



# Annual Security and Fire Safety Report

IN COMPLIANCE WITH THE JEANNE CLERY ACT

## Monmouth University

Monmouth University is a private, coeducational university committed to providing a learning environment that enables men and women to pursue their educational goals and realize their full potential to make significant contributions to their community and society. Small classes, which allow for individual attention and student–faculty dialogue, together with careful academic advising and career counseling, are hallmarks of a Monmouth education.

Founded in 1933, Monmouth earned university designation from the State of New Jersey in March 1995. The 168-acre, park-like campus includes two nationally recognized historic buildings, one of which is a landmark.

In the 2017-2018 academic year, Monmouth University enrolled approximately 6,300 undergraduate and graduate students in seven schools that offer bachelor's, master's, and doctoral degree programs in the humanities, social sciences, science, education, business, social work, nursing, and health studies.

Approximately 1,800 undergraduate students reside in 11 residence halls, three apartment complexes on-campus, and two apartment complexes off-campus. Approximately 200 students are housed in off-campus university-owned and -sponsored apartments. Our suburban campus is located less than a mile from the Atlantic Ocean.

Student athletes compete in 23 Division I NCAA-sponsored sports.

If you have questions regarding the content of this publication, please contact the police department at **732-571-4444**.

The safety and security of the campus community is the primary responsibility of the University Police Department. We have 19 state-commissioned police officers. The University Police Department also employs safety officers, dispatchers, and various other personnel, all dedicated to providing quality service to all members of the University community.

The University's Institute for Health and Wellness and the Physician Assistant, Speech-Language Pathology, Clinical Mental Health Counseling and Addiction Studies graduate programs are located at the University's off-site campus located at the Monmouth University Graduate Center at Monmouth Park Corporate Center, 185 State Highway 36 in West Long Branch. In maintaining the University's commitment to safety, a MUPD Safety Officer is assigned to the site from 8 a.m. until closing Monday-Friday. An emergency phone is in the parking lot as well. The emergency phone in the parking lot allows immediate access to the West Long Branch Police Department.

## Police Authority

University police officers are commissioned under the State of New Jersey Title 18A:6-4.2 and, in accordance with state laws, have “all powers of police and constables in criminal cases and offenses against the laws” as well as the authority to enforce New Jersey motor vehicle laws, local ordinances, and University rules and regulations. University police are also armed. They are fully trained at state-approved police academies and receive the same training as do municipal police officers.

University police officers consist of many university-career and retired municipal and state police officers with more than 300 years of combined college and municipal police service. Police agencies currently represented include Rutgers, Hightstown, Middlesex County College, Newark, Paterson, the Township of Ocean, South Amboy, Allenhurst, Maplewood, Jersey City, Woodbridge, and the New Jersey State Police.

Police officers respond to all on-campus calls, and investigate and document all incidents. Additionally, the police departments of West Long Branch, the Township of Ocean, and Long Branch have full police authority on areas of the campus, since parts of the University campus fall within their respective jurisdictions. Those departments respond to matters on campus only upon request. In addition, the Monmouth University Police Department maintains an excellent working relationship with the Monmouth County Prosecutor’s Office, N.J. Office of Homeland Security and Preparedness, the Sheriff’s Department, the New Jersey State Police, and the FBI, all of which offer investigative assistance when requested and will provide a regional advisor for legal aid.

### LAW ENFORCEMENT RELATIONSHIPS

It is the University’s policy to work cooperatively with all state and federal law enforcement agencies as well as local police agencies and emergency management organizations. The University is mandated to notify the Monmouth County Prosecutor’s Office when a serious crime or death occurs on campus. The county either assumes responsibility or delegates its authority to the University Police Department to investigate criminal matters and determine what action should be taken. The University maintains a close working relationship with county investigators and legal counsel.

The University has a written Memorandum of Agreement with the County Monmouth/Ocean County Emergency Response Team (MOCERT). In addition, the University has reciprocal mutual aid agreements with the surrounding local police agencies.

The University Police Chief is a member of the Monmouth County and State Police Chiefs’ Associations and maintains a professional working relationship with them.

Local police agencies monitor and record criminal activity engaged in by students at off-campus locations and provide this information to the Monmouth University Police Department. The information is then forwarded to the Vice President for Student Life and Leadership Engagement for possible University sanctions. When deemed necessary, the Monmouth University Police Department in conjunction with the Long Branch Police Department jointly patrol areas in which students live and frequent off campus.

All individuals, whether they are members of the University community or visitors, are subject to all federal, state, and local laws while on campus and, therefore, may be subject to criminal charges when applicable, even for first offenses.

## Police Response

The University Police Department provides vehicle and foot patrols on campus 24 hours a day, seven days a week, 365 days a year. Faculty, administrators, staff, and students are encouraged to immediately report all crimes, suspicious activities and/or behavior, and emergencies to the University Police at **732-571-4444** or by dialing **911** in an emergency. Routine business calls or calls for non-emergency assistance should be directed to **732-571-4444**. Students residing at Pier Village or University Bluffs are reminded to contact the Long Branch Police Department if they need assistance at **732-222-1000**, or **911** in an emergency.

There are 103 emergency telephones on campus. These telephones can be identified by either a blue light and/or “Emergency” labels and provide direct contact to the University Police at all times. Also, regular telephones in all buildings have labels affixed to them that include the University Police Department telephone number.

