60) days of the Complainant's request.

The informal resolution process does not conclude with a finding. The Respondent is not charged with a Policy violation and is not found to be "responsible" or "not responsible" of a Policy violation. Further, if the parties agree to an informal resolution process, sanctions will not be imposed on either party, rather, the parties may agree to appropriate remedies. An admission of responsibility made by the Respondent in an informal resolution is not an indication that the institution would have found the Respondent "responsible" for a violation of this Policy. Any final resolution pursuant to informal resolution will be documented and kept for seven (7) years. However, no recording of the informal resolution process will be made and all statements made during the informal resolution process cannot be used for or against either party. Should the parties begin (or resume) a formal grievance process, the decision maker(s) and Appeals Officer cannot consider statements made during informal resolution.

Informal resolution may include: establishing supportive measures; issuance of an impact statement; conducting targeted or broad-based educational programming or training for relevant individuals or groups (i.e., sexual harassment training, consent workshop, healthy relationships workshop, alcohol education classes); a verbal or written apology; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the Respondent with the Complainant present; a letter of warning to the Respondent; a No Contact Order; restriction from participation in specific clubs and/or organizations; restriction from participation in particular events (ie. Senior Sendoff) and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. The terms of the informal resolution will be set forth in a written Resolution Agreement.

Both parties must provide voluntary, written consent to the Title IX Coordinator to participate in the informal resolution process. The Respondent has ten (10) calendar days from receiving an invitation from the Title IX Coordinator to participate in informal resolution to reply in writing. The written notice, copied to the Complainant, will include:

- the allegations;
- an explanation of rights through the informal resolution process;
- the requirements of the informal resolution process (including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations);
- any consequences resulting from participating in the informal resolution process (including the records that will be maintained or could be shared).

If a Respondent does not reply or refuses to participate in informal resolution, the Title IX Coordinator will notify the Complainant of same and discuss other procedural options of resolution.

Either party can request to cease informal resolution and instead have a formal investigation of the complaint at any time prior to agreeing to a written Resolution Agreement. Similarly, the parties can request to end a formal investigation and pursue informal resolution at any time prior to the issuance of determination letters to the parties.

If both Complainant and Respondent are satisfied with the proposed resolution and the Title IX Coordinator believes the resolution satisfies the College's obligation to provide a safe and non-discriminatory environment, both parties will be provided with a written Resolution Agreement, the Resolution Agreement will be implemented, and the matter will be closed. Failure to comply with a Resolution Agreement may result in disciplinary under the Code of Conduct and/or other applicable College policies.

X. TITLE IX GRIEVANCE PROCESS

A. Jurisdiction

Pursuant to the Title IX Final Rule, a Complainant may file a Formal Complaint under the Title IX Grievance set forth in this policy only if the Complainant is currently participating in, or attempting to participate in, the education programs or activities of the College, including as an employee. An "education program or activity" includes:

- locations, events, or circumstances over which the school exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, and
- any building owned or controlled by a student organization that is officially recognized by the College.

Upon receipt of a Formal Complaint, the Title IX Coordinator (or designee) will determine if it falls within the jurisdiction of the Title IX Grievance Process or the jurisdiction of the Sexual Misconduct Grievance Procedures. A complaint falls within the jurisdiction of the Title IX Grievance Process when the following elements are met:

(1) The Formal Complaint is submitted on or after August 14, 2020;
(2) The conduct alleged took place in the United States;
(3) The conduct alleged took place in the College's education program or activity; and
(4) The conduct alleged to have occurred, if true, would constitute sexual harassment as defined by the Final Rule.

B. Dismissal

Mandatory Dismissal: If any one of the above four (4) elements are not met, the Title IX Coordinator must provide a Notice of Dismissal to the parties informing them that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Procedures. Each party may appeal this dismissal using the procedure outlined in "Appeals," below. A Formal Complaint that does not fall within the jurisdiction of Title IX will be reviewed to determine whether it falls within the jurisdiction of the Sexual Misconduct Grievance Procedures (*See Article XI, below*).

Discretionary Dismissal: The Title IX Coordinator may dismiss a Formal Complaint brought under this Policy, or any specific allegations therein, if:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- the Respondent is no longer enrolled or employed by the College; or
- specific circumstances prevent the College from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations therein.

Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

C. Prohibited Sexual Harassment under Title IX

Pursuant to the Title IX Final Rule, only incidents falling within the U.S. Department of Education's definition of "sexual harassment" will be investigated through the Title IX Grievance Policy. The Final Rule defines "sexual harassment" as conduct on the basis of sex that satisfies one or more of the following:

- **Quid Pro Quo Sexual Harassment**: An employee conditioning educational benefits on participation in unwelcome sexual conduct.
- **Hostile Environment Sexual Harassment**: Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity.
- **Sexual Assault** (as defined in the Clery Act): an offense that meets the definition of rape, fondling, incest, or statutory rape:
  (1) **Rape**: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
  (2) **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental incapacity.
  (3) **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  (4) **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent. In the State of New Jersey, a Complainant is unable to consent if they are:
    (a) Under the age of 13; or
    (b) At least 13, but less than 16 years old and the actor is at least four years older than the Complainant; or
    (c) At least 16, but less than 18 years old and:
      (i) The actor is related to the Complainant by blood or affinity to the third degree; or
      (ii) The actor has supervisory or disciplinary power over the Complainant by virtue of the actor's legal, professional or occupational status; or
      (iii) The actor is a resource family parent, a guardian, or stands in loco parentis within the household.
- **Dating Violence** (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act): any 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 shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** (as defined in the VAWA amendments to the Clery Act): any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New Jersey's domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New Jersey.
- **Stalking** (as defined in the VAWA amendments to the Clery Act): engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  a. fear for their safety or the safety of others; or
  b. suffer substantial emotional distress.

D. Standard of Evidence & Presumption of Not Responsible

In proceedings under this grievance process, 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. As per the Title IX Final Rule, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Grievance Process.

The College has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has or has not occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the College and does not indicate responsibility. The College will provide an equal opportunity for the parties to present witnesses and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations).

E. Evidentiary Considerations in the Investigation

The investigation does not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern, (2) the Complainant's sexual predisposition or prior sexual behavior (though there may be a limited exception made in regard to questions and evidence about the Complainant's prior sexual behavior which are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent), or (3) evidence that constitutes, or seeks disclosure of, information protected under a legally-recognized privilege, (e.g., attorney client privilege) or any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

F. Personal Advisors

The parties have the right to select a personal advisor (hereafter "advisor") of their choice and at their expense. The advisor may be an attorney or non-attorney and the advisor may be selected at any stage of the process. In addition, the advisor may accompany the parties to any meeting or hearing during the investigation, but the advisor may not speak for the party except for the purpose of cross-examination at a hearing. Further, neither the meetings nor the hearing will be substantially delayed due to an advisor's availability.[28] The College will communicate at all times directly with the parties unless specified otherwise by this Policy. It is the responsibility of the parties to forward any communication to their advisor.

At the hearing, a party is not permitted to personally cross-examine the other party; cross-examination must be conducted by an advisor. Therefore, if an investigation results in a hearing and a party does not select an advisor, the College will appoint an advisor to serve in this role for the limited purpose of conducting the cross-examination, at no fee or charge to the party. It is the responsibility of the both the Complainant and Respondent to notify the Title IX Coordinator in writing of whether they have selected their own advisor to accompany them to the hearing by the date of the prehearing meeting.

In addition to selecting an advisor to conduct cross-examination at a hearing, the parties may request a second advisor to accompany the parties to the hearing only (such as a union representative, a Confidential Sexual Violence Advocate, etc.). The second/additional advisor may not speak for the party. It is the responsibility of the Parties to notify the Title IX Coordinator in writing of whether they will request an additional advisor to accompany them to the hearing by the date of the prehearing meeting.

[28] 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.

Nothing in the Policy is intended to undermine or alter any rights afforded to a union-represented employee, as provided by applicable law or any collective negotiations agreement, including, but not limited to, a union-represented employee's Weingarten rights.

G. Timeframes

The timeframe for the Title IX Grievance Process begins with the Notice of Allegation issued by the Title IX Coordinator. The Title IX Grievance Process is anticipated to be completed within one hundred and fifty (150) days from the Notice of Allegation.

The College will endeavor to conduct and complete an investigation and/or other appropriate resolution in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. Circumstances may require a temporary delay in the process and the College may extend this timeframe for good cause. In such an instance, the Title IX Coordinator or his/her/their designee will provide written notice to the parties of the delay or extension and the reason(s) for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement investigation/activity; or the need for language assistance or accommodation of disabilities. In such event, the Title IX Coordinator will advise the parties of the anticipated timeframe for the completion of the investigation.

The timeframe in this section does not include the period the parties attempted but failed to reach an agreement via informal resolution, if applicable, and in such a case, the Grievance Process timeframe will be extended by the period in which the parties attempted to reach an informal resolution.

H. Intake and Investigation Process

1. **Initial Assessment**: Upon receiving a report (either verbally or in writing), including a Formal Complaint, the Title IX Coordinator will assess the report. The initial assessment will determine whether the alleged conduct, taken as true, would present a potential violation of the Policy and whether further action is warranted based on the alleged conduct. If an allegation does not meet the elements of a Title IX sexual harassment violation, the matter will be dismissed under the Title IX Grievance Procedures. The College reserves the right to forward reports in which this Policy does not have jurisdiction to the appropriate College office.

The Title IX Coordinator will contact the Complainant (if one is identified) to: (1) gather facts that will enable the Title IX Coordinator to assess the nature and circumstances of the allegation(s); (2) discuss the availability of Supportive Measures; (3) ask about the Complainant's wishes with respect to Supportive Measures; and (4) explain how to file a Formal Complaint.

2. **Notice of Allegations**:
    a. Upon the submission of a Formal Complaint alleging covered sexual harassment, the Title IX Coordinator will send the parties a written Notice of Allegation by College email. The Notice of Allegation will contain a summary of the allegation(s) under the Policy. Once the Notice of Allegation has been delivered to the parties, the investigation phase begins. The College will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview. Upon receipt of the Notice of Allegation, or at any stage in the process, the Respondent may choose to accept responsibility for all or part of the alleged the Policy violation(s). If the Respondent accepts responsibility for misconduct, the parties may request to initiate an Informal Resolution, or proceed with the investigation and hearing process.
    b. Ongoing Notice: If, in the course of an investigation, additional allegations of covered sexual harassment which were not included in the Notice of Allegations are reported, the Title IX Coordinator will notify the parties in writing of the additional allegations. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional allegations is conducted.

3. **Interviews**: The Title IX Coordinator shall assign the case to a Title IX Investigator(s) ("Investigator"). The assigned Investigator will conduct a thorough and impartial investigation into the facts of the case and will interview the Complainant, Respondent, witnesses or other individuals who may have relevant information[29], and collect any other evidence deemed relevant to the case to summarize in an investigation report. All witnesses interviewed during the course of an investigation will be offered the opportunity to review a typed summary of their interview statement, note any corrections they have, and sign it. Preliminary and follow-up interviews may be conducted as appropriate. The assigned Investigator or Title IX Coordinator will provide the parties with written notice of the date, time, location, participants, and purpose of all investigative interviews, hearings, or other meetings with a party, with sufficient time for the party to prepare to participate.

4. **Critical Witnesses**: The Title IX Coordinator may identify an individual as a Critical Witness if the individual may have information critical to the outcome of an investigation. A Critical Witnesses may be required by the Title IX Coordinator to meet with a Title IX Investigator. A Critical Witness who refuses to do so may be charged with "failure to comply with the directions of College officials, including RCNJ Public Safety officers, or officers of the law, acting in performance of their duties (Ramapo College Code of Conduct, H.17)."

5. **Evidence Review**: Prior to the completion of the investigation report, the Title IX Coordinator will provide both parties with access to relevant evidence obtained as part of the investigation through an electronic format (the party's advisor, if any, may be provided with this access upon a party's signed information release for their advisor of choice). After both parties have reviewed the evidence, they will be provided an opportunity to respond to the evidence prior to conclusion of the investigation. Therefore, all evidence the parties would like the Investigator to consider as part of the investigation must be submitted prior to the date the evidence is shared with the parties.[30]

Evidence obtained in the investigation that is not directly related to the allegations in the Formal Complaint will not be considered or included in the investigation report and instead will be added to an appendix of the report. As such, only evidence that is directly related to the allegations raised in the Formal Complaint will be available for inspection. It will include any:

a. evidence that is relevant, even if that evidence does not end up being relied upon by the College in making a determination regarding responsibility;
b. inculpatory or exculpatory evidence (i.e., evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

Both parties will have ten (10) calendar days from receipt of their notice email to review the evidence and submit a written response citing any further information, evidence or witnesses that they would like considered. All responses to the evidence must be submitted by the party via College email to the Investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The Investigator will consider all timely responses submitted by the parties before completing the investigative report. The Title IX Coordinator will provide copies of the parties' written responses, if any, to the opposing party (including their advisor) prior to the hearing, in order to give the parties the opportunity to refer to such evidence during the hearing, including for the purpose of cross-examination.

