



STUDENT RIGHT TO KNOW CAMPUS SECURITY ACT

**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES
AND CAMPUS STATISTICS ACT**

**2039 KENNEDY BOULEVARD
JERSEY CITY, NJ 07305**

2017

**Student Right to Know
Campus Security Act**



Table of Contents

Introduction	4
Mission	4
Department of Public Safety Facts.....	5
NJCU Department of Public Safety	5
Reporting a Crime	5
Contacting the Department of Public Safety	6
Emergency Phones.....	6
Caller I.D.	6
Procedures for Disclosure	6
Timely Warnings	6
Emergency Response & Evacuation Procedures.....	7
Emergency Preparedness.....	7
Emergency Notification.....	7
Emergency Notification & Response.....	8
Crime Log	8
Notification to the Larger Community	8
Exercises and Drills.....	8
Campus Facilities.....	9
Housing Options	9
Residence Halls.....	9
Missing Persons	10
Missing Resident Student.....	10
Reporting Missing Persons.....	10
Student Rights and Responsibilities Code of Conduct	10
Preamble	10
Student Bill of Rights.....	10
Prohibited Conduct	12
Sanctions	15
Judicial Appeals Board Hearing Procedure	16
Attorneys.....	16
Final Appeal.....	17
Procedure for Disciplinary Hearing by the Dean of Students	17
University Resources Alcohol/Drug Policy and Regulations	17
Regulations.....	19
Summary of State Laws.....	19
Drug Policy	19
Campus Sexual Assault Policy	20

Consent	20
Confidentiality	20
New Jersey City University Title IX Reporting Information	21
Reporting Possible Title IX Violations.....	21
University Resources:.....	22
Off Campus Resources:	22
TITLE IX Compliance	23
Guidelines for the Reporter to Follow	23
Education and Prevention.....	23
University Disciplinary Action	24
Campus Sexual Assault Procedures	24
The Rights of the Reporter and the Respondent	24
The Rights of the Reporter/Respondent (as per the NJCU Student Code of Conduct)	24
Sexual Assault Hearing Panel	25
Selection Process	25
Sex Offender Registry	26
Crime Prevention	26
Crime Prevention and Residential Safeguards.....	26
Weapons Violations Policy.....	26
Crime Definitions - Uniform Crime Reporting Handbook	29
Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.....	30
Offense Definitions for Hate/Bias related crime statistics as per the UCR Hate Crime Reporting Guidelines.....	31
Campus Map	32
Crime Statistics.....	33
Crime Statistics (cont.)	34
.....	34
Hate Crimes.....	35
Hate Crimes Statistics.....	35

Introduction

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965. It is a federal law that requires colleges and universities to disclose specific timely and annual information about campus crime and security policies.

The Clery Act, originally enacted by Congress and signed into law by President George Bush in 1990 as the **Crime Awareness and Campus Security Act of 1990**, was championed by Howard and Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986. They also founded the non-profit Security On Campus, Inc. in 1987. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery.

Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities including off campus housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other school officials who have “significant responsibility for student and campus activities” such as student affairs. Professional mental health and religious counselors are exempt from reporting obligations, but may refer patients to a confidential reporting system which the school may indicate to be either on or off-site. Crimes are reported in the following 10 major categories, with several sub-categories: 1) Criminal Homicide broken down by (a) Murder and Non negligent Manslaughter (b) Negligent manslaughter; 2) Sex Offenses broken down by (a) Forcible Sex Offenses (includes rape) and (b) Non Forcible Sex Offenses, 3) Robbery, 4) Aggravated Assault, 5) Burglary, 6) Motor Vehicle Theft; 7) Arson, 8) Domestic Violence, 9) Dating Violence, 10) Stalking and Hate Crimes.

Schools are also required to report the following three types of incidents if they result in either an arrest or disciplinary referral: 1) Liquor Law Violations, 2) Drug Law Violations and 3) Illegal Weapons Possession. If both an arrest and referral are made only the arrest is counted.

The statistics are also broken down geographically into “on campus,” “residential facilities for students on campus,” non-campus buildings, or “on public property” such as streets and sidewalks. Schools can use a map to denote these areas. The report must also indicate if any of the reported incidents, or any other crimes involving bodily injury, is a “hate crime.”

Mission

Dedicated to maintaining a safe learning, living and working environment for a diverse community, while employing the highest professional standards and providing exceptional customer service.

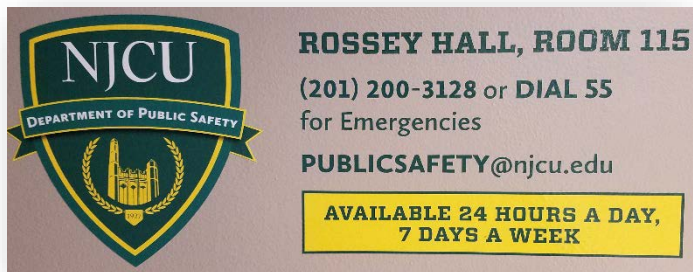
We will be committed to the following:

- Perform every job to the best of our ability with quality and integrity in mind
- Demonstrate to our customers our abilities through our appearance, our conduct, our conversation and our work
- We will remember that customer, satisfaction is our priority, not necessarily who is right and who is wrong
- Providing quality services that ensure a safe and secure campus
- Learning, changing and improving
- Focusing on results
- Working with integrity
- We will constantly strive to achieve excellence

Department of Public Safety Facts

The Department of Public Safety is committed to enhancing the quality of life of the campus community and integrating the best practices of public and private policing with state-of-the-art security technology. The Department of Public Safety is comprised of the following committed personnel: Associate Vice President, Director, Assistant Director, seven supervisors, 50 Public Safety Officers and a locksmith. The Department of Public Safety has six components: Campus Safety, Crime Prevention, Parking and Transportation, Fire Safety, Locksmith Services, Physical Security & Access Control.

NJCU Department of Public Safety



The Department of Public Safety maintains security patrols 24 hours a day, seven days a week on campus—by foot and car. We are responsible for ensuring that the campus remains as safe as possible. The primary responsibility for crime prevention and personal safety rests with each individual. Each of us must take personal responsibility for our own safety, as well as for the safety of those around us.

“Security is Everybody’s Business.”

Working together, we will continue to make New Jersey City University among the safest urban universities in the country.

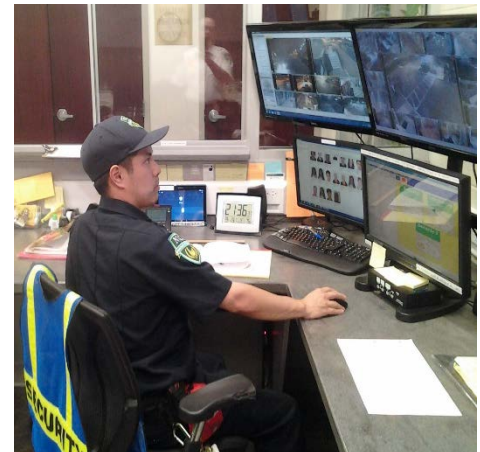
Incidents known in common parlance as Part I crimes that are identified to the Department of Public Safety are reported to the Jersey City Police Department to ensure that all agencies charged with providing services are aware of these incidents. The relationship and exchange of information with city, state and federal authorities is extremely important, and it is an ongoing process. The Jersey City Police Department alerts the Department of Public Safety of reported incidents in the surrounding neighborhoods that are jointly patrolled by both University Public Safety Officers and the Jersey City Police Department.

Reporting a Crime

To report a crime, emergency situation or suspicious activity dial 55 from any campus telephone or use one of the 250 emergency telephones on campus or dial (201) 200-3128 from off-campus. You can also report a criminal incident in person at the Department of Public Safety, Rossey Hall 115, which is staffed with professional personnel 24 hours a day, seven days a week.

If possible, please provide the following information when calling:

1. Your name and location.
2. The purpose of the call.
3. Request medical assistance, if required.
4. Be specific as possible:
 - Describe the activity-taking place
 - Describe the person(s) involved.
 - Location where the person(s) involved were last seen or their direction of travel.
 - Description of any motor vehicle involved.



The Department of Public Safety maintains a log for all reported criminal incidents, also are included those that occur on the streets adjacent to the campus community. The data is the basis for crime statistics reported to the FBI Uniform Crime Reporting System, for compliance with the Crime Awareness and Campus Security Act and the College and University Security Information Act for reporting crime statistics to the campus community.