The University Police Department reports directly to the Vice President for Administrative Services and maintains close and direct contact with the Vice President for Student Life and Leadership Engagement and the Assistant Vice President for Student Life, providing a daily exchange of information that is within the context of federal and state privacy laws.

## REPORTING CRIMINAL ACTIVITY

Monmouth University encourages all members of the University community to report any criminal activity or suspicion of criminal activity to the University Police Department as soon as possible. If requested, the identity of the complainant will be kept confidential whenever possible.

Suspicious or criminal activity can be reported to the University Police Department at **732-571-4444**. Emergency phones located throughout the campus can also be used to report suspicious activity or to summon emergency help.

## UNIVERSITY REGULATIONS

In addition to local municipal judicial proceedings, the University has established rules and regulations (see the *Student Handbook* or the *Employee Handbook*). It is the policy of the University Police to fully inform complainants of all options available to them through the University, as well as municipal, county, state, or federal entities, for dealing with offenses committed against them.

## DISSEMINATION OF EMERGENCY INFORMATION

### Monmouth University Emergency Notification System

Students, faculty, and staff are required to register for the Monmouth University Emergency Notification System. To do so, log onto the website at **notify.monmouth.edu** and register today.

This service allows the University the ability to send alerts via phone and text to all subscribers regarding emergency situations, school closings, and other emergencies. All members of the campus community are **required** to enroll. It is the primary emergency notification system of the University. Registration is free, but there may be text message fees depending on your individual service plan.

## EMERGENCY COMMUNICATIONS

In the event of an emergency that constitutes an immediate ongoing or continuing threat to the community and individuals, the University Police will send a message through the emergency notification system advising of the situation and what actions should be taken. If upon receiving a message, more information is needed, people are advised to call the Emergency Information telephone line at **732-263-5900**.

The Alertus function of the emergency notification system will display the emergency notification on all University computer screens.

An additional function of the Alertus system allows all University owned, hard wired computers (no laptops) to be used as a panic alarm. The alarm can be activated by clicking on the “red button” icon on the lower right hand portion of your computer screen and following the prompts. Please remember that that this function must only be used when, due to the nature of the emergency, you are unable to contact the police by telephone. Also, the University will conduct tests on the Alertus panic alarm system. Never “self-test” the Alertus panic alarm function as an unnecessary emergency response will be activated.

Depending on the particular circumstances of a crime or threat, the University police may also make timely reports using any of the following: electronic signage, Hawk Safety Alert bulletins, email messages, voice mail, the University student newspaper (*The Outlook*), the University radio station (WMCX), and the University website.

Hawk Safety Alerts are also available on the University website at **monmouth.edu/alerts**. In compliance with federal law, the Monmouth University Police Department maintains a crime log that provides a list of all crimes that occur on campus that have been reported to the University police. The crime log is updated Monday through Friday. Interested individuals may review the crime log at police headquarters 24 hours a day, seven days a week.

## Timely Warning Policy (Hawk Safety Alert)

In compliance with the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act (Clery Act), Monmouth University shall issue timely warnings (Hawk Safety Alerts) to notify members of the University community about certain crimes/incidents as defined in the Clery Act and as set forth in Monmouth University's Campus Crime Statistics (Clery Act) Policy, as well as non-Clery Act crimes/incidents. Hawk Safety Alerts shall be issued in a manner that is timely and will aid in the prevention of similar crimes/incidents when such crimes/incidents occur on the Monmouth University campus or in close proximity to the campus, and when the crime represents a serious or continuing threat to students, employees, and members of the University community.

### I. TIMELY MANNER

A Hawk Safety Alert shall be issued in a timely manner in order to enable the campus community to protect themselves and shall be issued, on a case-by-case basis, as soon as the pertinent information is available, in light of all facts surrounding the crime/incident.

### II. CRITERIA

In compliance with the Clery Act, the following criteria will be evaluated to determine if a Hawk Safety Alert shall be issued:

#### A. Nature of the Crime/Incident

Hawk Safety Alerts may be issued for certain crimes/incidents as defined in the Clery Act and as set forth in Monmouth University's Reporting Crimes for Annual Security Report (Clery Act) Policy. Timely warnings may be issued for threats to persons or threats to property.

#### B. Geographic Location

Timely warnings may be issued for any Clery Act crime which occurs: (1) on campus, (2) on public property within or immediately adjacent to the campus (or in an area frequented by University students),

and (3) in or on non-campus buildings or property that Monmouth University owns or controls and such crimes have been reported to the Monmouth University Police or a Campus Security Authority.

### C. Continued Threat or Danger to the Campus Community

The University shall consider whether or not the crime/incident represents a serious or ongoing threat to the University community. Such situations shall be evaluated on a case-by-case basis taking into account: the need to alert the campus community in order to enable people to protect themselves; the need to aid in the prevention of similar crimes/incidents; the continuing danger to the University community; and the risk of compromising law enforcement efforts to resolve the case in a timely manner. The possible risk of compromising law enforcement efforts to resolve the case in a timely manner may also be considered; however, in the event of a serious or continuing threat to students or employees, a timely warning shall be issued, but the timely warning shall not require the disclosure of specific law enforcement efforts which could compromise an ongoing criminal investigation.