6. **Preliminary Investigative Report**: The Investigator will complete a preliminary investigative report (hereafter "report"). The report will outline each of the allegations that potentially constitutes prohibited conduct under this Policy, provide the timeline (e.g., procedural steps) of the investigation, and fairly summarize relevant evidence. This report is not intended to catalog all evidence obtained by the Investigator, but only to provide a fair summary of that evidence. Only relevant evidence (i.e. tending to prove and disprove the allegations, including both inculpatory and exculpatory evidence) will be referenced in the report. Evidence obtained in the

[29] If the Complainant or Respondent does not respond to the Investigator within10 business days of the Investigator's initial outreach the investigation will nonetheless proceed in his, her or their absence.
[30] *See*, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

investigation that is not relevant, but is directly related to the allegations in the Formal Complaint will be included in the appendices of the report. The Investigator may redact irrelevant information when that information is contained in documents or evidence that are otherwise relevant.[31]
The Title IX Coordinator will provide a completed investigation report concurrently to both parties and each party's advisor, if any, at least ten (10) calendar days prior to the date of the scheduled hearing to review and provide a written response (optional) prior to the hearing. All responses to the report must be submitted by the party via College email to the Title IX Coordinator. Advisors are not permitted to submit written responses to the report on their own or on behalf of the party they are advising. The Title IX Coordinator will issue a copy of the completed investigation report, and any timely responses from the parties, to the Hearing Chair and any Hearing Officer(s) assigned for the hearing.

7. **Prehearing Meeting**: The Title IX Coordinator will convene a separate prehearing meeting with each of the parties and the Hearing Chair. The Title IX Coordinator will generally provide at least five (5) calendar days notice prior to the prehearing meeting.
The purpose of the prehearing meeting is to review information which may include, but not be limited to: the identity and role of personal advisors at the hearing; procedures to be followed at the hearing; the Hearing Rules of Decorum; review restricted evidence that will not be allowed during the hearing; review any hearing time limitations; the names and roles of all hearing participants including the witnesses that will be asked to appear on behalf of the party; confirm there are no conflicts of interest for the Hearing Chair/Officers; establish agreed upon facts; and to answer any other questions or share information prior to the hearing. The College expects that both parties will attend separate prehearing meetings, but neither party is required to participate in the prehearing meeting. It is the responsibility of the Complainant and Respondent to notify the Title IX Coordinator of the persons they wish to be called as witnesses by the date of the prehearing meeting. The Hearing Chair may exclude from the hearing witnesses who were not identified by this date.

I. Hearing:

1. **Live Hearing Requirement**: Absent a Notice of Dismissal issued by the Title IX Coordinator or the parties' mutual decision to reach an informal resolution agreement (if applicable), the parties will be afforded a live hearing for all Formal Complaints, subject to the Title IX Grievance Process as outlined in this Policy. The College will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without a live hearing. The parties cannot waive the right to a live hearing.
2. **Notice of Hearing**: The Title IX Coordinator will provide at least ten (10) calendar days written notice to the parties (and the participant's advisor, if any) of the hearing, including the date, time, location, names of all participants of the hearing, purpose of the hearing, the Hearing Rules of Decorum, a statement of the allegations, and a summary statement of the evidence gathered. Either party may challenge the fairness, impartiality or objectivity of a Hearing Chair or Officer selected by the Title IX Coordinator. The challenge must be submitted in writing to the Title IX Coordinator within four (4) calendar days after receiving the Notice of Hearing, and must state the reasons for the challenge. The Title IX Coordinator will determine whether the Hearing Chair or Officer can serve with fairness, impartiality, and objectivity. In the event that a Hearing Officer recuses themselves, an alternative Hearing Officer will be assigned by the Title IX Coordinator.
3. **Witnesses**: The Title IX Coordinator will notify individuals who are identified as witnesses that their appearance is requested. It is generally expected that witnesses will appear in person to give testimony, however, witnesses cannot be compelled to participate in the live hearing. Witnesses have the right to be free from retaliation, regardless of whether they do or do not participate in the hearing.[32]
4. **Absence or Refusal to Submit to Cross-Examination**: The College may proceed with the live hearing in the absence of a party or witness or on a party's refusal to answer cross-examination or other questions. In addition, the Hearing Chair/Officer may reach a determination in a party or

[31] *See*, 85 Fed. Reg. 30026, 30304 (May 19, 2020).
[32] *See,* 85 Fed. Reg. 30026, 30360 (May 19, 2020).

witness' absence. However, a Hearing Chair/Officer cannot draw an inference about the determination regarding responsibility based solely on a party's refusal to answer cross-examination or other questions, or absence from the live hearing.[33]

If a party does not attend the hearing, the party's advisor may appear and conduct cross-examination on their behalf.[34] If neither a party nor their advisor appear at the hearing, the College will provide an advisor to appear on behalf of the non-appearing party.[35]

5. **Technology**: The hearing may be conducted with all parties physically present in the same geographic location, or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through remote video conferencing. This technology will enable participants simultaneously to see and hear each other. All proceedings will be recorded through audio recording. Following the hearing, a copy of the recording will be provided to the parties upon request. Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the grievance proceeding. Once signed, this agreement may not be withdrawn.[36]

   Cell phones, recording devices, and any other electronic devices may not be used in the hearing room (unless approved by the Hearing Chair in advance) and must be turned off before the hearing convenes.
6. **Participants in the Hearing**: The hearing is a closed proceeding. The only individuals permitted to participate in the hearing are as follows: Hearing Chair/Officers, Hearing Administrator, the Complainant and Respondent, the personal advisor(s) for each party, and witnesses.

   All hearing participants are subject to the Hearing Rules of Decorum. Anyone who disrupts a hearing or who fails to adhere to the Hearing Rules of Decorum may be excluded from the hearing.
7. **Hearing Procedure**: For hearings conducted under this Title IX Grievance Process, the procedure will generally be as follows:
   a. The Hearing Chair or Hearing Administrator will open and establish rules and expectations for the hearing.
   b. Presentation of the investigation report by the Investigator, followed by questions to the Investigator by the Hearing Chair/Officers and then advisors.
   c. Complainant statement followed by questions to the Complainant by the Hearing Chair/Officers, followed by cross examination by the Respondent's advisor.
   d. Respondent statement followed by questions to the Respondent by the Hearing Chair/Officers, followed by cross examination by the Complainant's advisor.
   e. Witness testimony and questioning by the Hearing Chair/Officer(s). Advisors for the Complainant and Respondent will be given the opportunity for live cross-examination after the Hearing Officer(s) conduct(s) an initial round of witness questioning. During the Parties' cross-examination, the Hearing Chair/Officer(s) will have the authority to pause cross-examination at any time for the purposes of asking the Hearing Chair/Officer's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
   f. Closing statement by Complainant.
   g. Closing statement by Respondent.
   h. The Hearing Chair or Hearing Administrator will conclude the hearing.

   During the hearing, the Hearing Chair or Hearing Administrator will not apply the technical rules of evidence followed in criminal or civil legal proceeding nor entertain technical legal motions. Technical legal rules pertaining to the wording of questions, hearsay, and opinions will not be formally applied.
8. **Live Cross-Examination**: Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this cross-examination, the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

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[33] *See,* 34 C.F.R. §106.45(b)(6)(i).
[34] *See,* 85 Fed. Reg. 30026, 30340 (May 19, 2020).
[35] *See*, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
[36] *See*, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Only relevant cross-examination and other questions may be asked of a party or witness. Before any cross-examination question is answered, the Hearing Chair must first determine if the question is relevant and explain any decision to exclude a question as not relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Chair/Officers may be deemed irrelevant if they have been asked and answered.
Questions regarding the Complainant's sexual predisposition or prior sexual behavior are prohibited (though there may be a limited exception made in regard to questions and evidence about the Complainant's prior sexual behavior which are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent).
Should a party or their advisor choose not to cross-examine a party or witness, the party shall affirmatively waive cross-examination through a written or oral statement to the Hearing Chair. A waiver of cross-examination does not eliminate the ability of the Hearing Chair/Officers to use statements made by the party or witness.

9. **General Considerations for Evaluating Testimony and Evidence:**
   a. Credibility: The Hearing Chair/Officers may not draw inferences regarding a party or witness credibility based on the party or witness status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.
      While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the judgment of the Hearing Chair/Officers. Generally, credibility determinations should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.
   b. Weighing Testimony:
      i. First-Hand Testimony: The Hearing Chair/Officers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.
      ii. Expert Witnesses: The Final Rule requires that the College allow parties to call "expert witnesses" for direct and cross examination. While the expert witness will be allowed to testify and be cross-examined as required by the Final Rule, the Hearing Chair/Officers afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.
      iii. Character Witnesses: The Final Rule requires that the College allow parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be cross-examined as required by the Final Rule, the Hearing Chair/Officers will afford very low weight to any non-factual character testimony of any witness.
      iv. Polygraph Tests: The Final Rule requires that the College admit and allow testimony regarding polygraph tests (commonly referred to as "lie detector tests") and other procedures that are outside of standard use in academic and nonacademic conduct processes. While the processes and testimony about them will be allowed to testify and be cross-examined as required by the Final Rule,

the Hearing Chair/Officers will afford lower weight to such processes relative to the testimony of fact witnesses.

v. Retaliation: Where a party or witness conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Chair/Officers may draw an adverse inference as to that party or witness credibility.

10. **Continuances or Granting Extensions**: The Hearing Chair or Hearing Administrator may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the Title IX Coordinator will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

J. Determination Regarding Responsibility

If there are no extenuating circumstances, the Hearing Chair will render a written decision ("Determination Regarding Responsibility") within ten (10) business days after the conclusion of a hearing. The Determination Regarding Responsibility will be issued simultaneously to all parties by the College email. The Title IX Coordinator and the Appeals Officer shall be copied on all outcome notices. The Director of Human Resources shall be copied on all outcome notices for employee Respondents.

The Determination Regarding Responsibility will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Policy, if any, the Respondent has or has not violated;
5. For each allegation:
   a. A statement of, and rationale for, a determination regarding responsibility;
   b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the Respondent (See Sanctions Article XII, below); and
   c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant; and
6. The College's procedures and the permitted reasons for the Complainant and Respondent to appeal.

The Determination Regarding Responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

K. Appeals:

Either party may appeal in writing to the Appeals Officer:

- the College's dismissal of a Formal Complaint (or any allegations in the Formal Complaint),
- all determinations, including not responsible findings.

Appeals are not heard in person; instead all requests for appeal must be submitted in writing to the Appeals Officer within five (5) business days from the date on the letter notifying the parties of the original determination or dismissal. Failure to appeal within the allotted time will render the original decision final.

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. Procedural irregularity that affected the outcome of the matter;
3. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
4. The Title IX Coordinator, Investigator(s), or Hearing Chair/Officers had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The fact that one of the parties disagrees with the finding or sanction does not constitute grounds for appeal. Although a Complainant may appeal on the ground that the remedies are not designed to restore or preserve the Complainant's access to the College's education program or activity, a Complainant is not entitled to a particular sanction against the Respondent.

The Title IX Coordinator will send the parties a written Notice of Appeal when an appeal is submitted, and both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

If the Appeals Officer finds no grounds for an appeal, then the decision will become final. There is no further appeal within the College.

If the Appeals Officer finds grounds for appeal, then s/he may dismiss the case, change the sanction, modify the finding, or uphold the finding based on the grounds identified. The decision of the Chief Equity and Diversity Officer (or designee) is final. There is no further appeal within the College.

The Appeals Officer will issue a written decision describing the result of the appeal and the rationale for the result within ten (10) business days from the date the appeal is received. The decision will be sent to the parties simultaneously and in writing by College email. The Title IX Coordinator and Hearing Chair/Officers shall be copied on all outcome notices. The Director of Human Resources shall be copied on all outcome notices for employee Respondents.

Supportive measures will remain in place during the appeal process.

L. Withdrawal Prior to the Conclusion of an Investigation

The protocol established by this Policy will not be deferred due to the withdrawal from enrollment or employment at the College of a Complainant or Respondent after the Notice of Allegation has been issued. Should either party decide to withdraw and/or not participate in the investigation, the process will nonetheless proceed in his or her absence. The Title IX Coordinator will communicate the outcome, permanent protective measures (if any) and any sanction(s) (if any) to the withdrawn party using his or her last known e-mail and home address.

XI. SEXUAL MISCONDUCT GRIEVANCE PROCESS

A. Jurisdiction

Ramapo College is committed to addressing and eliminating all sexual misconduct on our campus, or which directly impacts members of our community. To the extent that alleged misconduct falls outside of the jurisdiction of the Title IX Grievance Process, the College retains authority to investigate and adjudicate sexual misconduct allegations through a separate grievance process.

The Sexual Misconduct Grievance Process 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. The process prohibits any employee, student, visitor or any other third party from engaging in sex-based discrimination as defined in this Policy. The College's disciplinary response may be limited if the Respondent is a visitor or other third-

party or is not subject to the College's jurisdiction. If the Respondent is not subject to the College's jurisdiction at the time the report is made, then the College will determine appropriate action to prevent the recurrence of such conduct and remedy the effects, if appropriate. In addition, an individual does not have to be a member of the College to file a report under this Policy.

College Employees: If an employee Respondent is alleged to have engaged in sexual misconduct that does not fall within the jurisdiction of the Title IX Grievance Process (See Article IX, above), the matter will be referred for appropriate action under the New Jersey State Policy Prohibiting Discrimination in the Workplace.[37]

B. Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under this Policy, or any specific allegations therein, if:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- the Respondent is no longer enrolled or employed by the College; or
- specific circumstances prevent the College from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations therein.

Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

A Formal Complaint that does not fall within the jurisdiction of the Title IX Grievance Process or the Sexual Misconduct Grievance Process will be referred to the Office of Student Conduct for appropriate action under the Student Code of Conduct.

C. Prohibited Sexual Misconduct[38]: "Sexual misconduct" includes any conduct on the basis of sex that satisfies one or more of the following:

1. 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 Complainant; 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.

2. **Domestic Violence**: Threatened or actual physical or sexual violence committed by a current or former spouse of the Complainant, by a person with whom the Complainant shares a child in common, or by a person cohabitating with (or having cohabitated with) the Complainant who is or has been in a social relationship of a romantic or intimate nature with the Complainant.[39]

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.

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[37] Available at Discrimination/Bias/Title IX Complaints and Resources.

[38] Please note that these definitions are behavioral definitions, not legal or criminal definitions.

[39] For purposes of this Policy, Domestic Violence does not include acts that meet the definition of domestic violence under New Jersey laws that are based solely on cohabitation (e.g. roommates).

- Touching an intimate partner sexually without the person's consent.

3. **Retaliation**: Retaliation is defined as any materially adverse action taken because of a person's participation in a protected activity. Protected activity includes reporting an incident that may implicate this Policy and assisting in providing information relevant to an investigation. Reprisal, interference, restraint, penalty, discrimination, intimidation, threats, harassment or any other adverse action taken against a person who reports sexual misconduct, is a Complainant in an investigation, serves as a witness, or is a third party 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 XV, below.*

4. **Sexual Assault:**

- **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 or any other bodily contact in a sexual manner. 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 or contact, 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 retaliate against them 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.

5. Sexual Exploitation: Occurs when a person takes sexual advantage (or attempts to take sexual 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:

- Photographing or videotaping another in a state of undress without consent;
- 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. Consent to be recorded does not imply consent for the recorded sexual activity to be displayed or otherwise disseminated;
- Knowingly giving another a sexually transmitted infection (STI) or HIV; or
- Allowing others to have sex with an incapacitated person.
- Exposing one's genitals in non-consensual circumstances, or inducing others to expose their genitals or intimate parts.
- "Stealthing" which involves intentionally removing a condom without another party's consent during sexual activity.

6. **Sexual Harassment**: Unwelcome conduct of a sexual nature which 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.

Sexual Harassment also exists when 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 conduct that implies that a person will suffer adverse consequences from a person in an express or implied position of authority.

Examples of behavior that could constitute Sexual Harassment may include the following:

- Unwelcome sexual advances or inappropriate touching;
- Requests for sexual favors;
- Calling someone by a sexually-oriented or demeaning name;
- Sexually suggestive comments;
- 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;
- Public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any legitimate academic or workplace purpose.
- 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 they are not interested; or
- Exposing your private parts to another person without his or her consent.

7. **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 could constitute stalking may include two or more instances of 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.

D. Standard of Evidence & Presumption of Not Responsible

In proceedings under this Sexual Misconduct Grievance Process, 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. It is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Sexual Misconduct Grievance Process.

The College has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has or has not occurred. This burden does not rest with either party, and

either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the College and does not indicate responsibility. The College will provide an equal opportunity for the parties to present witnesses and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations).

E. Evidentiary Considerations in the Investigation

Unless the Title IX Coordinator determines it is appropriate, the investigation does not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern, (2) the sexual history of the parties (though there may be a limited exception made in regard to the sexual history between the parties or when evidence regarding the Complainant's sexual history is offered to prove that someone other than the Respondent engaged in the reported misconduct, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent), (3) the character of the parties, (4) evidence that constitutes, or seeks disclosure of, information protected under a legally-recognized privilege, e.g., attorney client privilege, or any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

F. Personal Advisors

The parties have the right to select a personal advisor (hereafter "advisor") of their choice who may be an attorney or non-attorney, at their expense, at any stage of the process. The advisor may accompany the parties to any meeting or hearing during the investigation, but may not speak for the party. Meetings and interviews will not be substantially delayed due to an advisor's availability.[40] The College will communicate at all times directly with the parties. It is the responsibility of the parties to forward any communication to their advisor.

A personal advisor may not participate in any other capacity in reference to the same incident, including, but not limited to, serving as a Witness, Co-Complainant, or Co-Respondent.

G. Timeframes

The timeframe for the Sexual Misconduct Grievance Process begins with the Notice of Allegation. The Sexual Misconduct Grievance Process is anticipated to be completed within one hundred and twenty (120) days from the Notice of Allegation.

The College will endeavor to conduct and complete an investigation and/or other appropriate resolution in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. Circumstances may require a temporary delay in the process and the College may extend this timeframe for good cause. In such an instance, the Title IX Coordinator or his/her/their designee will provide written notice to the parties of the delay or extension and the reason(s) for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement investigation/activity; or the need for language assistance or accommodation of disabilities. In such event, the Title IX Coordinator will advise the parties of the anticipated timeframe for the completion of the investigation.

[40] 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.

The timeframe in this section does not include the period the parties attempted but failed to reach an agreement via informal resolution, if applicable, and in such a case, the grievance process timeframe will be extended by the period in which the parties attempted to reach an informal resolution.

H. Intake and Investigation Process

1. **Initial Assessment:** Upon receiving a report (either verbally or in writing), including a Formal Complaint, the Title IX Coordinator will assess the report. The initial assessment will determine whether the alleged conduct, taken as true, would present a potential violation of the Policy and whether further action is warranted based on the alleged conduct.

The first step of the initial assessment will usually be a preliminary meeting between the Complainant and Title IX Coordinator (or designee) to gather facts that will enable the Title IX Coordinator to assess the nature and circumstances of the allegation and institute appropriate supportive measures. The Title IX Coordinator will also advise the Complainant of the process to file a Formal Complaint.

If a Formal Complaint does not meet the elements of a sexual misconduct violation, the matter will be dismissed under the Sexual Misconduct Grievance Process. The Title IX Coordinator will provide a Notice of Dismissal that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Procedures. This dismissal may be appealed using the procedure outlined in "Appeals," below. The College reserves the right to forward reports in which this policy does not have jurisdiction to the appropriate College office.

2. **Notice of Allegations:**
   A. Upon the submission of a Formal Complaint alleging prohibited sexual misconduct, the Title IX Coordinator will send the parties a written Notice of Allegation by College email. The Notice of Allegation will contain a summary of the allegation(s) under the Policy. Once the Notice of Allegation has been delivered to the parties, the investigation phase begins. The College will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview. Upon receipt of the Notice of Allegation, or at any stage in the process, the Respondent may choose to accept responsibility for all or part of the alleged Policy violation(s). If the Respondent admits responsibility for alleged misconduct, the matter is referred directly to the Deputy Title IX Coordinator, who will make a determination that the Respondent is in violation of the Policy and determine appropriate sanctions.
   B. Ongoing Notice: If, in the course of an investigation, additional allegations of prohibited sexual misconduct which were not included in the Notice of Allegations are reported, the Title IX Coordinator will notify the parties in writing of the additional allegations. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional allegations is conducted.

3. **Interviews**: The Title IX Coordinator shall assign the case to an Investigator(s). The Investigator(s) will conduct a thorough and impartial investigation into the facts of the case and will interview the Complainant, Respondent, witnesses or other individuals who may have relevant information[41], and collect any other evidence deemed relevant to the case to summarize in an investigation report. All witnesses interviewed during the course of an investigation will be offered the opportunity to review the typed interview summary, note any corrections they may have, and sign the interview statement. Preliminary and follow-up interviews will be conducted as appropriate. The Investigator or Title IX Coordinator will provide the parties with written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.
4. **Critical Witnesses**: The Title IX Coordinator may identify a student as a Critical Witness if the student may have information critical to the outcome of an investigation. A Critical Witness may be required by the Title IX Coordinator to meet with a Title IX Investigator. A Critical Witness who

[41] If the Complainant or Respondent does not respond to the Investigator within10 business days of the Investigator's initial outreach the investigation will nonetheless proceed in his, her or their absence.

refuses to do so may be charged with "failure to comply with the directions of College officials, including RCNJ Public Safety officers, or officers of the law, acting in performance of their duties (Ramapo College Code of Conduct, H.17)."

5. **Evidence Review**: Prior to the completion of the investigation report, the Title IX Coordinator will provide access to evidence obtained as part of the investigation to both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice) through an electronic format. The parties will have an equal opportunity to inspect and review the evidence and meaningfully respond to the evidence prior to conclusion of the investigation. All parties must submit any evidence they would like the Investigator to consider prior to the date the evidence is shared with the parties.[42]

Evidence that will be available for inspection and review will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

A. evidence that is relevant, even if that evidence does not end up being relied upon by the College in making a determination regarding responsibility;
B. inculpatory or exculpatory evidence (i.e., evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

Both parties will have ten (10) calendar days to review the evidence and submit a written response citing any further information, evidence or witnesses that they would like considered. All responses to the evidence must be submitted by the party via College email to the Investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The Investigator will consider all timely responses submitted by the parties before completing the investigative report. The Title IX Coordinator will provide copies of the parties' written responses (if any) to the opposing party and their advisor prior to the meeting with the assigned Deputy Title IX Coordinator to give them the opportunity to refer to such evidence during the meeting.

6. **Preliminary Investigative Report**: The Investigator will complete a preliminary investigative report (hereafter "report"). The report will outline each of the allegations that potentially constitute prohibited conduct under this Policy, provide the timeline (e.g., procedural steps) of the investigation, and fairly summarize relevant evidence. This report is not intended to catalog all evidence obtained by the Investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (i.e., tending to prove and disprove the allegations, including both inculpatory and exculpatory evidence) will be referenced in the report. Evidence obtained in the investigation that is not relevant, but is directly related to the allegations in the Formal Complaint will be included in the appendices of the report. The Investigator may redact irrelevant information when that information is contained in documents or evidence that are otherwise relevant.[43]
The Title IX Coordinator will provide the preliminary investigative report concurrently to both parties, each party's advisor, if any, and the Deputy Title IX Coordinator at least ten (10) calendar days prior to the date of the meeting with the Deputy Title IX Coordinator.

7. **Meeting with the Deputy Title IX Coordinator**: The Deputy Title IX Coordinator (hereafter "Deputy Coordinator") will invite each party to participate in a separate meeting. The purpose of the meeting is to discuss the evidence that will be used by the Deputy Coordinator to reach a Determination Regarding Responsibility and to allow the parties the opportunity to respond to the investigative report. The parties may decline to participate in this meeting. The parties will have five (5) business days from meeting with the Deputy Coordinator to provide a written response to the Deputy Coordinator.
    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, or if fact finding is complete. Any

[42] *See*, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

[43] *See*, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

new information that is relevant to the outcome of the investigation will be shared with the Complainant and the Respondent.

B. If neither party provides a written response fact finding is determined to be complete.

8. **Determination Regarding Responsibility**: Once fact finding is complete, the parties will be notified by the Title IX Coordinator and the preliminary investigative report will become final. The Deputy Coordinator will then make a determination as to whether the Policy has been violated. If there are no extenuating circumstances, the Deputy Coordinator will render a written decision ("Determination Regarding Responsibility") within ten (10) business days after fact finding is complete. The Determination Regarding Responsibility will be issued simultaneously to all parties by College email. The Title IX Coordinator and the Appeals Officer shall be copied on all outcome notices.

   The Determination Regarding Responsibility will include:

   1. Identification of the allegations potentially constituting prohibited sexual misconduct;
   2. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence;
   3. Findings of fact supporting the determination;
   4. Conclusions regarding which section of the Policy, if any, the Respondent has or has not violated.
   5. For each allegation:
      a. A statement of, and rationale for, a determination regarding responsibility;
      b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the Respondent (See Sanctions Article XII, below).; and
      c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant; and
   6. The College's procedures and the permitted reasons for the Complainant and Respondent to appeal.

   The Determination Regarding Responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

I. Appeals

Either party may appeal in writing to the Appeals Officer:

- the College's dismissal of a Formal Complaint (or any allegations in the Formal Complaint),
- all determinations, including not responsible findings.

Appeals are not heard in person; instead, all requests for appeal must be submitted in writing to the Appeals Officer within five (5) business days from the date on the letter notifying the parties of the original determination or dismissal. Failure to appeal within the allotted time will render the original decision final.

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) Procedural irregularity that affected the outcome of the matter;
3) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
4) The Title IX Coordinator, Investigator(s), or Hearing Chair/Officers had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The fact that one of the parties disagrees with the finding or sanction does not constitute grounds for appeal. Although a Complainant may appeal on the ground that the remedies are not designed to restore

or preserve the Complainant's access to the College's education program or activity, a Complainant is not entitled to a particular sanction against the Respondent.

The Title IX Coordinator will send the parties a written Notice of Appeal when an appeal is submitted, and both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

If the Appeals Officer finds no grounds for an appeal, then the decision will become final. There is no further appeal within the College.

If the Appeals Officer finds grounds for appeal, then s/he may dismiss the case, change the sanction, modify the finding, or uphold the finding based on the grounds identified. The decision of the Chief Equity and Diversity Officer (or designee) is final. There is no further appeal within the College.

The Appeals Officer will issue a written decision describing the result of the appeal and the rationale for the result within ten (10) business days from the date the appeal is received. The decision will be sent to the parties simultaneously and in writing by College email. The Title IX Coordinator and Deputy Coordinator shall be copied on all outcome notices. The Director of Human Resources shall be copied on all outcome notices for employee Respondents.