Contacting the Department of Public Safety

“Emergency Assistance” can be obtained from any university phone by dialing “55” which will give the caller a priority connection to the Security Department. This number is similar to “911” in concept and must only be used for true emergencies.

Routine calls for service should be made by dialing 201-200-3128.

Emergency Phones

Emergency telephones are located strategically throughout the campus. Use them to report emergencies, crimes, suspicious behaviors, accidents and hazards. The Campus emergency call boxes are easily identified by the red and white “emergency phone signs” located above the telephones. In addition, there are yellow box and blue light emergency phones; to use this phone, push the button located on the front of the call box. These phones are connected directly to a recorded line in the Public Safety Dispatch Center, which is staffed 24 hours a day.

Caller I.D.

The University has installed “Caller ID” on the lines terminating in the Dispatch Center. The use of this system will allow the Dispatcher to identify your calling location in the event of an emergency. These phones are connected to a “Caller ID” system, which permits The Department of Public Safety to identify your location should you be unable to speak.



Procedures for Disclosure

The Department of Public Safety serves as the “clearing house” in the statistical gathering of crime data from those with “significant responsibilities for students and campus activities” and reports such statistics involving pertinent criminal incidents and arrests or referrals gathered from various “campus security authorities” to the Public Safety office on a monthly and/or annual basis.

Likewise, the Jersey City Police Department reports pertinent statistics from the required geographical areas to New Jersey City University annually upon request. All figures reported are incorporated in the preceding statistical tables.

Timely Warnings

In the event that a situation arises, either on or off campus that constitutes a continuing threat, a campus wide “timely warning” will be issued by the Associate Vice President of Public Safety in conjunction with the Department of Public Information. The warning will be issued through the college’s e-mail system to students, faculty and staff. Warnings will be issued using the university’s various communication systems. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Department of Public Safety may also post a notice through the Campus Emergency Notification System **Rave Alert**, providing the university community with more immediate notification. In such instances, a copy of the notice is posted in each residence hall and other campus buildings. Anyone with information warranting a timely warning should report the circumstances to the Department of

Public Safety by phone 201-200-3128 or in person at the dispatch center within Public Safety, Rossey Hall-room 115.

Emergency Response & Evacuation Procedures

New Jersey City University Department of Public Safety has established policies and procedures to ensure the safety and security of the campus community during and after an emergency response and evacuation. Through planning and collaboration between internal and external resources, NJCU Department of Public Safety manages emergency preparedness procedures for the campus community.

Emergency Preparedness

In the event of a dangerous or emergency situation involving an immediate threat against the campus community, the Department of Public Safety is responsible for responding to, and confirming the significance of the emergency and/or dangerous situation. If it is confirmed that there is an emergency or dangerous situation that poses an immediate threat to the health and safety to members of the University community, the Department of Public Safety in collaboration with University officials will determine the contents of a message and will initiate the NJCU Emergency Notification System (ENS) to communicate the threat to the campus community.

Emergency Notification

In the event of an emergency situation, the NJCU Emergency Notification System (ENS) enables the University to quickly notify members of the University community of critical information during an emergency. The NJCU Department of Public Safety will distribute information to the campus community utilizing one or more of the following Emergency Notification Systems.

- **Rave Alert Notification System** – The Rave Alert consists of a mass notification system that allows authorized University officials to send alerts and instructions to community members through telephone landlines, cellular phones, text messaging and e-mails within moments of a critical incident. Members of the University community are automatically enrolled in Rave Alert using their personal information (similar to the process of Gothic Alert). However, if any information needs to be edited (if you want to update or add a telephone number for instance), they will log in to Gothic Net and make those edits at <https://gothicnet.njcu.edu>
- **Rave Guardian** - Rave Guardian is the phone app that allows people to communicate back and forth with the dispatch command center.
Rave Guardian's "Safety Timer" is described as a virtual safety net, when moving from one location to another.
Rave Guardian's "Call Campus Safety" feature allows the NJCU population to contact the Public Safety Department in one click! When this is activated, it automatically provides the individual's information from their profile and their GPS location.
Rave Guardian's "Send Tips" feature allows individuals to inform Public Safety about emergencies that can occur on campus in a discrete manner; anonymously or overtly.
Rave Guardian's "Call 9-1-1" feature allows the individual to call 9-1-1
- **NJCU Website** – When an alert is sent the University provides current and continuous updates through postings on the website at www.njcu.edu.
- **Public Address System** – As an additional layer of communication, the University has installed a campus-wide emergency public address system. The PA system is managed by the Department of

Public Safety and will be used during emergency and special situations only. The system integrates into the campus telephone system and offers both flexibility and unlimited future expansion.

Emergency Notification & Response

The NJCU Department of Public Safety is responsible for responding, investigating, documenting and confirming the significance of the emergency or dangerous situation that may pose a threat to the safety and security of the campus community. In the event of a critical incident involving the University, members of the community are encouraged to notify the Department of Public Safety at (201) 200-3128 or dial 55 from any campus phone. In all matters of concern, the Department of Public Safety gathers the necessary information, takes the necessary steps to mitigate the incident, and then notify the appropriate University officials.

If the situation warrants, the Department of Public Safety will notify external local law enforcement and emergency service units to assist in the response of a critical incident occurring within the campus facilities. Those external agencies are but not limited to the following:

- Hudson County Office of Emergency Management

Crime Log

The Department of Public Safety maintains the crime log for the most recent 60 day period open for the public to inspect during normal business hours, Monday through Friday, except holidays and closure of school. Any portion of the log beyond 60 days, if not immediately available, will be made accessible within two business days of a request for public inspection.

- Jersey City Police Department
- Jersey City Emergency Service Unit and Bomb Squad
- Jersey City Fire Department

Notification to the Larger Community

The NJCU Department of Public Safety works in conjunction with University Public relations and local law enforcement officials to coordinate any press releases or contact with the media in regards to any critical incident that pose a threat not only to the immediate University community, but as well as the surrounding residential community.

Exercises and Drills

The Department of Public Safety at NJCU conducts annual tabletop exercises to test and assess its emergency response and evacuation procedures. The tabletop exercises are conducted with participating NJCU staff that provides their assessment and evaluation of the exercise. An after action report is then developed to identify where improvements and revision to the procedures are required.

The Campus Security Act requires Colleges and Universities to:

1. Publish an annual report every year by October 1 that contains three years of campus crime and certain security policy statements.
2. Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus and certain non-campus facilities and remote classrooms.
3. The statistics must be gathered from campus police or security, local law enforcement and other university officials who have “significant responsibility for student and campus activities.”

Campus Facilities

The New Jersey City University administrative buildings are opened from 8:00 am – 5:00 pm Monday – Friday. Academic buildings generally are opened 7:00 am – 11:00 pm Monday – Friday, 8:00 am – 5:00 pm on Saturday and closed on Sunday. Buildings that are occupied beyond normal hours are required to adhere to the University’s “After Hours Policy.”

Many cultural and athletic events held on campus are open to the public. The campus bookstore and library are also open to the public. University facilities are well maintained with security concerns given a high priority. Landscaping and outdoor lighting on campus are designed for safety and security. Pathways are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Campus maps are available by contacting the Department of Public Safety. In addition, there are freestanding and illuminated campus directory maps strategically positioned around the University.

Housing Options

Home for 625 students, The Housing & Residence Life Program at New Jersey City University offers more than a place to sleep. The University operates three residence halls: CO-OP Hall, Vodra Hall and our newest building, West Campus Village. Select the hyperlinks for further information.

Please visit our website at: <http://www.njcu.edu/campus-life/housing>

All halls offer on-site laundry and kitchen facilities, study lounges, computer labs and on-line computer capabilities for each resident student. West Campus Village also has a work out facility, game room, a conference room as well as a store affiliated with our Dining Services.

Following acceptance to the University, interested students may obtain information and an application form directly from the Office of Housing & Residence Life – West Campus Village, 1st floor, (201) 200-2338 or from the Admissions Office, Hepburn 207 (201) 200-3243.

Residence Halls

The residence halls are manned by the Office of Housing & Residence Life desk attendants during the day and by Public Safety Officers in the evenings to ensure the overall safety and security of the occupants. All exterior doors and ground floor windows are equipped with panic bars, audible alarms and break away locking devices. It is the resident’s responsibility to ensure that their visitors adhere to the Rules and Regulations of the Residence Life Policies.

During low occupancy periods, such as holidays and scheduled breaks, students are permitted to remain in the halls and coverage continues for that hall.