### III. PROCEDURES

#### A. Determination

The Chief of Police or his designee (Shift Supervisor), upon review of all available information, is responsible for making the determination if a Hawk Safety Alert is appropriate.

The Chief of Police or his designee (Shift Supervisor) shall then notify the Vice President for Administrative Services and the Vice President of Student Life and Leadership Engagement (or their designees) and advise them of the crime(s)/incident(s) and circumstances that warrant the issuance of the Hawk Safety Alert. Once agreed upon, the alert shall be issued. If there is a question or disagreement on whether the alert should be sent out, the Vice President and General Counsel shall be consulted.

## B. Method

The Hawk Safety Alert shall be issued using a method that allows for the prompt notification of the University community. Methods of dissemination may include, but are not limited to, email, voice mail, emergency notification system, and the Monmouth University Police website. Hawk Safety Alerts shall include information which would promote safety and aid in the prevention of similar crimes/incidents.

## C. Content of a Timely Warning

Hawk Safety Alerts shall contain in the subject line the phrase “Hawk Safety Alert” and the type of alert i.e. “Imminent On-Campus Threat,” “Non-Imminent On-Campus Threat,” or “Informational Alert.” The timely warning shall include information that would aid in the prevention of similar crimes and enable the members of the campus community to protect themselves. The body of the notification shall include, but not be limited to:

- A succinct description of the incident and/or type of crime including location, date and time of occurrence, and reported offense;
- A physical description of the suspects including gender, age, height, weight, hair color, race, and other distinguishing characteristics if available and accompanied by other description characteristics;
- A composite drawing of the suspect or photograph if available;
- A description to an apparent connection to previous incidents if applicable;
- Race of victim, but only if there is an apparent bias motive;
- Sex of the victim, if relevant;
- Notice to the campus community to use caution and the provision of safety and/or crime prevention tips;
- Other relevant and pertinent information such as weapons and vehicles involved, if applicable.

The notification posted on the Monmouth University Police Department website shall include any suspect information, such as available description of the suspect that is not included in the campus e-mail alert.

## IV. STATUS UPDATES

When appropriate, status updates as to the resolution and/or disposition of the crime/incident will be similarly disseminated and updated as soon as possible.

## V. REPORTING

### A. Campus Security Authorities

It is the responsibility of Campus Security Authorities to notify the University Police when they become aware of any incidents that are suspected to be crimes or alleged to be crimes.

### B. Community Members

Community members who know of a crime or other serious incident are encouraged to report that incident as soon as possible to the Monmouth University Police so a determination can be made whether to issue a Hawk Alert.

## VI. THE FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA) AND THE TIMELY WARNING REQUIREMENT

Although personally identifiable information is generally precluded from disclosure, FERPA does not preclude the University from releasing information necessary for the purposes of a timely warning. Information may be released in an emergency situation without consent to protect the health and safety of others.



## Security, Fire Safety, and Access to Facilities

University offices are generally open weekdays from 8:45 a.m. to 5 p.m. Classes begin at 8:30 a.m., and evening classes are in session until 10:05 p.m. Buildings are generally open by 7:30 a.m. and are secured by 10:30 p.m.

There are 11 residence halls and three apartment complexes on campus. All residence halls are locked 24 hours a day. Residents are supplied with an ID card to enter their residence hall and must utilize an intercom/telephone system to allow visitors to enter. Residents are supplied an ID card or a front door key for access to their residence hall or apartment building. All visitors must be escorted at all times by their host. Students are also responsible for the behavior of their guests throughout the campus. **To ensure safety, please do not prop open doors or allow unfamiliar individuals to enter the building.** The apartments are secured 24 hours a day. Suspicious individuals should be reported to the police.

The Office of Residential Life also employs student resident assistant staff members at each of the two off-campus housing facilities and has a resident staff member at all off-campus apartment complexes.

### ESCORT SERVICE

The University Police Department offers an escort service 24 hours a day to all members of the University community. The escort service may be provided by a police officer or safety officer on foot, or by police vehicle. For your protection, you are encouraged to utilize this service. This service is available on the main campus as well as at the University Bluffs.

When a resident of University Bluffs cannot locate a parking spot onsite and is concerned for his/her safety, or for any other non-emergency safety concern, he/she can contact the Monmouth University Police Department at **732-571-4444** or **ext. 4444** to request a police escort to and/or from his/her vehicle to his/her apartment. **In the event of an emergency he/she should call 911.**

## FIRE AND SAFETY

The University has a Supervisor of Electrical and Fire Safety Services who conducts, with the assistance of the three full-time Fire and Safety Technicians, safety inspections of all areas on campus. In addition, a University fire and safety committee meets regularly to address a variety of safety issues on campus. The University Police reports all noted conditions to the Department of Facilities Management for corrective action.

The University is in full compliance with the regulations set forth in the New Jersey Dormitory Safety Trust Fund Act of 2000. All residential halls and campus apartments have sprinklers and carbon monoxide (CO) detectors installed. University police along with fire and safety personnel conduct four fire drills per year in all buildings on and off campus and in off-campus residence facilities. In addition, University officials have an excellent relationship with the local fire marshals and welcome their input. All fire safety systems are inspected and tested annually by an outside vendor to ensure continued compliance.