Supportive measures will remain in place during the appeal process.

J. Withdrawal Prior to the Conclusion of an Investigation

The protocol established by this Policy will not be deferred due to the withdrawal from enrollment at the College of a Complainant or Respondent after the Notice of Allegation has been issued. Should either party decide to withdraw and/or not participate in the investigation, the process will nonetheless proceed in his or her absence. The Title IX Coordinator will communicate the outcome, permanent protective measures (if any) and any sanction(s) (if any) to the withdrawn party using his or her last known e-mail and home address.

XII. 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, Public Safety Officers, and/or other College employees acting in performance of their duties. Sanctions other than those outlined in this Policy 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 (students) or employee personnel file (employees).

A. Possible Sanctions and Remedies for Student Respondents

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 his/her 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 bills from the Office of Student Accounts.

Possible Sanction(s) for Domestic Violence, Dating Violence, Sexual Harassment, Sexual Exploitation, Stalking, Retaliation, Sexual Assault and other Sexual Misconduct (excluding Rape or Sexual Assault: Non-Consensual Sexual Intercourse) may include:

1. **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 College's student conduct process does not have jurisdiction in this area.
2. **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 this Policy or the Code of Conduct, while in this status, will likely result in suspension of residence privileges
3. **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.
4. **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 this Policy or the Code of Conduct, while in this status, will likely result in suspension or expulsion from the College.
5. **Loss of Campus Housing Selection Privilege:** Students assigned this sanction may only enter the housing 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.
6. **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.
7. **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.
8. **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.
9. **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.
10. **Community Restitution**: The assignment of imposed service hours and/or participation in educational programs or projects. Students who are found responsible for violations which involve alcohol/drug use and/or abuse, or who otherwise engage in behavior associated with alcohol/drug use and/or abuse, may be required to attend programs intended to inform them about alcohol/drug use and/or abuse.
11. **Mental Health Consultation**: A student may be required to participate in a mental health consultation through the Center for Health and Counseling. Students are strongly encouraged to follow the recommendation of the mental health practitioner.
12. **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 Rape or Sexual Assault: Non-Consensual Sexual Intercourse

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.[44] 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).

B. Possible Sanctions and Remedies for Employee Respondents

Possible Sanction(s) for Sexual Misconduct may include:

1. Warning: Notice to the Respondent, orally, or in writing, that continuation or repetition of the conduct found wrongful, within a period of time stated in the warning, may be cause for disciplinary action.
2. Reprimand: Written notice to the Respondent for violation of specified regulations, including the possibility of a more severe disciplinary sanction in the event of future decisions that the offender violated any College policies.
3. Employment probation.
4. Suspension with or without pay for a specific period of time.
5. Termination or dismissal.
6. Other Sanctions: The College may recommend other sanctions as may be reasonable and appropriate in a particular case up to and including removal. Examples include:
    a. Referral for training;
    b. Referral for counseling;
    c. Job demotion or reassignment;
    d. Ineligible for rehire; and/or
    e. Other sanction(s) or remedies as deemed appropriate under the circumstances.

XIII. 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 College's 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, the 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

[44] 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.

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.

XIV. RECORDKEEPING

The College will retain all sexual harassment and sexual misconduct records under this Policy in a secured storage area maintained by the Title IX Coordinator for a minimum period of seven (7) years from the date of report (or the Determination Regarding Responsibility, if applicable) regardless of case outcome.

Student sexual misconduct records will be maintained in accordance with the storage and retention schedules for student records at the College and the New Jersey Division of Archives and Records Management.

All sexual harassment and sexual misconduct records are protected in accordance with current guidelines established under FERPA and the New Jersey Open Public Records Act (OPRA). Generally, in accordance with these laws, the record of most disciplinary proceedings' findings are not available to the public. The Clery Act prohibits institutions from releasing personally identifiable information regarding the Complainant of a crime of violence or a sexual assault (as defined as rape, fondling, incest or statutory rape.) Nothing contained in FERPA, the Clery Act or Title IX prohibits the College 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 Complainant of a crime of violence or sexual assault to sign a non-disclosure agreement nor cooperate with law enforcement without his or her consent.

XV. NON-RETALIATION

Retaliation, as defined in Section IV ("Definitions"), occurs when any materially adverse action is taken because of a person's participation in a protected activity, such as reporting an incident that may implicate 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 a violation of College policy to retaliate against an individual who reports sexual misconduct, is a Complainant in an investigation, serves as a witness, or is a third party involved in the investigation of such a report. 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 Director of Employment Equity and Affirmative Action at (201) 684-7540.

XVI. REVOCATION BY OPERATION OF LAW

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this Policy, this Policy, or the invalidated elements of this Policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication.

Questions or comments about the Sexual Misconduct Policy may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training

E-mail: kmcgee@ramapo.edu

For more information please visit the Office of Title IX website.

APPENDIX A. RESOURCE DIRECTORY

A. On-Campus Resources

Type of Resource	Office on Campus	Location	Telephone
Health/Medical Treatment	Health Services*	Near South Gate entrance	(201) 684-7536
Mental Health	Counseling Services*[45]	D-216	(201) 684-7522
Legal Assistance	*Refer to "Off Campus Resources" Below*		
Advocacy and Education	Women's Center	C-214	(201) 684-7468
Assistance with Financial Aid	Financial Aid	E-210	(201) 684-7549
Assistance with Visa & Immigration	Office of International Student and Scholar Services	C-213	(201) 684-7533
Title IX Coordinator	Equity, Diversity, Inclusion & Compliance	D-104	(201) 684-7220
Public Safety	Public Safety Department	C-102	(201) 684-6666
Prevention Education Coordinator	Office of Violence Prevention	C-216	(201) 684-7430
Employee Advisory Service	Remote	Remote	Please contact Dr. Kahn: Telephone: (888) 291-1524 or (973) 761-5303 Email: drmjkahn1@gmail.com

* **Designated confidential resource**. Confidential resources are not obligated to report information that is given to them. This allows students 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, 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.

[45] Please request to speak with a confidential Counselor.

B. Off-Campus Resources

Type of Resource	Off Campus Provider	Contact Information
Health/Medical Treatment	Planned Parenthood - Hackensack Center Valley Hospital, Ridgewood New Jersey	(201) 489-1140 (201) 447-8000
Mental Health	Bergen County Division of Mental Health Services Bergen Regional Medical Center	(201) 634-2745 1 (800) 730-2762
Legal Assistance	Bergen County Prosecutor's Office Bergen County Bar Association Bergen County Victim Witness Advocacy Unit Department of Justice	(201) 646-2300 (201) 488-0044 (201) 646-2057
Complainant Advocacy and Resources	YWCA Northern New Jersey healingSPACE Sexual Violence Resource Center Alternatives to Domestic Violence Rape, Abuse and Incest National Network	(201) 487-2227 (201) 336-7575 Rape, Abuse and Incest National Network
Counseling	Bergen County Div. of Mental Health Services	(201) 634-2745
Assistance with Financial Aid	Free Application for Federal Student Aid (FAFSA)	
Assistance with Visa & Immigration	U.S. Department of State, Bureau of Consular Affairs Nonimmigrant Visa inquiries Immigrant Visa inquiries	 202-485-7600 603-334-0700
Local Law Enforcement	Mahwah Police Department	(201) 529-1000
State Law Enforcement	New Jersey State Police	(973) 344-1704
Where to obtain a Restraining Order	Mahwah Police Department	(201) 529-1000

Department of Education Office for Civil Rights

The OCR office for New Jersey is located at:

New York Office, Office for Civil Rights, U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843; TDD: 800-877-8339
Email: OCR.NewYork@ed.gov

C. YWCA Northern New Jersey healingSPACE Mobile App

The YWCA Northern New Jersey healingSPACE Sexual Violence Resource Center (hereafter "healingSPACE") is a safe, welcoming place for survivors of sexual assault/abuse and their families and

friends. healingSPACE provides free and confidential assistance through a 24/7 crisis intervention hotline (201-487-2227). The trained advocates provide counseling, as well as medical and legal accompaniments to survivors. healingSPACE has a mobile app that connects users directly to the healingSPACE. The mobile app helps users address the threat, treatment, and prevention of sexual violence. Users have the ability to make immediate, emergency, contact with a confidential sexual violence advocate hotline and obtain assistance concerning what to do in the case of a sexual assault. The mobile app also allows users to connect with friends through preprogrammed text messages. The mobile app is free and downloadable from the App Store and Google Play (search for “ywhealingspace”).

APPENDIX B. RESTRAINING ORDERS

What are Restraining Orders?

Restraining Orders are judicial orders issued by a judge when the applicant appears to be in danger of domestic violence. In the State of New Jersey, domestic violence is defined as an adult or emancipated minor who has a specified relationship to the victim that commits one of the following crimes against the victim:

1. Homicide;
2. Assault;
3. Terroristic threats;
4. Kidnapping;
5. Criminal restraint;
6. False imprisonment;
7. Sexual assault;
8. Criminal sexual contact;
9. Lewdness;
10. Criminal mischief;
11. Burglary;
12. Criminal trespass;
13. Harassment;
14. Stalking.

In New Jersey, there are three kinds of Restraining Orders that can protect you and others in your family or home:

1. Emergency Order (designed to protect you after hours until a court opens and you have the ability to ask for a Temporary Restraining Order). These may be obtained calling the police or 911. The judge on call will be able to grant you an Emergency Temporary Order if the judge feels the order is necessary to protect your life, health, or well-being.
2. Temporary Restraining Order (lasts until a full hearing). When you file a complaint for a restraining order during normal court business hours, you may ask for a temporary restraining order to be issued immediately. The judge will grant you this temporary restraining order (TRO) if they find that the order is necessary to protect your life, health, or well-being. TROs are issued when it would place the victim in danger by waiting to receive an order at the hearing for a final restraining order. A full court hearing is scheduled within 10 days after the initial issuance of a TRO.
3. Final Order (lasts indefinitely, unless an expiration date is specified). After a hearing in which both sides have the opportunity to present testimony, evidence, and witnesses, a judge can grant you a final restraining order.

How will I know when the Restraining Order ends?

An Emergency Order lasts until normal court business hours. A Temporary Restraining Order lasts until the full court hearing, which is scheduled within 10 days of its issuance. A Final Restraining Order lasts forever, unless the judge specifies an expiration date.

Where do I go to request a Temporary Restraining Order?

You should go to the general district court in the jurisdiction in which you reside. If the court is not open for normal business hours, you can request an Emergency Order by calling either 911 or the police.

How do I get a Temporary Restraining Order?

You must fill out court forms. You then may go into a courtroom where a judge may ask you questions to decide whether to issue a Temporary Restraining Order.

How much does it cost to file for a Restraining Order?

There is no cost.

Do I qualify for a Restraining Order?

In order to get a domestic violence restraining order, there must be a special relationship between you and the abuser. This relationship is defined as:

- A spouse or former spouse;
- Any present or former household member (if you are 18 or older, or an emancipated minor);
- Someone with whom you have a child in common, or are pregnant and expecting a child with;
- Someone you are dating or have dated.

Furthermore, any person alleging to be a victim of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, and who is not eligible for a restraining order as a “victim of domestic violence” may seek a temporary protective order under the Sexual Assault Survivor Protection Act of 2015.

Note: If you do not have the necessary relationship to file for a domestic violence restraining order, the perpetrator may still be committing a crime for which you can get a criminal court restraining order if the perpetrator is arrested. If this is the case, you can call the police and ask for the perpetrator to be arrested. If they are charged in criminal court, you can ask for, and will likely receive, a criminal court restraining order that will prohibit your abuser from making any contact with you, or prohibit you from visiting your home, property, place of work, or any other venue named in the restraining order that you frequent.

What should I bring with me?

You should bring the name, address and identifying information of the person from whom you are seeking protection and a full description of the event(s) that led you to seek a protective order. The address should be the place where the person can be found and not a P.O. Box. You also should bring your copy of the Emergency Restraining Order and information about the warrant or petition alleging an act of violence, force or threat, if either was issued.

RCNJ Public Safety, the Title IX Coordinator, or the Mahwah Police Department is available to assist individuals seeking a protective order and will coordinate safety plans in collaboration with Student Life or Human Resources, when appropriate. Regardless of whether a complainant elects to pursue a criminal report, the College will assist reporters of sexual assault, domestic violence, dating violence, and stalking and will provide each complainant with a written explanation of his/her rights. The College complies with

New Jersey's state law in recognizing restraining orders and encourages any person who obtains a restraining order from New Jersey or any other state to provide a copy to RCNJ Public Safety and the Title IX Coordinator. A complainant may then meet with RCNJ Public Safety to develop a Safety Action Plan, which is a plan for RCNJ Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, etc.

A Temporary Restraining Order may be available through a law enforcement officer or the victim may request one from the Family Part of the Chancery Division of the Superior Court located at the Bergen County Justice Center, Room 119 10 Main Street, Hackensack, NJ 07601 (Phone: 201-527-2300). The College cannot apply for an emergency restraining order, or final restraining order for a victim or on their behalf. The College can only apply for a Temporary Restraining Order on the victim's behalf only if there are extreme circumstances that prevent the victim from physically being in court. A judge may grant you a temporary restraining order with the sworn testimony of a person who represents you only if you are physically or mentally incapable of filing personally. Otherwise, the victim is required to apply directly for these orders and may be assisted by RCNJ Public Safety or local law enforcement.