During the summer months all three residence halls are utilized as summer housing. COOP and Vodra halls are used for incoming student summer preparedness programs such as OSP and ASCEND. West Campus Village is utilized as primary housing for external community groups, as well as students/interns and athletes attending summer classes.

Authorization for use is pre-approved by the Executive Director of Housing & Residence Life, and staff is assigned accordingly. All residence halls operate under the authority of Housing & Residence Life and assigns staff to each residence hall when occupied. Resident students must use their access card to enter the building. All residence halls have card access and CCTV.

All persons entering the residence halls must either swipe their access card to gain entry or show a valid student photo I.D. card to staff upon entry to the building. All non-residents including vendors must surrender the I.D. card and sign the logbook.

Missing Persons

A person shall be considered missing if the person has not been seen by a roommate, classmate, faculty member, family member, or other campus person in a reasonable amount of time, (24 hours), which suggests that his or her absence is a cause for concern or suspicion.

If a member of the NJCU community has reason to believe that a student or staff member is reported missing, the New Jersey City University Department of Public Safety should be notified **immediately** by calling (201)200-3128, 24 hours 7 days a week. NJCU Department of Public Safety will generate a missing person report and initiate an investigation.

After investigating the missing person report, should NJCU Department of Public Safety determine that the student has been missing for more than 24 hours, NJCU Department of Public Safety will notify Jersey City Police Department and the student's emergency contact no later than 24 hours after the student or staff is determined to be missing.

Missing Resident Student

In addition to registering an emergency contact, students residing on-campus housing have the option to identify, confidentially an individual to be contacted by NJCU in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, NJCU will notify that individual no later than 24 hours after the student has been determined to be missing.

A student who wishes to identify a confidential contact may do so through the NJCU Office of Residence Life. A resident student's confidential contact information will be accessible only by authorized campus officials and law enforcement agencies as appropriate.

Reporting Missing Persons

The New Jersey City University Department of Public Safety thoroughly investigates all persons including students reported missing whether they reside on or off campus. To report a missing person, contact the NJCU Department of Public Safety at (201)200-3128, call from any emergency phone or dial "55" from any campus phone. You may also report a person who is missing at the NJCU Department of Public Safety Headquarters located at 2039 Kennedy Boulevard, Rossey Hall, room 115 which is staffed 24 hours 7 days a week.

Student Rights and Responsibilities Code of Conduct

Preamble

The governance of New Jersey City University is entrusted to the trustees, administration, faculty and students. All amendments to these statements on Student Rights and Responsibilities shall be made by the Office of the Dean of Students and approved by the Division of Student Affairs.

Student Bill of Rights

- A.** Students shall not be denied access to University facilities because of race, sex, creed, color or national origin.
- B.** Students shall have the right to form and operate a Student Council to approve and legislate for student activities and budgetary concerns. The Student Council and all other organizations authorized or chartered by the Student Government Organization shall choose their own advisor where one is desired.

- C.** All students in good standing as defined by the Student Government Organization Constitution shall be eligible to vote in all student elections and on all student referendums conducted under its auspices and shall be eligible for all student officers within the guidelines established by the Student Government Organization.
- D.** Students shall be consulted in the planning of courses and recommendations for changes, within curriculum guidelines established by the University.
- E.** Students shall have representation on the University Senate and its standing committees as provided in the University Senate Constituent.
- F.** Students shall have the right to participate with faculty in the establishment of standards of conduct for students and faculty.
- G.** Students shall have a right to participate in the establishment of a Student/Faculty Committee for Grievances to allow for student charges concerning discriminatory practices, prejudiced evaluation, and institutional neglect to be adjudicated. Students shall have equal representation with the faculty on this committee.
- H.** Students shall not be denied without adherence to due process the opportunity to remain in the University.
- I.** Students and their property shall not be subject to search and seizure by University authorities, except by officials designated by the University President and only when the immediate safety of the University community is threatened.
- J.** Students shall have a right to expect that institutional records will be safeguarded; that no information will be made available to unauthorized persons; that no information will be misused by University authorities; that confidential data is kept separate from routine information, and information not pertinent to the student's role in the University not be recorded. Students shall be given the opportunity to review non-confidential contents of their respective files upon written request and shall have the right to reply to any derogatory material. These responses shall become part of their files. Students shall be notified of all requests for information by non-University authorities and such information shall not be released without their expressed consent. Procedures for destruction of inactive records will be established that will safeguard the confidence in which they should be held.
- K.** Students have a right to demonstrate dissent provided that all facets of the dissent are within the law and do not in any way impede the normal business of the University or restrict the rights of others.
- L.** Students shall have the right to invite and hear speakers of their choice. The right to assemble and hear these speakers shall be subject to restrictions stated above.
- M.** Students have the right to express ideas freely. This right shall be considered to have been violated, however, if such expressions are unsupported or contradicted by facts, adversely affect the reputation of any member of the university community, and/or or restrict his/her opportunities to engage in activities which are consistent with the normal business of the University. Such violations shall not be tolerated even when carried out under the guise of anonymity.
- N.** The University shall guarantee editorial freedom. As safeguards for the editorial freedom of student publications, the following provision is necessary.

1. The student press shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage.
2. Editors and managers of student publications shall be protected from arbitrary suspension and removal because of student, faculty, and administrative or public disapproval of editorial policy or content.
3. All student publications shall explicitly state that the opinions there expressed are not necessarily those of the University or the student body.
4. The editorial freedom of student editors and managers shall entail corollary responsibilities and offer reasonable opportunities for rejoined to the University community.

Prohibited Conduct

This list of behaviors is intended to represent acts that constitute violations of the New Jersey City University Student Code of Conduct and should not be regarded as all-inclusive.

- A. Misuse or unauthorized use of fire extinguishers, fire sprinkling systems, and other safety equipment or warning devices
 1. Setting fires, intentionally or recklessly misusing or damaging fire safety equipment, including, but is not limited to; alarms, heat sensors, smoke detectors, hoses, fire extinguishers, and emergency telephones
 2. Failure to exit any building when a fire alarm has sounded or a building is evacuated
- B. Possession, use, or storage of firearms, explosives, weapons, or dangerous chemicals on university property or in the course of any university activity; this includes, but is not limited to; “BB” guns, paintball guns, knives, swords, handguns, and rifles
- C. Use, possession or distribution of illegal or controlled drugs, misuse of prescription drugs, and abuse of alcohol
- D. Gambling
 1. Participation in illegal games of chance or raffles for which there are not appropriate permits; this includes:
 - a. Betting on, wagering on, or selling pools on any university athletic event
 - b. Possessing on one’s person or premises (e.g. room, residence unit, car) any card, book, or other device for registering bets
 - c. Knowingly permitting the use of one’s premises or one’s telephone or other electronic communications device for illegal gambling
 - d. Knowingly receiving or delivering a letter, package, or parcel related to illegal gambling
 - e. Offering, soliciting or accepting any bribe to influence the outcome of an athletic event
 - f. Bookmaking or wagering pools with respect to sporting events
 2. Students are expected to abide by the federal laws and the laws of the State of New Jersey that prohibit illegal gambling.
 3. According to the New Jersey Gambling Laws 5:5-51, re: Raffles: “no license shall be required for the holding, operating or conducting of a raffle for a door prize of donated merchandise of the value of less than \$50.00 for which no extra charge is made at an assemblage at which no other game of chance is held, operated or conducted . . .”
- E. Abusive and Disorderly Behavior
 1. Intentionally or recklessly causing physical harm and/or causing reasonable apprehension of such harm
 2. Intentionally and substantially interfering with the freedom of expression of others
 3. Intentionally or recklessly destroying or damaging the property of others and/or the University