All members of the University community are reminded that intentionally causing a fire alarm to activate wherein no fire condition is present is an indictable offense under the State of New Jersey Criminal Justice Code. All persons found to have perpetrated this crime, as with all other crimes on campus, will be arrested by the Monmouth University Police Department and prosecuted to the fullest extent of the law. In addition, students may be charged under the Student Code of Conduct. The police department maintains a fire log at dispatch which can be reviewed 24 hours a day, 365 days a year. All members of the University community are also reminded that all fires must be reported to the University Police. The police will then contact the appropriate fire and other emergency personnel needed.

### ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEMS

In order to provide safe and secure student housing, an understanding of the Residential Life Facility Fire Safety System is critical. The following procedure shall address the fire protection equipment in Monmouth University's Campus Residence Halls.

All University Residence Halls feature the following fire protection equipment:

- Fire alarm systems are centrally monitored 24 hours a day, 365 days a year. All fire alarm devices in University Residence Halls (smoke detectors, CO detectors, heat detectors, pull stations, flow detectors, etc.) are “addressable” (i.e., the fire alarm panels can pinpoint the specific location of each device and send that information to the central monitoring station).
- Smoke detectors in all student living areas.
- Combination horn/strobe light fire alarms in all common areas requiring audible devices.
- Horn/strobe light fire alarms in all ADA-compliant bedrooms.
- Fire-suppression sprinklers in all student living areas.
- Rated fire doors with self-closing devices throughout the buildings.
- CO detectors in all areas with appliances which combust fuels (e.g., boiler rooms, furnace closets, kitchens, etc.).
- Fire alarm pull stations in all common areas.
- Emergency lighting to illuminate building egresses in the event that power is lost.
- Fire extinguishers in common areas.

Apartment-style residence halls (Maplewood Hall, the Garden Apartments, and the Great Lawn Apartments) have fire extinguishers inside each apartment, located in the common living space near the apartment’s kitchen. Additionally, the Garden and Great Lawn Apartments have fire alarm pull stations within the student apartments near each kitchen.

Residence halls that have centrally handled air systems (Oakwood and Redwood Halls) feature:

- Smoke detectors in the central-air-handling duct work.
- Smoke dampers in air-handling ducts and fan motor relays to shut off air circulation in the event of a fire.
- Magnetic hold-open devices which allow fire doors in building hallways to automatically close when the fire alarm system is activated.

Hesse Hall and Oakwood Hall incorporates a voice alarm system with speakers located in each student sleeping area.

Fire alarm systems, fire extinguishers, and exit signs, required by the state, are for the protection of all residents. Tampering with fire equipment or setting off a false fire alarm is an offense under state law. Deliberately causing a fire is a crime. A student will be subject to disciplinary action and/or arrest if found tampering with fire equipment, falsely setting off the alarm system, or intentionally causing a fire. The above noted violations will also be handled through the University judicial process.

In addition, each resident is responsible for being familiar with the location of exits, fire extinguishers, and alarm pull stations. Residential Life staff will be happy to provide additional information or assistance in this area.

## **CANDLES AND OPEN FLAMES**

No candles are permitted in any campus or University-sponsored facility. Items which require an open flame to operate, or which produce heat (i.e., Bunsen burners, lighted candles, incense, indoor and outdoor grills, etc.) are not allowed in residents’ rooms or adjacent to any University building. Unburned candles may not be used for decorative purposes.

### **MONMOUTH UNIVERSITY LIST OF EXCEPTIONS REGARDING OPEN FLAMES**

- A.** Lighted candles shall be permitted for ceremonies, religious functions, cultural events, or honorary groups provided students have the approval of the University Chief of Police.
  1. Lit candles shall never be left unsupervised.
  2. Candles shall be securely fixed in sturdy, approved candleholders or glass enclosures (i.e., Hurricane lamps, etc.).
- B.** Open flames used in assembly areas holding more than fifty (50) people shall require approval of the Chief of the Monmouth University Police and be in compliance with the requirements of the National Fire Protection Association (NFPA) Life Safety Code 101/13.72.
- C.** Any open flames utilized by Facilities Management personnel in furtherance of their assigned duties.

- D. Food service operations, such as portable cooking equipment, shall be placed on a non-combustive surface.
- E. Laboratories are excluded from this policy, but extreme care should be exercised to ensure safe operations.
- F. Tailgating at sporting events. However, the Monmouth University Police and/or representatives of local or state jurisdictions have the authority to stop or prevent unsafe acts or conditions.
- G. Bonfires, with the prior approval of the West Long Branch Fire Marshall and Chief of Monmouth University Police.
- H. Open flame barbeque grills or propane tank barbeques for specific University events, such as Homecoming, with the necessary University approvals.
  1. The storage of propane or barbeque grills in any University-owned or -sponsored housing for students is strictly prohibited.
  2. The storage of propane or barbeque grills inside a University building requires the approval of the Monmouth University Chief of Police, and shall comply with NFPA 58.
- I. Pyrotechnic and open flame devices for special effects with the approval of the Monmouth University Chief of Police.

Consideration shall only be given for areas in which there are fire sprinklers.

## REFRIGERATORS AND APPLIANCES

Owned or rented refrigerators must be of a compact size, UL approved, and not in excess of 3.2 cubic feet. Only one refrigerator per resident is allowed. In triple rooms, a maximum of two refrigerators is permitted. Any exceptions must be approved by the area coordinator. Refrigerators may not be stored in closets or other areas that do not provide adequate ventilation. Extension cords are prohibited for use with refrigerators.