APPENDIX C. RISK REDUCTION

Sexual assault and sexual misconduct are never the fault of the victim. With no intent to blame complainants and in recognizing that only abusers are responsible for the acts of abuse they perpetrate, the following are some strategies to reduce one's risk of sexual assault or harassment:

- Make sure you understand how to get and give consent. Make sure all participants have given consent prior to engaging in sexual activity and throughout the sexual activity.
- Be active in supporting a safe and respectful community. If you see others engaging in disrespectful or inappropriate actions, speak up and get involved, or contact someone else to assist.
- Practice being assertive about your boundaries. Respect the boundaries of others.
- Trust your instincts. If you feel uneasy or sense something is wrong, call for assistance.

The following strategies are from the Rape, Abuse, & Incest National Network[46]:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.

[46] RAINN website.

12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment.

APPENDIX D. EDUCATION AND PREVENTION

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to reduce and eliminate dating violence, domestic violence, sexual assault, stalking and other sexual misconduct which include, but are not limited to:

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

Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs," or other forums in which students, staff, or faculty members disclose incidents of sexual misconduct, are not considered a report of sexual misconduct or notice to the College of sexual misconduct for purposes of triggering the College's obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about Title IX and Clery Act rights at these events.

The College delivers primary prevention and awareness programs and ongoing training and education campaigns to students and employees so they may identify: what behavior constitutes sexual misconduct; understand how to report such misconduct; recognize warning signs of potentially abusive behavior and ways to reduce risks; and learn about safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual.

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

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines using definitions provided both by the U.S. Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines what behavior and actions constitute consent to sexual activity in New Jersey and/or using the definition of consent found in this Policy;
d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
e. Delivers information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence; and
f. Provides assurances for due process as required by the Clery Act as amended by the 2013 Reauthorization of the Violence Against Women Act.

A. Faculty, Staff and Student Training

1. In addition to the Title IX Coordinator's core responsibilities, additional services to the College community will include, working with available campus resources to provide ongoing training to new/current students, faculty, and staff on Title IX issues and procedures.
2. The College also has established a Title IX Committee that meets regularly and is responsible for developing, reviewing, and revising protocols, policies and procedures for addressing overall Title IX Compliance. The Title IX Compliance Committee is responsible for overall annual training to Responsible Employees. For information about the Committee please contact Kat McGee, Director of Title IX, ADA and Compliance Training: kmcgee@ramapo.edu.

B. Being an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. These individuals are not directly involved but have the choice to intervene, speak up, or do something about it."[47] The College promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do even if they want to help. Below is a list[48] of some ways to be an active bystander. If you or someone else is in immediate danger, or if a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt, please dial 911.

1. Watch out for your friends and fellow students. If you see someone who looks like they could be in trouble or needs help, ask if they are okay.
2. Confront people who seclude, hit on, attempt to make out with, or have sex with people who are incapacitated.

[47] Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.
[48] Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse.

3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this Policy for support in health, counseling, or with legal assistance.

C. Office of Violence Prevention

The Office of Violence Prevention (OVP) houses initiatives that promote awareness to the realities of dating violence, sexual assault, stalking and other forms of interpersonal violence. The office serves as the nerve center for violence prevention education at Ramapo College and works closely with students, faculty, staff and community partners who share Ramapo's commitment to the eradication of gender-based violence. The programs facilitated by OVP provide evidence-based literacy and training through innovative prevention strategies in an effort to create a community that fosters a culture of respect, affirmative consent and encourages bystander intervention. The office also houses the Violence Intervention Prevention (VIP) Peer Educators who teach their peers and others about sexual violence and affirmative consent.

Location: C-216 (near the Fishbowl)

Phone Number: (201) 684-7430

APPENDIX E. NEW JERSEY CAMPUS SEXUAL ASSAULT VICTIM'S BILL OF RIGHTS

Pursuant to N.J.S.A. 18A, Chapter 61E

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the college community in achieving these ends. The boundaries of personal freedom are limited to applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault and nonconsensual sexual contact, respect for the individual and human dignity are of paramount importance. The state of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to ensure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

Bill of Rights

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

- on the campus of any public or independent institution of higher education in the state of New Jersey, and
- where the victim or alleged perpetrator is a student at that institution, and/or
- when the victim is a student involved in an off campus sexual assault.

Human Dignity Rights

- To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy.
- To have any allegations of sexual assault treated seriously; the right to be treated with dignity.
- To be free from any suggestion that victims are responsible for the commission of crimes against them.
- To be free from any pressure from campus personnel to:

    - report crimes if the victim does not wish to do so
    - report crimes as lesser offenses than the victim perceives the crime to be
    - refrain from reporting crimes
    - refrain from reporting crimes to avoid unwanted personal publicity.

Rights to Resources On and Off Campus

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

Campus Judicial Rights

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

Legal Rights

- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported.
- To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.
- To receive full, prompt, and victim sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.
- To be free from any suggestion that victims were contributory negligent or assumed the risk of being assaulted.

Campus Intervention Rights

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

Statutory Mandates

Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required to implement the Bill of Rights and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation. Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document.

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

APPENDIX F. SEXUAL ASSAULT SURVIVOR INTAKE RESOURCE FORM (SAMPLE)

Ramapo College of New Jersey is committed to providing timely support and assistance to students who experience an incident of sexual assault. Please consider the following resources and information that are described below. Please initial next to the resource(s) you choose to utilize at this time:

_____Counseling: an emergency Ramapo College of New Jersey counselor will listen and provide sensitive, nonjudgmental support. The counselor will review the New Jersey Campus Sexual Assault Victim's Bill of Rights and explain your options for medical treatment, support services, and accommodations.

_____healingSPACE Advocate: a specially trained advocate will provide information, counseling, and support to help you cope with what you've been through. The advocate can discuss options and provide a variety of resources. Also, the advocate can accompany you to all related procedures including medical treatment and meeting with law enforcement or Public Safety.

_____Law Enforcement Officer: a specially trained law enforcement officer will take your statement and investigate the crime of sexual assault. You will speak with the law enforcement officer and provide information for investigation. If you do not wish to contact law enforcement at this time you may contact law enforcement to pursue a criminal investigation in the future.

_____Medical Treatment with Evidence Collection (only available if the assault occurred within the last 5 days): a specially trained nurse examiner will assist and treat your medical needs associated with the incident and collect evidence for save in the event of future prosecution. A nurse examiner can conduct an examination and provide preventative treatment for many kinds of sexually transmitted infections and pregnancy. The evidence collected by the nurse examiner can be kept for up to 5 years in the event you choose to speak with a law enforcement officer. Free transportation is available.

Medical Treatment without Evidence Collection: If you do not wish to collect evidence for prosecution, a medical professional can examine you and administer preventative medications.

_____ On-campus (available during Ramapo College business hours): Ramapo College Health Services can provide emergency contraception, pregnancy testing, and/or testing for sexually transmitted infections. These services are provided free of charge for survivors of sexual assault.

_____ Off-campus: the Planned Parenthood Hackensack Health Center can provide emergency contraception, pregnancy testing and services, STI testing, treatment and vaccines. Planned Parenthood accepts insurance and also offers sliding scale payment options. Free transportation to Planned Parenthood is available. Alternatively, you may seek medical treatment from your own reproductive healthcare provider.

_____ I do not want to utilize any of the above resources at this time.

I have reviewed the resource list and initialed next to the resource(s) I choose to utilize at this time. I understand that I have the right to pursue these resources at a later date if I choose to do so. I understand that this form will be shared with the Ramapo College of New Jersey Director of Title IX to ensure that I have access to the requested resources.

Please indicate the nature of the sexual assault (check all that apply):

☐ Acquaintance/Date Rape ☐ Intimate Partner Assault ☐ Incest ☐ Unknown/Stranger Assault ☐ Other

_____	_____	_____
Ramapo College of New Jersey Student Signature	Print Name	Date
_____	_____	_____
Ramapo College of New Jersey Personnel Signature	Print Name	Date

Questions or comments about the Sexual Misconduct Policy may be addressed to:

Kat McGee, Director of Title IX, ADA and Compliance Training

E-mail: kmcgee@ramapo.edu

For more information, please visit the Office of Title IX website.

Location: D-104

Phone Number: (201) 684-7430

APPENDIX D

CODE OF CONDUCT 2024-2025

In order to protect the rights of all community members and guests, the College has established a Code of Conduct that outlines standards of behavior and means for sanctioning those who do not abide by these standards. The Code of Conduct covers the behavior of all students and their guests [1] and applies to acts committed on the Ramapo College campus, at on and off campus College-sponsored events and off campus behaviors as defined in Section F.

The disciplinary regulations that follow are designed to provide broad guidelines. They are not meant to define in exhaustive terms all behaviors that are prohibited. In all cases, the College has the right and duty to protect the well-being of community members. When violations of the Code of Conduct are also violations of Federal, State, or local law, the College, through its employees or representatives, may file a complaint in the appropriate forum. Similarly, the College itself may press internal disciplinary charges.

Ramapo College is committed to providing timely support and assistance to victims and/or survivors [2] of sexual assault or misconduct. The Sexual Misconduct Policy is a comprehensive policy for victims and/or survivors, and accused students and can be found at the Sexual Misconduct Policy page.

The Code of Conduct will not be applied to abridge a student's exercise of free speech or expression which is protected by the Constitution of the State of New Jersey or the First Amendment of the U.S. Constitution.

The Code of Conduct may be amended. If a change is made, students will be notified through means deemed appropriate.

A. The Role of the Vice President for Student Well-being/Dean of Students

The Vice President for Student Well-being/ Dean of Students (hereafter Dean of Students) or designee(s) has the responsibility for overseeing the staff in the Office of Student Conduct and processes related to the implementation of the Code. Academic misconduct charges are generally managed by The Office of the Provost. In a situation where a student's health or safety is/was very seriously endangered, the Dean of Students or designee(s) will make every attempt to notify the student's parent/guardian as soon as possible.

B. Filing Complaints

Complaints against students may be made by any student, employee, or guest of the College who believes the Code of Conduct has been violated. A complaint must be made in writing to the Public Safety Department within a reasonable amount of time after the occurrence. (This will normally be construed to mean within 30 calendar days, unless unusual circumstances exist or it is an alleged crime that the college must report under The Jeanne Clery Disclosure of Campus Security Policy and Campus

Crime Statistics Act.) The complainant should include as much detail concerning the alleged violation as possible. The complainant must visit the Public Safety Department (Office C-102) to complete a report. Complaints may also be filed via the Public Safety Department's "Report an Incident" website. These complaints are reviewed by College officials during business hours and prior to being referred to relevant offices for possible action.

Students are formally charged with alleged violations only after appropriate members of the Office of Student Conduct staff have reviewed the complaint, investigative documents (written reports) and witness statements (if available). Reports used to file a complaint or statement in the Public Safety Department may be used by the Office of Student Conduct in the adjudication of a College Disciplinary Hearing or in a College Disciplinary Review Board hearing. The information may become part of the general case file and may be viewed by those against whom complaints have been filed as part of their due process rights.

C. Complaints Against Student Groups

Recognized or registered student groups, organizations and teams may be charged with violations of the Code of Conduct. The College has the right to issue an Interim Suspension to a group, organization, or team when a group engages, or threatens to engage in behavior(s) which poses a danger of causing harm to others, or when the group exhibits behavior(s) that renders them unable to effectively function in residence areas and/or the College, or when the group exhibits behavior(s) that significantly interferes with the educational pursuits and/or living environment of others. A student group, organization or team and its officers or captains may be held collectively and/or individually responsible when violations of the Code of Conduct occur by those associated with the group or organization. The president or identifiable spokesperson of the group who is charged with violations of the Code of Conduct will be sent a "Notice of Disciplinary Hearing" that will indicate the adjudication option that will be employed in their case. The person receiving this notice must be a registered student. For additional information regarding complaints against student groups, please refer to the Organization or Team Affiliated Event Policy.

D. Responsibilities of Officers or Other Leaders of Student Organizations

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Dean of Students or a designee to take appropriate action designed to prevent or end violations of the Code of Conduct by the group or organization, or by any persons associated with the group or organization who can reasonably be said to be acting on the group's or organization's behalf. Failure to make reasonable efforts to comply with the Dean of Students or designee's directive shall be considered a violation of "failure to comply with the directions of College officials, including RCNJ Public Safety Officers, or Officers of the law, acting in performance of their duties (Code H.17)."

E. Accountability of Students to Civil Authorities

Students may be accountable to both civil authorities and to the College for acts that violate the law and the Code of Conduct. Disciplinary action at the College will continue while criminal proceedings are pending and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced. The College reserves the right to reach its own determination on violations of the Code of Conduct unaffected by the outcome of any civil or criminal action.

F. Actions for Serious Crimes on Campus or Off Campus

If the College is made aware that a student has been arrested, indicted, or found guilty of a crime, or when the College is notified of a student's off-campus conduct (including electronic communication) that, in the College's judgment, is sufficiently severe or pervasive that the student poses a material threat to the public safety or to ongoing operations of the campus, the College reserves the right to take

administrative actions to protect the community and may, therefore, issue an Interim Suspension from the entire campus and refer the matter to the Office of Student Conduct for review and potential disciplinary action through the student conduct process. (see section “M”).