4. Trespassing or unauthorized entry to any university premises, facility, property or at a University-sponsored event or activity
 5. Engaging in disorderly or disruptive conduct, which interferes with the activities of others
- F. Hazing** – Conduct (other than competitive athletic events) in connection with membership in any campus organization or group which places another person in danger of physical, sexual or mental harm, bodily injury or deprivation. The supposed consent of the endangered person is not a defense. Campus organizations and their members are prohibited from engaging in or encouraging others to engage in hazing.
- G. Disruptive Behavior** – Disruptive behavior on campus or in classrooms is not permitted. The primary responsibility for managing the teaching and learning environment rests with faculty or any other person acting in a supervisory capacity over the instructional forum. Faculty/staff have the right to ask a disruptive student to leave class or an office. All incidents are to be reported to Public Safety and to the Dean of Students in order to keep a record of such behavior and to inform students about their rights and responsibilities via New Jersey City University’s Student Code of Conduct.
1. This may include but is not limited to the use of cellular phones, bringing unregistered persons to class, smoking, persistently speaking without being called upon, refusing to be seated, disrupting the class by leaving and entering without authorization, etc.
 2. Depending upon the severity and frequency of the conduct, the University will impose sanctions as indicated in this code.
- H. Vandalism/Destruction of University property**
1. Misuse of materials, including, but not limited to, student identification cards, keys, computers or computer-related items, laboratory equipment, athletic equipment, or other materials issued by the university
 - a. Destruction, damage, defacing, or littering of any university building, property, or private property on the campus at university-sponsored events
 - b. Misuse and/or tampering with any electrical system, wiring, telephone service, or other safety/security devices
- I. Actual, attempted, or knowledge of the theft of property or services, including, but not limited to:**
1. Unauthorized possession, duplication, or misuse of or damage to University property or other personal or public property, records, electronic files, telecommunications systems, forms of identification, and keys
 2. Embezzlement of university funds
 3. Unauthorized reading, duplicating, removing, photographing, forging, counterfeiting, altering of any document, permit, or record
- J. Theft, misuse, or abuse of New Jersey City University computing facilities, websites, files, hardware, or software, including, but not limited to:**
1. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose
 2. Unauthorized transfer of a file
 3. Unauthorized use of another individual’s identification or password
 4. Use of computing facilities to interfere with the work of another person
 5. Use of computing facilities to send, deliver or publish obscene or threatening or false and defamatory electronic communications including e-mail and web postings.
 6. Exceeding bandwidth allotment set by Information Technology Services
 7. Use of computer facilities to harass or invade the privacy of a specific individual or groups
 8. Although the university will protect the freedom of speech guaranteed to students by the First Amendment to the U.S. Constitution in cyberspace, use of University computer facilities that goes

beyond the legally defined boundaries of free speech and threatens to disrupt substantially university operations or violates the civil and educational rights of others, will be sanctioned

K. Assault and Battery

1. The threat of or actual physical assault or abuse; hazing; stalking; verbal abuse, intimidation, coercion, and disrespectful behavior
2. The threat of or actual sexual assault and unwelcome sexual contact (Please see the Sexual and Gender-Based Misconduct Policy for more detailed information.)

L. Harassment/Intimidation/Bullying

Students are prohibited from engaging in harassment, intimidation or bullying. A student will be found responsible for harassment, intimidation or bullying if he or she engages in conduct, including any gesture, written, verbal or physical act, or any electronic communication (which includes e-mails, text messages, and Internet postings on web-sites or other social media), whether it be a single incident or series of incidents, that occurs on the university's campus, through use of university facilities, or at any function sponsored by the university or any university-related organization, on or off-campus; that is so severe or pervasive and objectively offensive that it substantially disrupts or interferes with the orderly operation of the university or the rights of any student or other member of the university community; and that a reasonable person should know, under the circumstances:

1. involves intimidation or threats to another person's safety, rights of personal privacy and property, academic pursuits, university employment, or participation in activities; or sponsored by the university or organizations or groups related to the university; or
2. will have the effect of insulting or demeaning any student or group of students; or
3. 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 university community, or by severely or pervasively causing physical or emotional harm to the student or other member of the university community; or
4. Physically or emotionally harming a student or other person or damaging the person's property or placing him/her in reasonable fear of physical or emotional harm to his/her person, or to any member of that person's family or household, or of damage to his/her property.

M. Discriminatory Harassment, Intimidation or Bullying

A student will be found responsible for discriminatory harassment, intimidation or bullying who engages in conduct described above as "harassment, intimidation or bullying" which the student directs at a specific group or individual, based upon race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression, source of lawful income 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 University's resources and opportunities. (Please see the Sexual and Gender-Based Misconduct Policy for more detailed information.)

N. Solicitation and commercialization by students shall be prohibited on campus unless authorized by the administrative staff within the Office of the Dean of Students or their authorized representatives.

O. Interference with disciplinary procedures or outcomes, including but not limited to:

1. Falsification, distortion or misrepresentation of information before a conduct officer or conduct board
2. Knowingly initiating a complaint without cause
3. Harassment and/or intimidation of any member of a conduct board, witness(es), or university personnel before, during or after a proceeding
4. Failure to comply with the sanction(s) imposed by either the Presiding Officer or the Conduct Board

Sanctions

Violations of any of the aforementioned behaviors shall be referred to the Office of the Dean of Students. Because of his/her findings, s/he may initiate any of the following actions. Please note: More than one of the sanctions listed may be imposed for any single violation.

1. Warning – Notice in writing that continuation or repetition of prohibited conduct may be the cause for additional disciplinary action.
2. Disciplinary Probation – This is a specified period of time during which the student will be excluded from participation in university privileged and/or extracurricular activities. During the probationary period, the student shall not represent the university in any extracurricular activity, run for, or hold office in any student group or organization. Additional restrictions and/or conditions may also be imposed. Notification will be sent to appropriate university offices, including the Office of Campus Life. Failure to comply with the conditions of probation and/or additional Student Code of Conduct violations may result in additional disciplinary sanctions.
3. Restitution – This constitutes reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service or an assessment to repair or otherwise compensate for damages. Restitution may not be in excess of the damage or loss incurred.
4. Suspension – This constitutes separation of the student from the University for a specified period. Exclusion from classes and other privileges and/or activities is instituted during the suspended period. The suspension shall continue until the Dean of Students determines that the conditions for reinstatement have been satisfied. A student who is suspended from the university is not eligible for the return of tuition, room, or board fees or other fees paid or owed to the university. The student shall not participate in any university-sponsored activity and will be barred from university premises.
5. Expulsion – A permanent dismissal from the university and exclusion from university premises, privileges, and activities. A student who is expelled from the university is not eligible for the return of tuition, room, or board fees or other fees paid or owed to the university. Expulsion requires administrative review and approval by the President.

Other Sanctions

In the judgment of university and as appropriate, other sanctions may be imposed, instead of, or in addition to, those specified.

1. Community Service – Service to the university community for a specified number of hours until the date of completion; failure to complete all or part of a service project in a satisfactory manner by the completion date may automatically result additional disciplinary sanctions being imposed.
2. Assessment, Counseling, Mediation and/or Treatment – Referrals to an appropriate agency for assessment, mediation, counseling, and/or treatment of possible psychological, emotional or substance abuse problems may be required.
3. Educational Projects – Projects assigned for the educational benefit of the student, the organization, and/or the university community. Examples include enrollment in particular classes, participation in workshops or seminars, conducting research, writing papers, planning programs, etc.
4. Repeat/Aggravated Violations – Increased penalties may result from repeated or aggravated violations of any section of the Student Code of Conduct.

***Group Infractions** - Every organization has the duty to prevent any infraction of university rules and state laws as they are related to its activities. This duty is applicable not only to members of the organization who are engaging in the activity, but also to every member, including those not engaging in the activity. When students violate policy, they should be aware that in addition to being adjudicated as individual offenses, there may also be sanctioning of the entire organization. In determining whether a group may be held collectively responsible for the individual actions of its members, all the factors and circumstances surrounding the specific incident will

be reviewed and evaluated. As a guiding principle, groups will be held responsible for the acts of their members when those acts grew out of, or were in any way related to, group life.

Judicial Appeals Board Hearing Procedure

A student charged with a serious offense by a member of the University community shall receive written notice of the charges. In lieu of a disciplinary hearing before the Dean of Students, the student may choose a hearing before a Judicial Appeals Board. The Board shall consist of an equal number of students and faculty/staff, and shall have a minimum of two (2) students and two (2) faculty/staff for each hearing. The Dean of Students will appoint the members of the Board and the hearing officer who will inform the parties of the date, time, and location of the hearing. The student charged and the Board will receive at least one (1) week notice prior to the hearing.

The hearing will be conducted as follows:

1. The hearing officer will introduce all parties.
2. The hearing officer will present the charges against the student.
3. Both the reporter and the respondent have the right to be assisted by an advisor of their choice. An advisor's sole purpose will be to advise the reporter or respondent during the hearing. (The advisor may not question witnesses or otherwise participate in the hearing).

Attorneys

(Reporters and respondents may also, at their own expense, seek the advice of an attorney in addition to that of a campus advisor. Attorneys are free to advise students, to assist in the preparation of their cases, and to attend hearings, but may not speak on behalf of their clients or question witnesses).