All appliances used for food preparation (**i.e., hot plates, hot pots, toaster ovens, microwave ovens, popcorn poppers, etc.) are prohibited** in the residence halls. In addition, halogen lamps (floor or desk) are not permitted. Possession or

use of these appliances in the residence halls will result in an administrative fine and confiscation of the appliance. These appliances are considered a serious fire hazard since they draw more electricity than the buildings can provide.

## FLAMMABLE ITEMS

Items that are flammable, such as hazardous fuels, liquids, or objects (**i.e., gasoline, kerosene, fireworks, propane tanks, turpentine or other art supplies, etc.) are prohibited.**

## HOVERBOARDS

Hover-boards or similar like devices are prohibited in all residential facilities owned or operated by the University. Hover-boards may be used on campus but cannot be charged in any facility of the University.

## FIRE EDUCATION AND TRAINING

It is the policy of the Monmouth University Police Department to strive to provide and maintain safe conditions and to follow operating practices that safeguard all students, employees, and visitors. The purpose of Fire Safety Training is to provide a safe environment. The goals of the training are to:

- Encourage safe practices and living habits throughout the University community;
- Reduce the threat of injury to faculty, staff, students, and visitors;
- Reduce the risk to property; and
- Mitigate injuries to persons and damage to property in the event of a fire.

## THE TRAINING

1. The University Police along with the University Office of Compliance shall coordinate/conduct fire drills for all residential halls (in conjunction with Residential Life Staff) and academic buildings. Fire drills will be conducted twice a semester.
2. Annual fire training for Residential Assistants shall be conducted in conjunction with the Monmouth University Office of Compliance.



3. When possible an approved Fire Education “Smoke Trailer” will be brought on campus. The trailer simulates a smoke-filled room and the difficulties involved in fleeing a smoke-filled environment. All students and staff are invited and encouraged to participate.
4. Fire Personnel Training Exercise: Fire Department personnel tour residential halls, familiarize themselves with residential halls when it can be arranged, and perform search and rescue in an area filled with non-toxic smoke.

### **SMOKING ON UNIVERSITY PROPERTY**

1. Smoking is permitted on the grounds of the campus; however, smokers must be at least 25 feet away from building entrances or air intake systems. Smoking inside campus buildings is not permitted.
2. The University urges due consideration for others and compliance with safety measures while smoking.
3. Outside groups who utilize University facilities are required to comply with this policy.
4. Individuals wishing to smoke are required to stand at least twenty-five feet from the building entrance and are required to utilize appropriate receptacles to discard cigarettes.
5. Smoking, for purposes of this policy, shall be defined as the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from a hookah or an electronic smoking device (e-cigarette).
6. Appropriate disciplinary action will be taken against individuals who do not comply with this policy.

## **Educational and Awareness Programs for Crime Prevention, Safety, and Campus Security Procedures and Practices**

Upon request, the University Police Department will conduct crime prevention presentations on a variety of topics throughout the year. Crime prevention presentations will cover a wide variety of topics including texting while driving, sexual assault, alcohol and drug abuse, fire safety as well as other criminal issues pertinent to students and the college environment.

Additional programs include but are not limited to:

### **FIRE PREVENTION AND ESCAPE SEMINAR**

This program emphasizes fire safety techniques and also allows students to participate in a “Smoke Trailer,” where students will actually experience the blinding and disorienting effects of a fire as they attempt to evacuate.

### **“SURVIVING THE ACTIVE SHOOTER INCIDENT”**

This one hour seminar entitled “Surviving the Active Shooter Incident” is a powerpoint and DVD presentation discussing the dynamics of active shooter incidents and suggestions on how to best avoid and respond to them.



## OPERATION ID

Upon request, the Monmouth University Police Department will engrave and register a student's property.

## DRUG AND ALCOHOL EDUCATION

The Monmouth University Police Department, in conjunction with the Division of Student Life, are supporters of the University HERO campaign for designated drivers. HERO offers an alcohol education program that addresses the dangers of drinking, driving, and underage consumption of alcohol. It also educates students about state laws and the University's rules and regulations regarding underage drinking and possession and/or consumption of alcoholic beverages.

Monmouth University's Office of Substance Awareness offers several educational and awareness programs throughout the year. These programs include, but are not limited to:

- Alcohol Screening Day
- Alcohol Awareness Month
- Drunk Driving Awareness Month in December
- Marijuana Screening
- Children of Alcoholics Day
- Designated Driver Appreciation Program: Students have the opportunity to show their appreciation to a designated driver by submitting a short story or poem about the person.
- Sandwiches and Serenity—Students in Recovery
- Cell Phone/Cab Program—students are encouraged to store local cab company phone numbers in their cell phones so they have easy access if necessary
- Safe Ride Home—free cab company vouchers are available at the Office of Substance Awareness, located in the Health Center, for students to promote positive decision making when drinking alcohol
- Project Pride—Inmates come to campus, escorted by guards for the day to share their stories of how life with substance abuse landed them in jail.
- DWI Course—Students drive University golf carts around

a course while wearing goggles which simulate the effects of driving while intoxicated.