G. College Actions Against Non-Students

The College’s disciplinary process does not have jurisdiction when a complaint is filed against a person who is not a student. Persons who are not students but who violate Federal, State, or local laws or College regulations may be subject to arrest, immediately restricted from accessing campus and/or may have their campus visitation privileges revoked. College officials may file a complaint through local law enforcement against guests or other visitors who violate laws while on campus. Non-students who are restricted from campus or have their College visitation privileges revoked have the right to appeal that determination by writing to the Director of Public Safety. Students who are hosting non-student guests may be held responsible through the Student Conduct Disciplinary Process for the violation(s) of the Code of Conduct that was committed by their guest(s).

H. Prohibited Conduct (Code of Conduct)

Repeated or aggravated violations of any provisions of the Code of Conduct may result in expulsion, suspension, or the imposition of such lesser sanctions as may be appropriate.

1. Intentionally or recklessly causing physical harm.
2. Intentionally or recklessly causing reasonable apprehension of physical harm.
3. Intentionally or recklessly causing threats to do physical harm.
4. Intentionally or recklessly endangering the welfare of others.
5. Intentionally or recklessly engaging in harassment, intimidation or bullying, including physical acts, speech, writing, voicemail, e-mail, electronic communication or communication through a third party, which is sufficiently severe, pervasive and objectively offensive so as to substantially disrupt school operations or substantially undermine another student’s ability to participate in or to receive the benefits, services or opportunities offered by the College and that: (i.) involves intimidation or threats to another person’s safety, rights of personal privacy and property, academic pursuits, College employment, or participation in activities sponsored by the College or organizations or groups related to the College; or (ii.) a reasonable person should know, under the circumstances, will have the effect of insulting or demeaning any student or group of students; or (iii.) creates an intimidating or hostile environment by substantially interfering with a student’s education, or by materially impairing the academic pursuits, employment or participation of any person or group in the College community, or by severely or pervasively causing physical or emotional harm to the student or other member of the College community; or (iv.) as a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or other person or damaging the person’s property or placing the individual in reasonable fear of physical or emotional harm to their person or to any member of that person’s family or household, or of damage to their property.
6. Discriminatory harassment, intimidation or bullying. A student will be found responsible for discriminatory harassment, intimidation or bullying who engages in conduct described as “harassment, intimidation or bullying” which the student directs at a specific group or individual, based upon race, creed, religion, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), familial status, marital/civil union status, affectional or sexual orientation, gender identity or expression, domestic partnership status, atypical hereditary cellular or blood trait, genetic information, disability, (including perceived disability, physical, mental and/or intellectual disabilities), or liability for service in the Armed Forces of the United States or any other characteristic protected from discrimination by the New Jersey Law Against Discrimination, NJSA 10:5-4, which conduct substantially interferes with work, educational performance or equal access to the College’s resources and opportunities.
7. Use of any weapon or realistic model of a weapon. (The definition of weapon includes those items described as such in the New Jersey Code of Criminal Justice as well as any similar

instrument that has no legitimate or obvious purpose related to the College's educational program. For example, dart guns, paintball guns, stun guns, tasers, pepper spray, BB guns, bows and arrows, any instrument that can discharge a projectile, hunting knives, carpet knives, razor knives, and knives with blades longer than two inches, except knives related to the preparation or consumption of food or that can be legitimately described as a pocket or pen knife.)

8. Possession of any weapon or realistic model of a weapon;
9. Storage of any weapon or realistic model of a weapon;
10. Discharge of any weapon;
11. Hunting or fishing anywhere on the College campus;
12. Intentionally initiating or causing to be initiated any false report or warning concerning:
    a. The threat of fire;
    b. The presence of a bomb or of an explosion;
    c. Any other emergency condition;
13. Intentionally or recklessly and substantially, disrupting normal College or College-sponsored activities including, but not limited to:
    a. Presentations by invited speakers;
    b. Studying;
    c. Teaching;
    d. Research;
    e. College administration, including governance operations;
    f. The activities of fire, police or other emergency services;
    g. Verbally or physically assaulting College officials acting in the performance of their duties;
    h. Disorderly Conduct;
14. Violating the terms of any disciplinary sanction or actions required by a college office for reasons of health and safety or college policies imposed in accordance with this Code and the Guide to Community Living;
15. Distribution or possession for purposes of distribution of any controlled substance, illegal drug, or commonly acknowledged drug paraphernalia;
16. Violation of Federal, State, local cannabis laws and regulations or the Ramapo College Alcohol, Cannabis, Other Drug, and Good Samaritan Policy;
17. Violation of Federal, State, local other drug laws (controlled substances) and regulations or the Ramapo College Alcohol, Cannabis, Other Drug, and Good Samaritan Policy;
18. Violation of Federal, State, local alcohol laws and regulations or the Ramapo College Alcohol, Cannabis, Other Drug, and Good Samaritan Policy;
19. Intentionally or recklessly misusing fire equipment or other safety equipment, including fire alarms, smoke/fire detection, and fire suppression devices;
20. Failure and/or refusal to immediately evacuate from buildings and/or endangered areas or to follow instructions during a fire alarm;
21. Activating a fire alarm;
22. Intentionally furnishing false information to the College, a College official, or officer of the law, verbally or in writing;
23. Forgery of any College document or instrument of identification;
24. Unauthorized alteration of any College document or instrument of identification;
25. Unauthorized use of any College document or instrument of identification;
26. Possession or use of a document which falsely purports to be a driver’s license, birth certificate, or other document issued by a government agency and which could be used as a means of verifying age or identity;
27. All forms of academic dishonesty including cheating (including using unacknowledged electronic sources), fabrication, facilitating academic dishonesty, and plagiarism. (Students charged with a violation of this section of the Code of Conduct are subject to the procedures outlined in the Academic Integrity Policy which is published in the College Catalog);
28. Intentionally and substantially interfering with rights of privacy or the freedom of expression of others;
29. Theft of property or services;
30. Attempted theft of property or services;
31. Acting as an accessory in the theft of property or services;

32. Knowingly take, possess, or sell or attempt to sell property of another person;
33. Intentionally or recklessly destroying or damaging or threatening to destroy or damage the property of others;
34. Failure to comply with the directions of College officials, including RCNJ Public Safety Officers, or Officers of the law, acting in performance of their duties;
35. Failure to comply with the Ramapo College Student Code for Healthy Living and Learning and other federal, state, local, or campus issued public health directives;
36. Violation of published Federal, State, or local laws or of College regulations or policies. (Such regulations or policies may include residence hall agreements as well as those regulations relating to campus demonstrations, motor vehicle regulations, etc.);
37. Unauthorized presence in College premises;
38. Unauthorized use of College facilities or equipment;
39. Unauthorized presence in, surveillance of, or use of another's property or assigned College residence;
40. Entering or exiting or allowing another person to enter or exit a building through windows or emergency exits;
41. Use or possession of fireworks, other incendiaries, or explosive devices;
42. Failure or refusal to produce a College identification card upon demand by a Public Safety Officer or other official of the College acting in their official capacity, or Officer of the law;
43. Littering, vandalism of College or private property (on-campus), or placing graffiti on walls, doors, or other College or privately owned property;
44. Hazing, including organizing, engaging in, facilitating, or promoting any conduct which places or may place another person in danger. (The consent of those hazed will not be accepted as a defense.) Hazing and aggravated hazing are also crimes punishable under the provisions of Title 2C of the Statutes of the State of New Jersey. Failure to comply with any of the standards or requirements outlined in the Pledge's Bill of Rights (developed by the Attorney General of the State of N.J. pursuant to N.J.S.A. 18A: 3-24 et. seq.) will be considered a violation of this section of the Code of Conduct. Subsequent changes in hazing laws are automatically included in the Code of Conduct upon their adoption;
45. Computer misuse, including but not limited to, hardware theft or fraud, duplicating copyright protected software, unauthorized use, subverting restrictions, and plagiarizing class programs, cyber-harassment, and invasion of privacy through electronic or digital means. (Specific rules governing the use of computers and computer labs on campus are developed by the Ramapo College Information Technology Services. Violations of those rules including the Policy for Responsible Use of Electronic Communications will be construed as violations of this section of the Code of Conduct);
46. Electronic invasion of privacy, including photographing, filming, videotaping, recording, or otherwise reproducing in any manner, or disclosing the image of another person;
47. Violation of New Jersey Gambling Law (NJS 2C-37-1 through 9) on College premises or at College events held off campus;
48. Causing intentional or reckless harm or other physical injury to campus wildlife including the purposeful destruction of these creatures' natural habitats;
49. Possessing an animal or pet without authorization;
50. Violation of published guest/visitation policy and procedures
51. Occupancy Limit;
52. Guest Pass;
53. Guest Restrictions;
54. Violations of the Policies and Procedures for On Campus Jobs when it references certain dismissals for “cause”;
55. After a verbal or written warning, continued violation of H.1-28 or of any published College policy.

I. Adjudication of Cases

Students and/or organizations charged with violations of the Code of Conduct will be sent a “Notice of Disciplinary Hearing” via email to the student’s or the organization’s representative's Ramapo College e-mail account that will indicate which of the following adjudication options will be employed in their case:

1. College Disciplinary Hearings: 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 College Disciplinary Hearing normally conducted by a professional staff member in the Office of Student Conduct, Residence Life, or a designee. The charged student will be required to attend a scheduled hearing 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 hearing by completing a "Student Conduct Violation Responsibility Form". Students who choose to accept responsibility (by signing and submitting the form) will not attend the scheduled hearing. The Hearing Officer will assess the disciplinary sanction and send this result to the student. Further information regarding Rights in Disciplinary Hearings is outlined in Section K.
2. 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, with the exception of cases that fall under the Sexual Misconduct Policy. Specific information regarding College Disciplinary Review Board Hearings is outlined in Sections J and K.

In the adjudication of cases, the "preponderance of the evidence" standard is used to determine whether a student or student organization is found responsible or not responsible for the charges. This standard of evidence is a lower one than the "beyond a reasonable doubt" standard employed in criminal prosecutions within the court system. A student will be found responsible for a code of conduct violation when the credible evidence presented proves that the conduct violation was "more than likely than not" to have happened.

J. College Disciplinary Review Board

The College Disciplinary Review Board shall be composed of five members, two of whom shall be matriculated students, and the other three of whom shall be members of the faculty or staff. A quorum consists of any three members of the Board. Decisions are made by majority vote and the process does not allow for abstentions. All members of the College Disciplinary Review Board are trained by the Office of Student Conduct and receive continuous training at the discretion of the Director of Student Conduct. College Disciplinary Review Boards will be convened on an as-needed basis.

Each College Disciplinary Review Board hearing will be guided by a Board Advisor, who is normally an employee of the Office of Student Conduct. The Board Advisor may comment on questions of procedure and admissibility of information presented and shall not be excluded from hearings or Board deliberations. The Board Advisor shall not vote. The Board Advisor shall exercise control over the manner in which the hearing is conducted to avoid unnecessarily lengthy hearings and to prevent the harassment or intimidation of all those providing testimony. The Board Advisor may make accommodations for the safety and well-being of the complainant, charged student, and witnesses by providing separate facilities for testimonies, using WebEx, telephone, written statement, or other means on a case-by-case basis. These accommodations are made at the sole judgment of the Board Advisor. Anyone who disrupts a hearing or who fails to adhere to hearing guidelines may be excluded from the hearing. The Board Advisor will ensure that the Board follows the procedures outlined below and, in the College, Disciplinary Review Board Manual.

At the time, date, and location scheduled, the hearing shall be conducted under the guidance of the Board Advisor. All hearings before the College Disciplinary Review Board shall be recorded and shall adhere to the following format:

1. The Board Advisor shall convene the hearing and introduce all the parties involved in the hearing, and the students' advisors, if any. Each student may have (1) advisor;
2. The Board Advisor will not apply the technical rules of evidence followed in criminal or civil hearings nor entertain technical legal motions. Technical legal rules pertaining to the wording of

questions, hearsay, and opinions will not be formally applied. Reasonable rules of relevancy will guide the Board Advisor in deciding on the admissibility of information; Reasonable limits may be imposed on the number of witnesses and the amount of cumulative evidence that may be introduced;

3. Any objections to the due process requirements shall be entered on record and the Board Advisor shall make any necessary rulings regarding the validity of such objections;
4. The alleged violation(s) upon which the complaint has been based shall be read by the Board Advisor. The charged student will be asked to enter a plea of responsible or not responsible to each alleged violation. In a case where a charged student pleads “responsible” for all charged violations, there will be no formal hearing on the charges. The charged student, the complainant and/or the victim will be permitted to make brief statements of explanation to the Board if they so wish. The Board will deliberate in private and determine a sanction;
5. The complainant shall provide their narrative of the events describing the alleged violation(s);
6. The charged student shall then provide their narrative (if not electing to remain silent);
7. The charged student shall have the opportunity to ask questions of the complainant followed by questions from the Board;
8. The complainant shall have the opportunity to ask questions of the charged student, followed by questions from the Board;
9. The complainant shall be given the opportunity to call witnesses;
10. The charged student shall be given the opportunity to question each witness of the complainant after they testify, followed by questions from the Board;
11. The charged student shall be given the opportunity to call witnesses;
12. The complainant shall be given the opportunity to question each witness of the charged student after they testify, followed by questions from the Board;
13. The Board Advisor may adjourn the hearing for a brief period of time so that concise closing statements can be prepared;
14. The charged student shall present their closing statement followed by the complainant;
15. The hearing shall be concluded and the members of the College Disciplinary Review Board shall deliberate in private until the final decision is reached and finalized. The Board Advisor shall issue the outcome within 10 business days.