The hearing will be closed to members of the University and outside community except for those directly involved with the case.

The reporter, the respondent and the Board shall have the privilege of presenting witnesses, subject to the right of cross-examination by the Board.

At the Board's discretion, they may accept relevant records, documents and written statements as evidence for consideration.

Witnesses are to be brought in separately and will leave after their testimony is taken. The complaining party and the student charged may present concluding remarks.

A record of the hearing shall be maintained and all conversation of the Board is confidential.

Upon completion of the hearing, the Board shall determine by majority vote whether the student has engaged in prohibited activities.

All Board decisions are recommendations to the Dean of Students.

Sanctions or penalties may take into account the charged student's past disciplinary record. In the event the Board determines that a charged student should be suspended or dismissed from the University, the Board can only recommend such penalties. The penalties of suspension and dismissal must be reviewed and approved by the Dean of Students. It will be the responsibility of the Dean of Students to advise the complaining party and the charged student of the following within seven (7) days:

- a. Final decision in the case
- b. Sanctions, penalties and other stipulations or special requirements
- c. Right of appeal to the Vice President for Student Affairs

Final Appeal

Only cases that result in expulsion may be appealed to the President. In these cases the decision of the President is final and there is no further recourse at the University. The charged student will have five (5) business days from the date of the decision by the Vice President for Student Affairs to file an appeal with the President. All appeals must be in writing.

Procedure for Disciplinary Hearing by the Dean of Students

The hearing will be conducted as follows:

- The Dean of Students will introduce all parties.
- The Dean will present the charges against the student.
- The hearing will be closed to the members of the University and outside community except for those directly involved with the case.
- The reporter, the respondent and the Dean shall have the privilege of presenting witnesses.
- The Dean, at his or her discretion, may accept relevant records, documents and written statements as evidence for consideration.
- Witnesses are to be brought in separately and will leave after their testimony is taken.
- The complaining party and the student charged may present concluding remarks.
- A record of the hearing shall be maintained.
- Upon completion of the hearing, the Dean shall determine whether the student has engaged in prohibited activities.

University Resources Alcohol/Drug Policy and Regulations

As an institution of higher education whose primary purpose is the pursuit of academic excellence, New Jersey City University emphasizes development of the whole student, personally, socially and educationally. In doing so, the University has established policies and regulations regarding the consumption, distribution and/or possession of alcoholic beverages at University functions on and off campus.

It follows with the academic mission at the forefront; co-curricular activities must enhance and not detract from academic pursuits of the community.

This policy is based on the philosophy that community life at New Jersey City University must demonstrate a respect for others as well as uphold the laws of the State of New Jersey.

The following policy guidelines are established and are in effect at New Jersey City University.

All individuals of the Jersey City Community are expected to uphold all New Jersey State statutes relating to the sale, possession and consumption of alcoholic beverages. Only persons 21 years of age or older may possess and consume alcoholic beverages.

Only a State issued Driver's License or identification card along with a valid New Jersey City University ID will serve as proof of legal drinking age.

Drinking is prohibited in unapproved or unlicensed public areas of the campus, (for example, the courtyards, classrooms, laboratories, gymnasium, the galleries, parking lots, playing fields, etc.), except by special permit, which, designates special areas, and times approved for disbursement.

The possession, sale, consumption and distribution of alcoholic beverages in the residence halls are prohibited.

Beer and wine are lawfully considered alcoholic beverages. An individual or organization must obtain a license or special permit from the New Jersey State Division of Alcoholic Beverage Control to dispense alcoholic beverages are sold. The purchase of alcohol must remain separate from the ticket or admission price.

The sale of alcoholic beverages is restricted to the Gilligan Student Union Building and must be approved by the Dean of Students. The Student Union Board of Directors and Sponsors of approved functions must obtain a special permit and license from the New Jersey State Division of Alcoholic Beverage Control.

No programming event will be approved where consumption of alcohol is the primary or sole purpose of gathering. Functions sponsored by organizations or groups within the campus community must apply to the Dean of Students for a requisite permit to serve alcohol.

The Administration reserves the right to prohibit the serving and consumption of alcoholic beverages on campus whenever such activity is considered detrimental to the conduct of educational functions.

Intoxication and/or disorderly conduct resulting from the use and consumption of alcohol, whether in private or public areas of the campus, will be dealt with according to University policies/regulations and other municipal and/or state laws. Groups or organizations of the campus community, sponsoring a function where alcohol is served, will be held responsible to the Dean of Students for ensuring adequate security and maintenance of the events at all times.

The University Disciplinary Hearing Panel will hear charges against student's respondent of violating any part of this policy. This five person panel will consist of persons from the University faculty, administration and student body. The panel members will be named prior to the academic year and will be trained on issues related to Alcohol and Substance Abuse. The panel will forward its recommendations to the Dean of Students who may impose the appropriate sanctions (s) listed below:

First Offense

- Warning
- Recommendation for Counseling or treatment Program
- Recommended AA meetings
- Possible suspension or dismissal from school

Second Offense

- Possible suspension or dismissal from school
- Possible removal from the residence halls
- Completion of a Treatment Program

Note: Prior to readmission, the student must show proof of completion of a Treatment Program.

Third Offense

- Dismissal from school

It has been documented that using alcohol leads to problems with all systems of the body. Alcohol impairs judgment, which often leads to bodily injury to oneself and others. The toxic effects of alcohol can be passed on to and harm the fetus of pregnant women and nursing mothers. Help is available on an inpatient and outpatient basis throughout the area.

For a referral to an appropriate treatment facility, contact Counseling and Psychological Services at (201) 200-3165. This service is free to all students and communication with a counselor is kept confidential.

Regulations

Recognized student groups, administrative units and academic departments must complete an agreement governing alcoholic consumption in order to serve alcohol at campus functions where students will be present. The sponsors of these events accept the responsibility to see that minors are not served alcoholic beverages and that all participants comply with the regulations governing the use of alcohol.

Proof of age must be established for all persons served alcohol on the campus.

A member of the administration or faculty must be present at student functions where alcoholic beverages will be available.

The consumption and/or distribution of alcoholic beverages shall be appropriately controlled so that the judgment and mobility of users are not impaired.

Alcoholic beverages may not be served to persons who are intoxicated.

Non-alcoholic beverages and food must be available at all functions where alcoholic beverages are served.

Separate dispensing and consumption areas must be maintained at those functions where alcoholic beverages are served and minors are present.

The student activity fee may not be used to purchase alcoholic beverages for on-campus functions.

Security and maintenance requirements for activities scheduled for the Student Union will be determined by the Director of Student Support Services and Director of Public Safety.

Summary of State Laws

A summary of state laws is on file in the Dean of Students Office and Student Support Services.

Drug Policy

In accordance with federal, state and local laws, use of illegal or controlled drugs or other substances and misuse of prescription drugs are prohibited on the New Jersey City University campus.

Controlled substances include, but are not limited to, illegal drugs, prescription drugs, designer drugs and other chemicals, which alter the perceptions and motor abilities of an individual. Use of over-the-counter medications not in compliance with the directions accompanying the product is also prohibited.

A student who possesses and/or distributes narcotics, dangerous drugs or controlled substances will be subject to disciplinary action by the Dean of Students. Such action may include probation, suspension or expulsion.

Resident students charged with possession of drugs with intent to distribute or with selling drugs will have their housing privileges temporarily suspended pending the results of the campus judicial process. Students found

guilty of selling drugs will be immediately and permanently evicted from campus housing and be subject to disciplinary action, which may include suspension or expulsion.

The University, through an awareness program, will educate students about the dangers of drug abuse, enable administrators and faculty to identify students who may be in need of assistance and refer such individuals for evaluation and treatment.

The University provides alcohol and drug education programs including individual counseling and referral as appropriate through the Counseling and Psychological Services Center, GSUB Room 308, 201-200-3165.

Campus Sexual Assault Policy

New Jersey City University is an academic community whose existence depends on respect, trust, high regard for each student, and strict adherence to standards of conduct set by its members. Sexual assault, in any form, is a serious violation of these standards and will not be tolerated. The University encourages all members of the university community to be aware of both the consequences of sexual assault as governed by the provisions of the Code of Conduct, and the options available to the reporter. Reporters are urged to seek assistance using any of the campus and community resources provided below or at the Speicher Rubin Women's Center web site.

All incidents will be taken seriously regardless of gender or sexual orientation.