- Students in recovery club
- Outreach to local bars
- HERO Campaign Walk on Campus
- Heroin: A Family's Story
- Adderall Awareness Day
- Think Before you Act: A Young Man's Story
- What is Life Like in Recovery—A presentation by students for students
- Training for Monmouth County liquor license holders: bars and liquor stores
- Presentations to classes, teams, conferences, and staff
- Newly developed recovery lounge

## THINGS YOU CAN DO TO DETER CRIME AND STAY SAFE:

- Always lock your room, office, and windows.
- Never leave valuables unattended.
- Walk in well-lighted areas.
- Do not prop doors open.
- Know the location of emergency telephones.
- Don't allow strangers to enter residence halls or other University buildings.
- Report any suspicious persons or activities to the police immediately.
- Utilize the police escort service.
- Be aware of your surroundings—who's out there and what's going on.
- Walk with confidence. The more confident you look, the stronger you appear.
- Know your limits when it comes to using alcohol/drugs.
- Be assertive—don't let anyone violate your space.
- Trust your instincts. If you feel uncomfortable in your surroundings, leave.

- Watch your keys. Don't lend them. Don't leave them. Don't lose them. And don't put your name and address on the key ring.
- Be wary of isolated spots, like underground garages, offices after business hours, and apartment laundry rooms.
- Avoid walking or jogging alone, especially at night. Vary your route. Stay in well-traveled, well-lit areas.
- Have your key ready to use before you reach the door—home, car, or work.
- Park in well-lit areas and lock the car, even if you'll only be gone a few minutes.
- Drive on well-traveled streets, with doors and windows locked.
- Never hitchhike or pick up a hitchhiker.
- Keep your car in good shape with plenty of gas in the tank.
- In case of car trouble, call for help on your cellular phone. If you don't have a phone, put the hood up, lock the doors, and put a banner in the rear mirror that says, "Help Call Police".
- Do not have friends or relatives mail cash or gift cards which can be easily cashed in, to your University address.
- Practice Internet and phone safety. Do not release any personal or financial information to solicitors or vendors unless absolutely sure that they are legitimate.

## Campus Crime Statistics Act (Clery Act) Policy

The Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act (Clery Act) requires Monmouth University to collect, classify, count, and disseminate crime report statistics in an Annual Security Report (ASR) by October 1 of each year to all currently enrolled students and employees. Monmouth University must also provide the ASR to any prospective employee or student upon request.

The Clery Act requires Monmouth University to disclose statistics for reported crimes based on: where the crimes

occurred; to whom the crimes were reported; the types of crimes that were reported; and the year in which the crimes were reported.

### I. CLERY GEOGRAPHY

Monmouth University must disclose statistics for reported Clery crimes that occur: (1) on-campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that Monmouth University owns or controls. As specified in the Clery Act, the following property descriptions are used to identify the location of crimes in and around Monmouth University's campus:

#### A. On-Campus

On-campus property includes: (1) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in Section A(1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### B. Non-Campus Buildings or Property

Non-campus buildings or property include: (1) any building or property owned or controlled by an officially recognized student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same contiguous geographic area of the institution, Pier Village, and the University Bluffs.

#### C. Public Property

Public property includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the institution's campus or immediately adjacent to and accessible from the campus.

## II. DEFINITIONS OF CRIMINAL OFFENSES

The Clery Act requires institutions to disclose three general categories of crime statistics. The Violence Against Women Reauthorization Act of 2013 (VAWA), amended the Clery Act to require institutions to disclose an additional fourth category of crime statistics. Pursuant to the Clery Act, definitions are to be used for reporting crimes in accordance with the *Federal Bureau of Investigation's Uniform Crime Reporting Program*. The definitions for murder; robbery; aggravated assault; burglary; motor vehicle theft; weapons: carrying, possessing, etc.; law violations; drug abuse violations; and liquor law violations are from the Federal Bureau of Investigation's (FBI's) *Uniform Crime Reporting (UCR) Handbook*. For sex offenses, definitions are excerpted from the FBI's *National Incident-Based Reporting System (NIBRS)* edition of the UCR. The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the *Hate Crime Data Collection Guidelines* of the FBI's *Uniform Crime Reporting Handbook*.

### A. Criminal Offenses

The following definitions are used to classify Clery Criminal Offenses:

1. **Criminal Homicide**—These offenses are separated into two categories: (a) Murder and Non-negligent Manslaughter, and (b) Negligent Manslaughter.
  - a. **Murder/Non-Negligent Manslaughter**—The willful (non-negligent) killing of one human being by another.
  - b. **Negligent Manslaughter**—The killing of another person through gross negligence.
2. **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.
3. **Aggravated Assault**—An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually 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 will result in serious personal injury if the crime were successfully completed.)
4. **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.
5. **Motor Vehicle Theft**—The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding. Such thefts are only counted under Clery from parking garages attached to a resident hall.)
6. **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.
7. **Sex Offenses**—Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - a. **Forcible Sex Offenses**
    - i. **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.
    - ii. **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 age or because of his/her temporary or permanent mental incapacity.

## **b. Non-Forcible Sex Offenses**

- i. Incest**—Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- ii. Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

## **B. Hate Crimes**

The second category of statistics that must be disclosed is hate crimes. A hate crime is a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. For each hate crime recorded, an institution must identify the category of bias that motivated the crime.