Note: A determination that a violation has occurred shall be followed by a deliberation concerning the appropriate sanction to be imposed. The past disciplinary record of the charged student shall not be supplied to the Board by the Board Advisor prior to this point. Other information from either party to the hearing, including a written victim impact statement if appropriate, or from the Board Advisor which is relevant to the choice of sanction may also be introduced at this point, including information concerning penalties assessed against other students for similar offenses. No information directly related to the case in question may be introduced for the first time at this point in the hearing unless the charged student has been informed and allowed to review and comment on the material.

K. Rights in All Disciplinary Hearings

For any disciplinary action for which sanctions may be imposed, the student and/or organization shall have the following procedural protections:

1. Written notice of the charges that is dated at least three (3) business days prior to any scheduled College Disciplinary Hearing and seven (7) business days prior to any scheduled College Disciplinary Review Board Hearing. A student may waive their right to the notification period by submitting a written request to the Office of Student Conduct. Requests will be granted based on the availability of all parties involved (accused student, hearing officer, witnesses, etc.). A student may relinquish their 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. It is the responsibility of the student to access their Ramapo College electronic mail on a daily basis;
2. Reasonable access to the case file prior to and during the hearing. 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 be found responsible for a conduct violation when the credible evidence presented proves that the conduct violation was “more likely than not” to have occurred;

3. The right to remain silent and not present evidence against themselves;
4. Opportunities to both question those who provide information at the hearing and respond to any information being presented against them. Formal rules of evidence shall not be applicable pursuant to the Code of Conduct. The Board Advisor/Hearing Officer shall give effect to the rules of confidentiality and privilege, but shall otherwise admit all information for consideration that reasonable persons would accept as having material value. Unduly repetitious or irrelevant information may be excluded;
5. The charged student or the complainant may, upon showing relevance and necessity, request witnesses to appear at a hearing. Character witnesses are not permissible in campus disciplinary hearings. It is the responsibility of the complainant and the charged student to notify the Office of Student Conduct in writing of the persons they wish called as witnesses at least three (3) business days before the hearing. The Office of Student Conduct will notify individuals who are identified as witnesses that their appearance is required. It is generally expected that witnesses will appear in person to give testimony. Under rare circumstances, the Board Advisor/Hearing Officer may accept a written statement from a witness who has been excused from attending a hearing. Witness identity can be confirmed by submitting witness statements through the Public Safety Department. Witness statements that are not submitted through the Public Safety Department must be signed, dated, and notarized. The decision as to whether such a document or any other alternative means of testimony may be used lies solely with the Board Advisor/Hearing Officer. Non-students may be called to serve as a witness at the discretion of the Board Advisor/Hearing Officer. Students who refuse to appear as witnesses (or make arrangements to submit a written statement) for either the complainant or the charged student may be charged with “failure to comply with the directions of College officials, including RCNJ Public Safety officers, or officers of the law, acting in performance of their duties (Code H.17a).” Witnesses will be excluded from the hearing during the testimony of other witnesses. All parties to the case shall be excluded during any deliberations determining responsibility or sanctions;
6. Students charged with alleged violations, complainants and witnesses may be accompanied by one advisor, who may be an attorney. An advisor 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 to studentconduct@ramapo.edu or by telephone at least three (3) business days before the scheduled hearing. When informed that an advisor will be an attorney and will be present at the hearing, the Board Advisor/ Hearing Officer College may consult with the College’s Legal Counsel/Vice President for advice on whether legal counsel for the College should also be present;
7. In accordance with current guidelines established in the Family Educational Rights and Privacy Act (FERPA), the New Jersey Open Public Records Act (OPRA) and implemented by Ramapo College, the record of most disciplinary hearing’s findings are not open to the public. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, permits the disclosure of campus disciplinary system findings to victims of "crimes of violence". In addition, FERPA permits, once all appeals are exhausted, the final results of campus disciplinary hearings for crimes of violence to be disclosed to the complainant, including the name of the accused held responsible and the nature of the offense. As the result of a Disciplinary proceeding, parents or guardians may be notified in certain cases involving violations of campus drug or alcohol regulations, once all appeals have been heard or when The Dean of Students or designee may also initiate parent or guardian notification if deemed there is a matter of a health matter a health or safety emergency. Complainants in other kinds of cases will be notified about case adjudication and sanctions imposed if, in the Dean of Students or their designee's opinion, such disclosure is necessary to protect the safety of the complainant or of other members of the community. If FERPA or other pertinent regulations change, the complainant and the student charged will be notified before a hearing is held. Note: Since the College does not have campus police officers, certain records of actions taken by outside police authorities are normally public information and are not subject to laws governing the privacy of College records;

8. In cases where a student charged does not appear after proper notice and has no justifiable reason for non-appearance, the finding will be an "uncontested admission of violation" and an appropriate sanction will be imposed. Please see Section “S” for information on appeals;
9. Hearings will not be postponed unless under unusual circumstances set forth in the "Justifiable Excuse" policy for non-appearance. The policy is available on the Office of Student Conduct website under Disciplinary Hearings: What You Need to Know. Requests for postponement by third parties, including legal counsel, will not be considered. Refer to the Code of Conduct Section “E”. Accountability of Students to Civil Authorities for information about postponement requests for criminal proceedings.
10. Whenever a Suspension of Residence Privileges, a College Suspension, or an Expulsion is considered as possible sanctions, a College Disciplinary Hearing will be recorded. All College Disciplinary Review Board Hearings will be recorded. Other hearings may be recorded at the discretion of the Director of Student Conduct. The recordings are solely for the purpose of providing assistance to the Hearing Officer/members of the College Disciplinary Review Board or to the Appeals Officer in their deliberations. The recordings remain the property of the College and constitute an official record of the hearing;
11. Final decisions and a listing of any sanctions imposed will be noted by the Board; Advisor or/ 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;
12. Records of findings and sanctions are retained as indicated on the Hearing Results Form. The file of a person involved in disciplinary actions may be retained as a record for an indefinite period unless a time-defined limit is indicated on the Hearing Results Form;
13. Except as specifically provided by laws referenced in Section L.8, under the New Jersey Open Public Records Act, the outcomes of College disciplinary hearings and academic actions against a student are privileged and confidential to the extent that disclosure of such records would reveal the identity of the student.

L. Administrative Action

No Contact Order: The Office of Student Conduct or designees may determine that action needs to be taken at the time of the incident or during an investigation. When this situation arises, a No Contact Order will be issued between the current students or groups of students involved. By copy of this order, students are not permitted to contact each other via verbal, written, or electronic means, or through a third party person. Students seeking court issued restraining orders, or protections off campus should contact a police agency. The Office of Student Conduct will review all relevant materials (Public Safety reports, Residence Life reports, written statements, etc.) to determine any further disciplinary action.

No Contact Orders are issued for a set period of time and are reviewed at the end of each academic year. Should a student separate from the College, the No Contact Order will be terminated.

Students seeking court issued restraining orders, or protections off campus should contact a police agency.

M. Definition of a Student

A student will be subjected to the College’s disciplinary process if the alleged violation occurred while they were a registered 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; training; athletics; and participation in the Summer EOF program. In cases where a student charged withdraws from the College prior to the disciplinary hearing, the disciplinary process will proceed regardless of the change in enrollment status.

N. Sanctions

The following sanctions individually or in combination may be imposed for violations of Section H: Prohibited Conduct. All findings result in written notification being placed in the student's disciplinary file in the Office of Student Conduct. Sanctions for group or organization misconduct may include revocation or denial of recognition or registration, de-funding, or the imposition of other appropriate sanctions.

A student who fails to complete the terms of a campus disciplinary sanction by the given deadline may have their registration for a subsequent semester postponed or terminated until all terms of the sanction have been completed. Students who fail to comply with a sanction may be charged with "violating the terms of any disciplinary sanction or actions required by a college office for reasons of health and safety or college policies imposed in accordance with this Code and the Guide to Community Living (Code H.6)." 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 abeyance. 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 account.

1. Official Warning: A written statement indicating a violation of the Code of Conduct has occurred and warning that a subsequent violation will likely be treated more severely;
2. 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, and incidents involving non-compliance;
3. Financial Restitution Requirement: The student may be required to provide the College with financial restitution for the repair 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 Mahwah Municipal Court. The student conduct process does not have jurisdiction in this area;
4. Community Restitution: The assignment of imposed service hours and/or participation in educational programs or projects;
5. Probation: A defined period of time whereby a student is given an opportunity to modify their behavior or risk more severe sanctions. Any subsequent violation of the Code of Conduct, while in this status, will likely result in suspension of residence privileges or activities privileges;
6. Disciplinary Probation: A defined period of time whereby any registered student is given an opportunity to modify their 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;
7. Suspension of Activity Privileges: The student cannot be a member of a recognized or registered student organization, participation in the 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;
8. Suspension of Guest Privilege: The privilege of registering a guest on campus has been suspended therefore the student cannot register or host a guest on campus and/or within the Residence Halls during the defined period of time. Notification of this sanction/ status will be sent to appropriate College officials;
9. 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;

10. Housing Relocation: Students assigned this sanction will be required to relocate to a new residence area assignment. This sanction may include restriction from visiting in the previous residence area;
11. 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;
12. College Suspension: Beginning on the date of 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 campus nor at the College-sponsored event for any reason whatsoever for a specified period of time. The student is not entitled for a refund or any tuition or fees after the scheduled refund dates;
13. 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 attend, 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;
14. Other Sanctions: Other sanctions may be imposed in addition to, or instead of those described in #1 through #13;

Educational Sanctions: Essay or research projects may be assigned. Students may have community restitution projects assigned. Students who are found responsible for Code of Conduct violations which involve alcohol/drug use and/or abuse, or who otherwise engage in behavior associated with alcohol/drug use and/or abuse, may be required to attend educational programs intended to inform them about alcohol/drug use and/or abuse;

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;

Restriction of Privileges: Students may be assigned additional temporary or permanent campus restrictions that include the privileges of: alcohol allowed housing, entering/ visiting residence areas (registering as a guest) and/or driving or registering for a parking permit;

Postponement of Degree Conferment: A student may have the awarding of their degree postponed based on the information in the Code of Conduct Section "P";

Please note: There will be no refund of tuition, room, or board charges after the published deadlines if withdrawal from courses and/or campus residence is affected because of violations of the Code of Conduct. Students should be aware that a conviction in criminal court for certain controlled substance offenses including drug possession and/or sale may have them declared ineligible for Federal financial aid for a period of time.

Determination of Sanctions

Factors to be considered in deciding sanctions shall include the recommended sanctions for frequent violations, the past disciplinary record of the student, the nature of the offense, and severity of any damage, injury, or harm resulting from it as perceived by the victim and/or appropriate College official. T Violations of the Code of Conduct proven to have been motivated by illegal bias will result in the imposition of more severe sanctions. Victims may submit written statements to the Office of Student Conduct detailing the effect the offense has had upon them and their ability to function as students.

Access to Electronic Mail Accounts

Students or former students may have their privilege to use an email 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).

O. Conduct Code Violations' Effect upon Graduation

A student found responsible for violations of the Code of Conduct, which could have led to College Suspension or Expulsion had they remained a registered student at the College and who has otherwise satisfied the College's published requirements for graduation, may have the awarding of their degree postponed to a future date or permanently withheld. A student whose graduation is postponed or permanently withheld may also be refused a copy of their official transcript and cannot have it sent to others during the period of their sanction. In cases where graduation is delayed due to pending charges, cases normally will be adjudicated within as short a period of time as possible. A graduating student found responsible for violations of the Code of Conduct, which result in the imposition of a fine or restitution of money or goods, may be refused an official copy of their transcript and cannot have it sent to others while these charges remain on their college account.

P. Appeals

Only disciplinary determinations that result in a Suspension of Residence Privileges, College Suspension, or Expulsion may be appealed to the Dean of Students or their designee by the student charged. A sanction for group or organization misconduct which revokes or denies recognition or registration may also be appealed to the Dean of Students or their designee by the organization's president or identifiable spokesperson.

Appeals are not heard in person; instead, all requests for appeal must be submitted in writing to the Dean of Students Office within five (5) business days from the date on the letter notifying the person charged of the original decision. Failure to appeal within the allotted time will render the original decision final. Appeals shall be decided upon the record of the original hearing and upon the written appeal letter. If the Dean of Students or their designee finds grounds for a modification or reversal, then they may dismiss the case, change the sanction, or remand the case to the original or another College Disciplinary Review Board for review or rehearing. If the disciplinary determination was reached by an "Admission of Violation" by the charged student or by the accused student admitting responsibility; the only acceptable grounds for appeal will be if the sanctions are disproportionate to the offense.

Appeals shall be approved 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 person charged a fair hearing;

3. If new and significant evidence becomes available which could not have been discovered by a properly diligent person before or during the original hearing.

The imposition of sanctions is normally deferred during the appeal process although sanctions may go into effect immediately if the Dean of Students or their designee deems it necessary. The decision of the Dean of Students is final. There is no further appeal within the College.

[1] Residents and commuters will be held accountable for the behavior and/or actions of the non-student guest(s) they are hosting.