Sexual assault is defined as sexual conduct without consent and includes:

- Sexual contact – intentional touching, either of the victim or when the victim is forced to touch, directly or through clothing, another person's genitals, breasts, thighs, or buttocks
- Sexual penetration – vaginal intercourse, cunnilingus, fellatio, or anal intercourse whether by an acquaintance or a stranger without consent
- Attempted rape
- Sodomy – oral sex or anal intercourse; and
- Sexual penetration with insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor's instruction; the depth of insertion is not relevant

Consent is a mutual and understandable exchange of affirmative words or actions which indicate permission to engage in mutually agreed upon sexual activity. Consent must be informed, voluntary, and actively given.

Consent is free of force – including physical violence, threats, intimidation and coercion. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual engagement. The absence of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past sexual activity does not imply ongoing future consent.

An individual is incapacitated when s/he cannot make rational or reasonable decisions. S/he lacks an understanding of the, *who, what, when, where, why* and *how* of their sexual actions. A person is also unable to give consent if they are physically helpless, asleep or mentally incompetent.

“Acquaintance rape” and “date rape” are terms used to describe a rape in which the victim knows the rapist.

They may have dated previously, had a class together, met at a party or be relatives or friends. Regardless of any prior relationship that may have existed, if one person forces another to submit to sexual contact, the act is still a form of sexual assault and a violation of the Code of Conduct.

Confidentiality

Anyone wishing to report a rape or sexual assault of any kind (including a past rape or abuse) can be assured that confidentiality will be maintained to the extent possible. Reporting a rape or assault does not mean formal disciplinary or court action has been initiated. A permanent record of the receipt of complaint will remain in the Department of Public Safety, with an indication of the disposition of the complaint, and shall remain

confidential, subject to court subpoena. The record of any complaint that is upheld shall be made part of the personnel file of the respondent for employees or the Dean of Students' disciplinary records for students. All formal hearing proceedings and all evidence introduced in connection therewith shall be on the record and must be confidential, subject to court subpoena, pending the outcome of any disciplinary proceedings against the respondent.

New Jersey City University Title IX Reporting Information

New Jersey City University (NJCU) is a higher education place of work, teaching, and learning for the benefit of students and the overall campus community. NJCU is committed to providing a campus environment free from discrimination based on sex. Compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681 et seq. ("Title IX") is an important part of this commitment.

Title IX is a federal civil rights law and provides that,

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Under Title IX, discrimination on the basis of sex includes sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, or sexual coercion.

Reporting Possible Title IX Violations

A university has a responsibility to respond promptly and effectively to address sexual harassment or sexual violence complaints under Title IX. In order to address questions related to Title IX compliance or to facilitate the reporting of violations under Title IX, the following persons have been designated Deputy Title IX Coordinators to whom such inquiries or complaints should be made.

Deputy Title IX Coordinators

Dr. Lyn Hamlin
Dean of Students
GSUB, Room 127
lhamlin@njcu.edu
201-200-3525

Dr. Anne Mabry
Associate Dean
William J. Maxwell College of Arts and Sciences
Karnoutsos Hall, Room 605
amabry@njcu.edu
(201)200-3001

Mr. Robert Piaskowsky
Director of Human Resources
Hepburn Hall, Room 105
rpiaskowsky@njcu.edu
(201)200-2067

Ms. Alice De Fazio
Director of Athletics
John J. Moore Athletic & Fitness Center, Room 215
adefazio@njcu.edu
201-200-3317

University-wide Title IX coordination of Title IX is provided by Ms. Lisa Norcia, Director of EEO/AA/Diversity, who is the designated Title IX Coordinator for NJCU. She may be contacted at 2039 Kennedy Boulevard, Hepburn Hall, Room 306B, Jersey City, NJ 07305, lnorcia@njcu.edu, (201)200-3075.

In addition to making an inquiry or complaint to one of the Deputy Title IX Coordinators persons who believe they have been subjected to conduct in violation of Title IX should take note of the availability of the following resources for reporting or support and are encouraged to avail themselves of any that they determine to be appropriate for their individual circumstances.

University Resources:

The Office of the Dean of Students – 201-200-3525; Gilligan Student Union, Room 127

The Health and Wellness Center – 201-200-3456; Vodra Hall, Suite 107

The Counseling Center – 201-200-3165; Gilligan Student Union, Room 308

Speicher-Rubin Women's Center for Equity and Diversity – 201-200-3165; Gilligan Student Union, Room 318,

Office of Equal Employment Opportunity/Affirmative Action/Diversity – 201-200-3075; Hepburn Hall, Room 306

Department of Public Safety – 201-200-3128 or DIAL 55 Emergency; Rossey Hall Room 115 – Available 24 hours a day, 7 days a week.

Off Campus Resources:

Hudson SPEAKS Against Sexual Violence (Designated rape crisis center for Hudson County)

Assists survivors of sexual assault in Hudson County; provides free and confidential services to survivors of sexual assault; 24-hour crisis hotline; 24-hour escorts to hospitals, courts, and law enforcement agencies; and individual and group counseling for survivors and their significant others. **Christ Hospital, 179 Palisade Ave., Jersey City, NJ; 24-hour hotline, 201-795-5757**

The Jersey City Police Department and Hudson County Prosecutor's Office Sexual Assault Response Team (SART), receive reports of incidents, investigates and makes decisions regarding arrest and prosecution; **911 Emergency**

Horizon Health Center

Provides counseling and confidential STI, AIDS, and pregnancy testing.
710 Bergen Avenue, Jersey City, NJ; 201-451-6300

Liberty Health Behavioral Health Services

Formerly Jersey City Medical Center Available 24 hours including Sundays and holidays
355 Grand Street, Jersey City, NJ 07302; 201-915-2455

S.A.V.A. (Sexual Assault Victim Assistance)

Division of the Hudson County Prosecutor's Office
Call for reporting incidents in Jersey City
Available 24 hours including Sundays and holidays
201-915-1234

TITLE IX Compliance

As an academic community, we share responsibility to foster and maintain a safe campus community free from discrimination on the basis of sex. With regard to reports of incidents of sexual violence and other conduct in violation of Title IX, all employees (with the exception of Counseling Center, Health & Wellness Center, and the Speicher-Rubin Women's Center) are required to report any such incidents which come to their attention to anyone of the following persons: Dr. Lyn Hamlin, Dr. Anne Mabry, Mr. Robert Piaskowsky, Ms. Alice De Fazio or Ms. Lisa Norcia.

Complaints involving Title IX violations may be filed directly with the United States Department of Education, Office for Civil Rights (OCR), Lyndon Baines Johnson Department of Education Bldg., 400 Maryland Avenue, SW, Washington, DC 20202-1100. Tel. 800-421-3481; Fax: 202-453-6012, TDD 1-800-877-8339, Email: OCR@ed.gov.

Guidelines for the Reporter to Follow

- A.** Get to a safe place as soon as you can.
- B.** Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing, if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper bag, do not use a plastic bag.
- C.** Get medical attention as soon as possible. A medical examination will provide any necessary treatment and collect important evidence. Injuries may not be immediately apparent: you can ask to be tested for sexually transmitted diseases, and at a later time, you may want to be tested for pregnancy and/or HIV. You are not alone.

Education and Prevention

Campus programs and training will be planned throughout the year to educate the community on how they can work toward the prevention of sexual assault as well as intimate partner violence and stalking. The offerings will include:

- New Student Orientation
- Opportunity Scholarship Program Orientation
- Improvisational theatre presentations and discussions
- Workshops on gender issues.
- Presentations to athletes, sororities, fraternities, OSP students, clubs, and resident students
- Events sponsored through the Speicher-Rubin Women's Center for Equity and Diversity, Women & Gender Studies Department, Affirmative Action and Campus Life.
- A commitment by NJCU to make every effort to promote awareness among faculty, staff and students on these various issues, address its effects, and provide victim resources and services.



University Disciplinary Action

Any member of the NJCU campus community who commits crimes of sexual assault can be subject to severe sanctions which may include warning notice, probation, suspension or expulsion. They can also face action through the criminal justice system. Sanctions for employees may include oral reprimand, written reprimand, probation, suspension (with or without pay), or dismissal. Sanctions for students may include a warning notice, probation, suspension or expulsion. Recommendations for sanctions for students will be made to the Dean of Students.