The following are the categories of hate crime which are required to be reported:

- 1. Criminal Homicide**
  - a. Murder and Non-Negligent Manslaughter**
  - b. Negligent Manslaughter**
- 2. Sex Offenses**
  - a. Rape**
  - b. Fondling**
  - c. Incest**
  - d. Statutory Rape**
- 3. Robbery**
- 4. Aggravated Assault**
- 5. Burglary**
- 6. Motor Vehicle Theft**
- 7. Arson**
- 8. Larceny-theft**—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 included.

- 9. Simple Assault**—An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- 10. 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.

- 11. Destruction/Damage/Vandalism of Property**—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.

## **C. Arrests and Disciplinary Referrals for Violation of Weapons, Drug, and Liquor Laws**

The third category of crime statistics that Universities must disclose are the number of arrests and the number of persons referred for disciplinary actions for the following law violations:

- 1. Weapons, Carrying, Possessing, Etc.**—The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- 2. Drug Abuse Violations**—The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**3. Liquor Law Violations**—The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

#### D. Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses

The fourth category of crime statistics that Universities must disclose includes the following:

##### New Jersey Sex Offense Definitions

Consent in New Jersey is defined as:

##### 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.

##### Consent Abbreviated

*As found in Monmouth University Student Handbook:*

**Consent:** is defined as the voluntary, informed, uncoerced agreement through freely given words or actions, which can be reasonably interpreted as willingness to participate in a mutually agreed upon sexual act and cannot be assumed by the absence of physical resistance. Past consent, no matter how recent, cannot be automatically taken as consent to any other sexual activity. For example, consensual kissing does not give the actor consent to penetration or fondling.

##### 2C:14-1. Definitions as used in this act:

The following definitions apply to this chapter:

- a. **"Actor"** means a person accused of an offense proscribed under this act;
- b. **"Victim"** means a person alleging to have been subjected to offenses proscribed by this act;
- c. **"Sexual penetration"** means vaginal intercourse, cunnilingus, fellatio, or anal intercourse between persons or insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor's instruction. The depth of insertion shall not be relevant as to the question of commission of the crime;
- d. **"Sexual contact"** means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor. Sexual contact of the actor with himself/herself must be in view of the victim whom the actor knows to be present;
- e. **"Intimate parts"** means the following body parts: sexual organs, genital area, anal area, inner thigh, groin, buttock, or breast of a person;

- f. **"Severe personal injury"** means severe bodily injury, disfigurement, disease, incapacitating mental anguish, or chronic pain;
- g. **"Physically helpless"** means that condition in which a person is unconscious or is physically unable to flee or is physically unable to communicate unwillingness to act;
- h. (Deleted by amendment, P.L.2011, c.232)
- i. **"Mentally incapacitated"** means that condition in which a person is rendered temporarily incapable of understanding or controlling his/her conduct due to the influence of a narcotic, anesthetic, intoxicant, or other substance administered to that person without his/her prior knowledge or consent, or due to any other act committed upon that person which rendered that person incapable of appraising or controlling his/her conduct;
- j. **"Coercion"** as used in this chapter shall refer to those acts which are defined as criminal coercion in section 2C:13-5(1), (2), (3), (4), (6) and (7).

### **Definitions Abbreviated**

*As found in Monmouth University Student Handbook:*

**Sexual Contact:** means any form of intentional touching, either directly or through clothing, of the victim's intimate parts designed to degrade or humiliate the victim or cause sexual arousal or gratification to the actor. Sexual contact can also occur when an actor intentionally touches him- or herself while in the view of and aware of the victim's presence and with the same purpose of humiliation, arousal, or self-gratification.

**Incapacitation:** is a physical condition where a person is unconscious or physically unable to leave or provide consent or a mental condition, permanent or temporary, which makes the victim incapable of understanding or controlling his or her conduct. Mental incapacitation includes the influence of alcohol or drugs.

**Sexual misconduct:** is defined as any sexual act or sexual contact upon another person without his or her explicit consent, which is a sexual offense under New Jersey criminal law (See NJSA Title 2C:14-1, et. al.). Sexual misconduct encompasses the act of sexual assault.

### **2C:14-2 Sexual Assault:**

- a. An actor is guilty of aggravated sexual assault if he/she commits an act of sexual penetration with another person under any one of the following circumstances:
  - (1) The victim is less than 13 years old;
  - (2) The victim is at least 13 but less than 16 years old; and
    - (a) The actor is related to the victim by blood or affinity to the third degree, or
    - (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
    - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
  - (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson, or criminal escape;
  - (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
  - (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
  - (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;
  - (7) The victim is one whom the actor knew or should have known was physically helpless or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his/her conduct, including, but not limited to, being incapable of providing consent.

**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.

- b. An actor is guilty of sexual assault if he/she 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.
- c. An actor is guilty of sexual assault if he/she commits an act of sexual penetration with another person under any one of the following circumstances:
  - (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury;
  - (2) The victim is on probation or parole, or is detained in a hospital, prison, or other institution, and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status;
  - (3) The victim is at least 16 but less than 18 years old and:
    - (a) The actor is related to the victim by blood or affinity to the third degree; or
    - (b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or
    - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
  - (4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.

**Sexual assault is a crime of the second degree.****2C:14-3 Aggravated Criminal Sexual Contact; Criminal Sexual Contact:**

- a. An actor is guilty of aggravated sexual contact if he/she commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a. (2) through (7).