[2] A note on language: The words “victim” and “survivor” are used interchangeably here. Ramapo College respects the decision of those who have experienced violence to identify as a victim or a survivor. We recognize that choosing to identify as a survivor is an important part of the healing process for some who have experienced sexual violence.

APPENDIX E

CLERY GEOGRAPHY

The Clery Act requires institutions to disclose statistics for reported crimes based on the following four criteria:

1. Where the crimes occurred
2. To whom the crimes were reported
3. Types of crimes reported
4. Year in which the crimes were reported

The first of the four reporting criteria “where the crimes occurred” is known as Clery Act Geography and commonly referred to as such. The definitions for Clery Act Geography are Clery Act-specific and are the same for every institution regardless of its physical size or configuration. There are three general Clery Act Geography categories:

1. On-Campus
2. Public Property within or immediately adjacent to the campus
3. In or on non-campus buildings or property that the institution owns or controls

CLERY GEOGRAPHY DEFINITIONS

On-campus — any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including:

a. residence halls
b. property within the same reasonably contiguous geographic area of the institution that is owned by the institution but is controlled by another person
c. is frequently used by students
d. supports institutional purposes (such as food or other retail vendor).

On-Campus Subset: Student Housing Facilities (on-campus) - Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on- campus statistics:

a. The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and
b. The number of crimes that occurred in on- campus student housing facilities as a subset of the total.

Public Property — is defined as all public property (including thoroughfares, streets, sidewalks and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus.

Non-campus Buildings or Property — is defined as any building or property owned or controlled by a student organization officially recognized by the institution and any building or property (other than a branch campus) owned or controlled by an institution of higher education that:

a. Is used in direct support of, or in relation to, the Institution’s educational purposes

b. Is frequently used by students, and

c. Is not within the same reasonably contiguous geographic area of the institution.

CLERY DESIGNATED CRIMES

The Ramapo College of New Jersey is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations (Clery Act Geography) as defined above. There are four (4) general categories of crimes, they are commonly referred to as Clery Act Crimes:

1. Criminal Offenses
2. Hate Crimes
3. VAWA Offenses
4. Arrests and Referrals for Disciplinary Action

CRIME CATEGORIES

Under the Clery Act, definitions for the above listed four categories of crimes are based on the definitions provided by the following federal systems:

- Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program
- Summary Reporting System (SRS) User Manual from the FBI's UCR Program
- FBI's National Incident-Based Reporting
- System (NIBRS)Data Collection Guidelines edition of the UCR
- FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual
- Violence Against Women Act of 1994 (VAWA)

For additional information please refer to the UCR, citation's 34 CFR 668.46(c)(7) and 34 CFR 668.46(c)(6)(A)(i).

CRIMINAL OFFENSE DEFINITIONS (#1) Murder/Non-Negligent Manslaughter – The killing of one human being by another.

Manslaughter by Negligence – The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- Fondling: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest: 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. 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.

Burglary – The unlawful entry of a structure to commit a felony or a theft.

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

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, or personal property of another.

HATE CRIME DEFINITIONS (#2)

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Bias – a preformed negative opinion or attitude toward a group of persons based on their: race, religion, gender, gender identity, disability, sexual orientation, or ethnicity/national origin.

Bias Crime – a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/ national origin; also known as Hate Crime.

Although there are many possible categories of bias, under the Clery Act, only eight categories are reported. To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

1. Race – A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, or African Americans, whites.
2. Religion – A preformed negative opinion or attitude toward a group of personas who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
3. Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
4. Gender – A preformed negative opinion or attitude toward a person or group of persons based on their actual perceived gender, e.g., male or female.
5. Gender Identity – A preformed negative opinion or attitude toward a person or group of persons based on their actual perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non- conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be lesbian, gay, bisexual, or transgender person but may be perceived as such.
6. Ethnicity – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
7. National origin – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
8. Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate Crimes must show evidence of bias and include any of the above listed criminal offenses. Additionally, on August 14, 2008, the Clery Act was amended to include the following as reportable categories for Hate Crimes only:

- Larceny
- Simple assault
- Intimidation
- Destruction/damage/vandalism (except arson)

Note: Even if the offender was mistaken in their perception that the victim was a member of the group the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

For additional information regarding Hate Crimes, please refer to the UCR, citation 34 CFR 668.46(c) (4).

VAWA OFFENSE DEFINITIONS (#3)

The third category of crime statistics is the Violence Against Women Act (VAWA), which includes the following three categories:

1. Domestic Violence
2. Dating Violence
3. Stalking

Sexual Assault included by the FBI as a Criminal Offense and falls under VAWA offenses but is included in the criminal offense's category listed above for Clery Act reporting purposes. For additional information regarding VAWA Offenses, please refer to the UCR, citation 34 CFR 668.46(c)(1) (iv).

Domestic Violence: a felony or misdemeanor crime of violence committed:

- by a current or former spouse or intimate partner of the victim;
- by a person with whom the victim shares a child in common;
- by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- by a person similarly situated to a spouse of the victim under the domestic or family violence
- laws of the jurisdiction in which the crime of violence occurred; or
- by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

Dating Violence: violence committed by a person;

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the reporting party's statement with consideration of:
    - the length of the relationship
    - the type of relationship
    - the frequency of interaction between the persons involved in the relationship

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

- fear for the person's safety or the safety of others;

or

- suffer substantial emotional distress

For the purposes of this definition:

- Course of conduct - means two or more acts, including, but not limited to:
    - acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person;
    - or interferes with a person's property
- Reasonable person - means a reasonable person under similar circumstances and with similar identities to the victim
- Substantial emotional distress - means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

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

ARREST AND DISCIPLINARY REFERRALS FOR WEAPONS VIOLATIONS, DRUG ABUSE AND LIQUOR LAWS: DEFINITIONS (#4)

The fourth category of crime statistics is the number of arrests and number of persons referred for disciplinary action for the following three law violations:

1. Weapons: Carrying, Possessing, Etc.
2. Drug Abuse Violations
3. Liquor Law Violations

The above listed violations may result in an arrest, disciplinary referral, or both. For additional information, please refer to the UCR, citation 34 CFR 668.46(c)(1)(ii).

Weapon Law Violations - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations - Violations of State and local laws 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 (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.

Unfounded Crime Reports – According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority "if the investigation shows that no offense occurred nor was attempted." These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as "unfounded" cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

CAMPUS SECURITY AUTHORITY

The law defines a Campus Security Authority (CSA) as any official of a post-secondary institution who has significant responsibility for students and campus activities. Some examples of CSA's are:

- Anyone who monitors entry or access to a campus facility such as an employee who checks in visitors to the dorms
- Director of Athletics and coaches including
- Assistant Directors and Assistant Coaches
- Faculty Adviser to a student group
- Anyone who oversees student extracurricular activities
- Coordinator for Greek Affairs
- Resident Assistants and Resident Directors
- Student Center and Student Life Staff

WHAT IS THE ROLE OF A CSA?

The role of a CSA is to collect information on certain criminal offenses, if such offenses are reported to them and report that information to the proper authorities (Public Safety). Reporting of such crimes must be timely to allow for issuance of a Timely Warning if deemed necessary.

It is important that CSAs also refer victims to seek other assistance if they so choose, including offering to help them contact Public Safety, the College Counseling Center, Student Health Services or other outside agencies.

APPENDIX F

HAZING PREVENTION POLICY, LAWS, AND INFORMATION

STOP CAMPUS HAZING ACT

The Stop Campus Hazing Act (SCHA), an amendment to section 485(f) of the Higher Education Act, requires institutions of higher education to disclose hazing incidents that were reported to campus security authorities or local police agencies in its annual security report.

SCHA defines the term hazing to mean any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that (1) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (e.g., a club, athletic team, fraternity, or sorority); and (2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the IHE or the organization, of physical or psychological injury.

Additionally, New Jersey Statute 2C:40-3 (Timothy J. Piazza Hazing Law) defines Hazing as: in connection with initiation of applicants to or members of a student or fraternal organization, whose membership is primarily students or alumni of the organization or an institution of higher education, the person knowingly or recklessly:

(1) causes, coerces, or otherwise induces another person to commit an act that violates federal or State criminal law;

(2) causes, coerces, or otherwise induces another person to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the person to a risk of emotional or physical harm or is otherwise deleterious to the person's health;

(3) subjects another person to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;

(4) subjects another person to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;

(5) subjects another person to abuse, mistreatment, harassment, or degradation of a sexual nature; or

(6) subjects another person to any other activity that creates a reasonable likelihood of bodily injury to the person.

L.1980, c.169, s.1; amended 2021, c.208, s.7.

RAMAPO COLLEGE HAZING POLICY

Any action taken or situation created, intentionally, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol during potential new member activities; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the campus; forced wearing of uniformed apparel as a group; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law."

Depending upon circumstances, these activities have at one time or another been construed as hazing by the courts and/or institutions of higher education. Such actions are often required or implied as conditions of inclusion or exclusion from a group, formal or informal. Thus, hazing may be perpetrated by an individual(s), group(s), or part(s) of a group.

Examples of Hazing Activities Prohibited by Ramapo College:

- Requiring any form of exercise or physical activity (such as crunches, push-ups, running, lunges, carrying heavy items, standing for long periods of time).
- Requiring a regimented public demeanor, i.e., marching, military-like demeanor, limiting use of automatic doors, restricting walking patterns, prescribing set walking formations, such as single file, or cutting corners.
- Not permitting individuals to speak for extended periods of time and/or forced exclusion from social contact; prohibition from speaking with College officials, faculty, employers/clients, club membership or leadership or roommates or prohibition from speaking with family/friends even in emergency situations.
- Requiring individuals to walk or march in formation of any kind.
- Forced wearing of uniforms or apparel.
- Not permitting individuals to speak for extended periods of time and/or forced exclusion from social contact.
- Requiring the ingestion of any substance i.e., spoiled food, drink, concoctions, water, hot sauce
- Prolonged exposure to the elements.
- Physical assault/harassment i.e., branding, blindfolding or hand-tying, beating.
- Requiring dietary intake in any way i.e., food restrictions, limitations, designating diet, healthy or otherwise.
- Conducting activities that do not allow adequate time for study or sleep.
- Requiring prescribed greetings or recitation as part of pnm activities/pnm program in academic areas.
- Deprivation of or interference with the maintenance of a normal schedule of bodily cleanliness.
- Expecting certain items to always be in one's possession that has no significance to the organization (as stated by the governing body) or that is physically burdensome or potentially dangerous i.e., pnm book, rock, bricks, pumpkin, stuffed animal, etc.
- Engaging in unauthorized activities which involve compelling an individual or group of individuals to remain at a certain location or transporting anyone anywhere, within or outside the township of Mahwah i.e., road trips, treasure and scavenger hunts, kidnapping, sneaks, drop-offs, etc.
- Forcing new members to perform individual acts or acts as a group which are crude, degrading and meant to embarrass and/or humiliate, i.e., acting like an animal, simulating sexual acts.
- Assigning or endorsing pranks such as borrowing or stealing items, painting property and objects of others, or harassing other individuals or groups.
- Non-physical harassment including yelling and screaming or calling individuals demeaning names.

- Requiring any personal servitude to another individual or group such as running errands, cleaning, making food runs, cooking, performing someone else's academic work, requiring a new member to be a designated driver even if not involved in the activity.
- Questioning under pressure including using line-ups or drills.
- Simulating or requiring activity of a sexual nature, or threatening to do so.
- Expecting illegal activity or threatening to require illegal activity.
- Psychological games used to intimidate new members, isolating new members and/or abandoning or falsely imprisoning new members.

Hazing is hazing regardless of consent. Agreeing to any of the aforementioned activities or any other unauthorized activity does not make it acceptable

Organizations may not employ practices that are contrary to governing body policy. Activities banned by governing bodies are also considered banned by Ramapo College of New Jersey. Where organization and college policies differ, the College policies will prevail.

Please note: This list by no means covers all activities and actions that can be considered hazing. Should you have questions or desire clarification on any of these items, please contact the Center for Student Involvement, Student Center Room 200, or call 201-684-7593.

College Response to Hazing:

Any chapter found guilty of hazing will be subject to immediate charter revocation and to college, local, state, and federal charges (individual culpability will also be established whenever possible). When the College suspects hazing is occurring or has reasonable evidence that hazing has occurred, the College will contact national and/or regional officers of the organization(s) involved as well as consult with the Ramapo College Public Safety, Mahwah Police Department and/or County.

Reporting:

Contact Office of Public Safety at 201-684-6666

Mahwah Police/911

Investigations Involving Hazing Incidents:

All allegations of hazing will be investigated by the Public Safety Department. For serious violations of college policies, and where local, state, or federal laws are violated, consultation and referral to local, state, or federal law enforcement may be required. Any time an allegation is brought forward:

- Investigations will be prompt and comprehensive.
- RCNJ will strive to maintain the confidentiality of all complainants, accused, and witnesses, protecting the privacy of individuals who report a hazing incident. Complainants/accused/witnesses are encouraged to provide as much detail as possible, including supporting/corroborating evidence.
- Investigative reports are sent to the Office of Student Conduct for review.

Campus Hazing Transparency Report:

In accordance with the SCHA and NJ Statute 2C:40-3, Ramapo College of New Jersey maintains a Campus Hazing Transparency Report, which provides transparency in reporting violations of applicable laws and college policies related to Hazing. **There were no hazing-related violations reported in 2025**.