Campus Sexual Assault Procedures

Sexual violence is a serious violation of the New Jersey City University campus Code of Conduct. New Jersey City University has an obligation to provide for prompt and equitable resolution of sexual violence complaints. In addition, the University strives to protect the whole campus population from any individual who has potentially engaged in a sexual assault and poses a continuing threat to others.

The university will provide due process to all parties who may be adversely affected by the outcome of such proceedings. A campus hearing is an administrative hearing, presided over by the Sexual Assault Hearing Committee, not a criminal one; therefore, it need not use criminal court procedures as a model. Mediation will not be used to resolve sexual assault complaints. To meet a standard of fairness, a hearing will include the following components:

A. NOTICE:

The respondent individual(s) will receive notice of an alleged violation of the Code of Conduct.

B. OPPORTUNITY TO BE HEARD:

The respondent will be given the opportunity to hear the evidence against him or her and to present his or her side of the story. The reporter and the respondent may bring one support person to the hearing on prior notice. Support persons, however, may only advise the reporter and respondent, they may not participate in the hearing. Hearings will be closed to the public.

C. DECISION ON RECORD:

A decision must be made only on the basis of what is presented in the hearing. A disciplinary proceeding can be handled by the University or by the individual formalizing the complaint. The University can bring the charges and the individual would be the complaining witness. An alternative would be for the victim to bring the charges, with the University facilitating the hearing. Sexual assault can greatly affect the social and academic environment of a university, even if it occurs outside the physical boundaries of the campus. If a member of the University community is convicted of an off-campus sexual assault violation, that individual will be subject to disciplinary action. An individual has the right to remain silent. Silence is not an indication of guilt or innocence. If a criminal case has been filed, the institution is still obligated to proceed with its case, advising the individual that he or she can remain silent. If further action is requested, the Hudson County Prosecutor's Office will be contacted.

The Rights of the Reporter and the Respondent

To encourage the reporting of sexual assault and to ensure fairness to all participants in the campus process, the following are the rights for persons involved in a campus sexual assault proceeding.

The Rights of the Reporter/Respondent (as per the NJCU Student Code of Conduct)

1. The right to written and oral explanation of the charges.

2. The right to present his or her side of the story.
3. The right to a written statement explaining the Conduct Board process.
4. The right to file a no-contact order to prohibit harassment of the Respondent by the Reporter, friends, or supporters.
5. The right to challenge the Conduct Board on conflicts of interest (e.g., if the Reporter is a member of a particular student organization, the Respondent may challenge the presence of an advisor from that student organization).
6. The right to know ahead of time the names of the witnesses to be called to the hearing.
7. The right to have needs promptly addressed.
8. The right to have a support person accompany him/her through the hearing. All participants will be bound by the rules of confidentiality governing the hearing. Subject to court subpoena, all participants have the right not to have their identity revealed outside the confidential proceedings, without consent.
9. The right to a fair and impartial hearing.
10. The right not to have past sexual history discussed during the hearing.
11. The right to a closed hearing.
12. The right to remain present for the entire proceeding.
13. The right to have access to any information that will be used at the hearing.
14. The right to a hearing without unnecessary delays.
15. The right to be informed within five (5) university business days of the Conduct Board's findings and of the outcome of the hearing.
16. The right to appeal the decision of the Conduct Board in writing within five (5) university business days of notification.
17. The right to know the status of the case at any point during the investigatory process.
18. The right to remain silent.
19. The right to testify on his/her behalf.

Sexual Assault Hearing Panel

The Sexual Assault Hearing Panel will be composed of members of the Student Assistant Team (SAT), three of whom will hear each complaint. The panel is trained to, and charged with the responsibility of, listening to the allegations and any responses, making a decision as to the validity of the charge, and making a recommended decision and sanction.

Selection Process

The pool from which the members will be selected shall consist of staff and faculty selected by the Dean of Students. The Dean of Students, or her designated appointee, shall also select the three members for each hearing as well as the hearing chair. All members of the SAT will be required to undergo special training prior

to serving in order to create a good understanding of sexual assault/harassment, campus investigation procedures, and counseling of victims.

Sex Offender Registry

New Jersey law authorizes the Division of State Police to make available to the public over the Internet information about certain sex offenders required to register under Megan's Law. The sex offender registry law can be found in the New Jersey State Code Title 2c:7-12 to 19.

This information is being made available on the Internet to facilitate public access to information about persons who have committed a sex offense, to enable you to take appropriate precautions to protect yourself and those in your care from possible harm.

Public access to registry information is intended solely for the protection of the public, and should never be used to threaten, intimidate or harass another. To read the disclaimer and access the New Jersey State Police site, go to: http://www.state.nj.us/njsp/info/reg_sexoffend.html

Crime Prevention

Crime Prevention and Residential Safeguards

It is well recognized that the prevention of crime provides the best measure of protection. Therefore, The Department of Public Safety operates a proactive crime prevention unit that works closely with the members of the University Community to provide a safe place to work, live and learn.

The Department of Public Safety provides and/or collaborates in presentation on topics such as personal safety, vehicle and residential security, office and equipment security and sexual assault prevention. Brochures and literature on crime prevention and personal safety are available through the department's investigations/crime prevention office.

Weapons Violations Policy

Policy

The possession, carrying or use of any weapon ammunition, fireworks or explosive by any person is prohibited on University property except by authorized law officers and others specifically authorized by the University (N.J.S.2C:39-5e).

Definition

1. A weapon is any instrument or implement which is capable of inflicting serious bodily injury, and shall include but not be limited to:
 - Any rifle, shotgun, machine gun, or other firearm, or antique firearm suitable for use; any air gun, spring gun, B-B gun or implement that is not a firearm which propels a pellet of any kind with a force that can reasonably be expected to cause bodily harm; any starter pistol, flare gun, zip gun, spear gun, dart gun, sling shot; or ammunition of any type for weapons governed by these regulations.
 - Any knife with a blade larger than that of a folding pocket knife; dagger; razor or other cutting instrument, the blade of which is exposed in an automatic way by switch, push button, spring mechanism, or otherwise.

- Any striking instrument, including clubs, truncheons, blackjacks, sandbags, metal knuckles, or sap gloves.
 - Any martial arts weapon, including nun chakus, tonfas, kamas and throwing stars.
 - Any bow and arrow combination.
 - Any incendiary device, including flammable liquids enclosed in readily breakable containers that can be equipped with an igniter of any type.
 - Any explosive device, including hand grenades, bombs, black powder, smokeless powder, percussion caps, friction primers and pyrotechnic fuses.
2. Fireworks are defined as any combustible or explosive composition or any substance or combination of substances or any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation and shall include:
- Any blank cartridge or toy cannon in which explosives are used.
 - The type of balloons, which require fire underneath to propel them.
 - Firecrackers, torpedoes, skyrockets, roman candles, aerials or other fireworks of like construction.
 - Any firework containing any explosive or flammable compound or any tablet or other device containing any explosive device.

Severe disciplinary action up to and including termination will be taken against any employee or student discovered in possession of an unauthorized firearm or similar weapon, or ammunition on University property. The Director of Public Safety or his designee shall be responsible for the prior review and approval of any requests for authorization.



Emergency Resource Numbers



NJCU Campus Operator	(201) 200-2000
Department of Public Safety	(201) 200-3128/3127
Health & Wellness Center	(201) 200-3456
Jersey City Police Department	(201) 547-5477
Jersey City Fire Department	(201) 547-4240
NJCU Counseling Center	(201) 200-3165
Liberty Health Systems, Inc. Formerly Jersey City Medical Center	(201) 915-2000
Bayonne Medical Center	(201) 858-5000
Christ Hospital	(201) 795-8200
Towing Service	(201) 656-3321
Lock Out Service	(201) 348-8613
Taxi Cabs	(201) 451-1332, (201) 209-9300, (201) 985-1888

Crime Definitions - Uniform Crime Reporting Handbook

Arson

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

Manslaughter by Negligence

The killing of another person through gross negligence.

Murder and Non negligent Manslaughter

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

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 on inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by person not having lawful access even though the vehicles are later abandoned including joyriding).

Weapon Law Violations

The violation of laws or ordinances regulatory in nature, such as: manufacture, sale, transportation, concealment or possession of fire arms, cutting instruments, explosives, incendiary devices or deadly weapons; carrying deadly weapons, concealed or openly.

Drug Abuse Violations

The violation of state and local laws prohibiting the production, distribution and /or use of certain controlled substances and equipment or devices utilized in their preparation and /or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of a controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Disciplinary Referrals

Individuals referred to the office of the dean of Students for liquor law, drug law and illegal weapons violations. The data includes incidents that are reported via DPS incident reports and reports provided directly to the Deans of Students.

Liquor Law Violations

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; (Drunkenness and driving under the influence are not included in this definition).

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. These offenses also include dating/domestic violence and stalking.

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 reporting person.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification without consent of the reporting person, including instances where the reporting person is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Domestic Violence

A felony or misdemeanor crimes of violence committed; (1) by a current or former spouse of the reporting person; (2) by a person with whom the reporting person shares a child in common; (3) by a person who is cohabitating with or has cohabitated with the reporting person as a spouse or intimate partner; (4) by a person similarly situated to a spouse of the reporting person under violence laws of the jurisdiction receiving grant monies, or (5) 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

An act of violence including without limitation sexual or physical abuse or the threat of such abuse but excludes acts covered under the definition of domestic violence.

Stalking

Engaging in a course of conduct directed at a specific person, including without limitation by means of following, monitoring, observing, surveilling, threatening or communicating to or about a person or interfering with a person's property, that would cause a reasonable person to fear for the safety of others or suffer significant mental suffering or anguish that may require medical or other professional treatment or counseling.

Sex Offenses-Non forcible

Unlawful, non- forcible sexual intercourse.

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.

Unfounded

Crimes reported to campus authorities but are omitted from the crime statistics because they were later determined through investigation by sworn or commissioned law enforcement personnel to have been false or baseless when made.

Offense Definitions for Hate/Bias related crime statistics as per the UCR Hate Crime Reporting Guidelines

Hate Crime Data contains information about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, and mental or physical disabilities. The FBI began to collect these data under the Hate Crime Statistics Act of 1990.

Information contained in the data includes a number of victims and offenders involved in each hate crime incident, type of victims, bias motivation, offense type, and location type.

Simple Assault

An unlawful physical attack by one person upon another where the offender does not display a weapon, and the victim does not suffer severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except “Arson”)

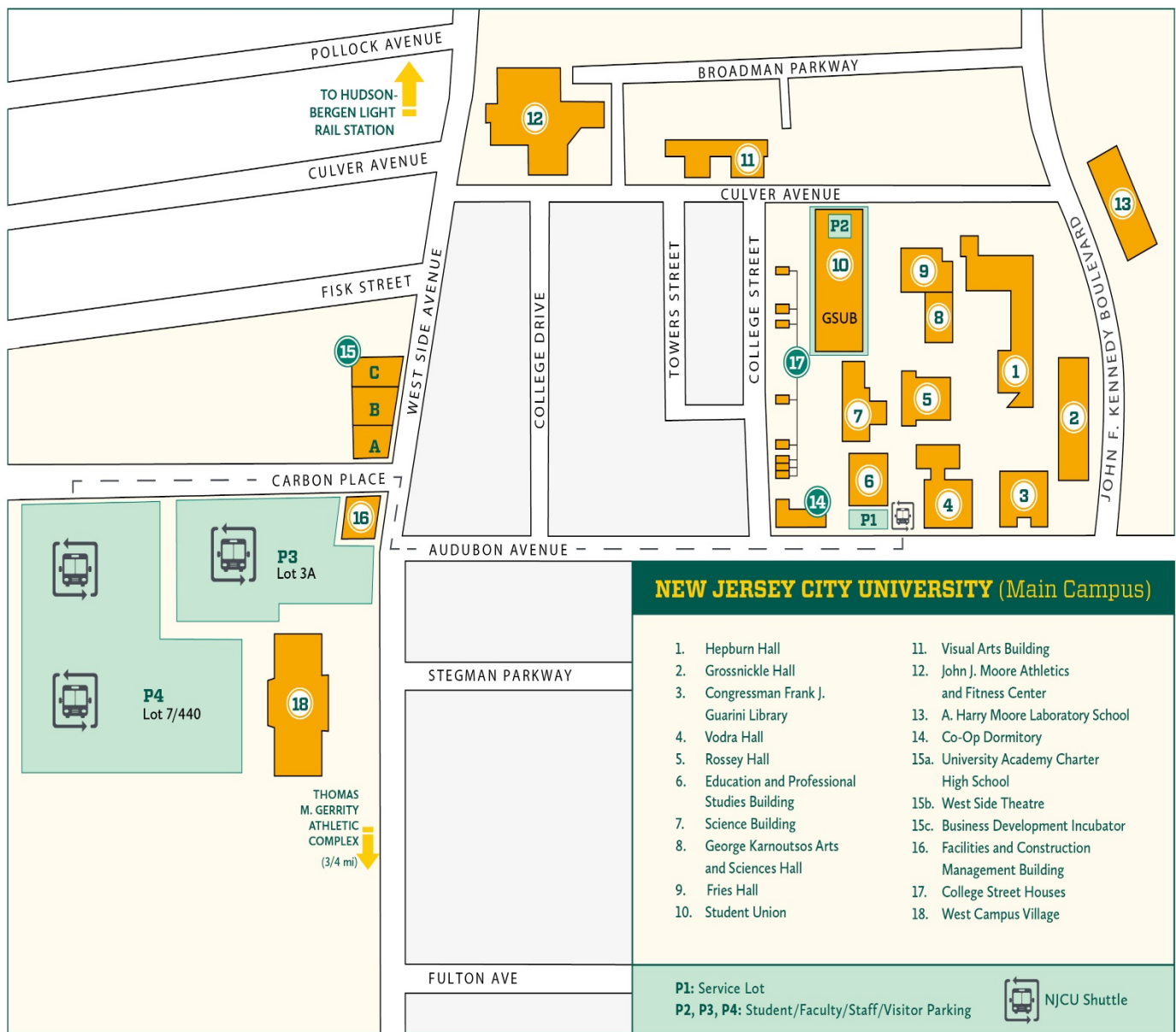
To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Larceny/Theft Offenses

The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession of another. Attempted larcenies are included; embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

Drug/Narcotic Offenses (Except “Driving Under the Influence”) The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

Campus Map



Crime Statistics

	NJCU Campus	On Campus Residential	Brookdale Campus	Harborside Campus	Middlesex Campus	Public Property	Grand Total
Criminal Homicide							
Murder/Non-Negligent Manslaughter							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Negligent Manslaughter							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Sex Offenses - Forcible							
Rape							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	1	0	0	0	0	1
Fondling							
2014	2	0	0	0	0	0	2
2015	0	0	0	0	0	0	0
2016	1	0	0	0	0	0	1
Domestic Violence							
2014	0	0	0	0	0	1	1
2015	0	0	0	0	0	1	1
2016	2	1	0	0	0	0	3
Dating Violence							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Stalking							
2014	0	0	0	0	0	0	0
2015	1	0	0	1	0	0	2
2016	1	0	0	0	0	0	1
Sex Offenses - Non-Forcible							
Incest							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Statutory Rape							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Robbery							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	2	3
2016	0	0	0	0	0	1	1

Crime Statistics (cont.)

	NJCU Campus	On Campus Residential	Brookdale Campus	Harborside Campus	Middlesex Campus	Public Property	Grand Total
Aggravated Assault							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	2	3
2016	0	0	0	0	0	1	1
Burglary							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	0	1
2016	0	0	0	0	0	1	1
Arson							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Motor Vehicle Theft							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	1	1
Liquor Law Violations							
Arrest							
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
Referral							
2014	0	1	0	0	0	0	1
2015	0	10	0	0	0	0	10
2016	0	5	0	0	0	0	5
Drug Law							
Arrest							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	0	1
2016	0	0	0	0	3	1	4
Referral							
2014	0	2	0	0	0	0	2
2015	1	4	0	0	0	0	5
2016	1	3	0	0	0	0	4
Weapons Law Violations							
Arrest							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	0	1
2016	1	0	0	0	0	0	1
Referral							
2014	0	0	0	0	0	0	0
2015	1	0	0	0	0	0	1
2016	0	0	0	0	0	0	0
Unfounded							
2016	0	0	0	0	0	0	0

Hate Crimes

New Jersey City University strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the NJCU community. The Hate Crime statistics are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of simple assault, intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories.

If a Hate Crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, gender, religion, ethnicity, or disability, the assault is then also classified as a hate/ bias crime.

Hate Crimes Statistics

Hate Crime Statistics Reported by the NJCU Department of Public Safety are reported in accordance with Uniform Crime Reporting Procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

There were no reported hate crimes for the years 2014, 2015 or 2016.