**Aggravated criminal sexual contact is a crime in the third degree.**

- b. An actor is guilty of criminal sexual contact if he/she commits an act of sexual contact with the victim under any of the circumstances set forth in section 2C:14-2c. (1) through (4).

**Criminal sexual contact is a crime of the fourth degree.*****Sexual Assault Abbreviated***

*As found in Monmouth University Student Handbook:*

**Sexual Assault:** is the penetration of another person under any of the following circumstances: (1) under the legal age of consent, (2) with a person who is incapable of giving consent because of temporary or permanent mental or physical incapacity, or (3) through the use or perception of physical force, threat, or coercion.

**2C:25-19 Definitions; as used in this act:**

- a. **"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)

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 PL.1982, c.77 (C.2A:4A-30).

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

### **Definitions Abbreviated**

*As found in Monmouth University Student Handbook:*

**Domestic Violence:** is an actual or threatened physical harm or infliction of fear of imminent physical harm upon a family member, significant other, household member, resident sharing a room, or other individual with an intimate relationship to actor.

**Dating Violence is not defined by the New Jersey state criminal law. It is defined under the Code of Federal Regulations: Title 34 -Subtitle B- Chapter VI- Part 668.46.**

**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

- (i) Where 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.
- (ii) For the purposes of this definition—
  - (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - (B) Dating violence does not include acts covered under the definition of domestic violence.
- (iii) 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.

### **Dating Violence Abbreviated**

*As found in Monmouth University Student Handbook:*

**Dating violence:** is an act of domestic violence between two individuals in a social relationship of a romantic or intimate nature.

**2C:12-10 Definitions; stalking designated a crime; degrees.**

a. As used in this act:

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

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

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

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

a. A person is guilty of stalking, a crime of the fourth degree, if he/she purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her 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/she 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/she commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.

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

**Stalking Abbreviated**

*As found in Monmouth University Student Handbook:*

**Stalking:** occurs when an individual engages in conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of a third person or suffer emotional distress. This includes cyber-stalking.

## Preventing and Responding to Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault, and Stalking

### SEXUAL MISCONDUCT POLICY AND PROCEDURES

Monmouth University affirms the right of its students to participate in a community which is conducive to learning and personal growth. In order for this to be achieved, the environment of the campus needs to be one in which students feel safe and secure in their surroundings and free to explore the variety of opportunities available to them. Acts of sexual misconduct which include but are not limited to sexual assault, gender based harassment, dating violence, domestic violence, sexual harassment, sexual exploitation, and stalking pose a serious threat to this spirit of community, and as such, Monmouth University prohibits all forms of sexual misconduct and will endeavor to address these issues in the following manner.

#### I. Non-Discrimination Statement

Monmouth University supports equal opportunity in every phase of our operation including recruitment, admission, educational programs, and employment practices of recruitment, hiring, promotion, reclassification, transfer, compensation, benefits, termination, layoff and return

from layoff, social and recreational programs and any other aspects of education or employment. The University does not discriminate on the basis of race, color, creed, ancestry, national origin, nationality, sex (including pregnancy and sexual harassment), affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, marital status, domestic partnership or civil union status, age, liability for military service, protected veteran status, or status as an individual with a mental or physical disability, including AIDS and HIV-related illnesses or any other protected category under applicable local, state or federal law. The University also complies with all major federal and state laws and executive orders requiring equal employment opportunity and/or affirmative action.

Monmouth University affirms the right of its faculty, staff, and students to work and learn in an environment free from discrimination and harassment, including sexual harassment, and has developed procedures to be used to resolve discrimination or harassment complaints. A copy of the University-wide policy on discrimination and harassment, including sexual harassment, which describes the procedures for resolving such complaints, may be obtained from:

***The Office of Equity and Diversity***

400 Cedar Avenue, Wilson Hall, Room 304

West Long Branch, NJ 07764

Phone: 732-571-7577

Fax: 732-263-5140.

[monmouth.edu/equity-and-diversity/discrimination-and-harassment](http://monmouth.edu/equity-and-diversity/discrimination-and-harassment)

Additionally, inquiries may be made externally to:

**Office of Civil Rights (OCR), U.S. Department of Education**

400 Maryland Avenue, SW

Washington, DC 20202-1100

Customer Service Hotline Phone: 800-421-3481

Fax: 202-453-6012

TDD: 877-521-2172

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Web: [ed.gov/ocr](http://ed.gov/ocr)

**Equal Employment Opportunity Commission (EEOC)**

Contact: [eoc.gov](http://eoc.gov)

## Filing a Complaint

• **Information for Complainants:**

[monmouth.edu/equity-and-diversity/documents/complainants.pdf](http://monmouth.edu/equity-and-diversity/documents/complainants.pdf)

• **Information for Respondents:**

[monmouth.edu/equity-and-diversity/documents/respondents.pdf](http://monmouth.edu/equity-and-diversity/documents/respondents.pdf)

## II. Jurisdiction of the University

In meeting its educational mission, Monmouth University recognizes the importance of establishing and enforcing acceptable community standards of behavior. In doing so, members of the University community should know that they will be held accountable for both their behavior and actions on-campus as well as off-campus as they relate to established laws and regulations of federal, state, and local agencies, as well as policies of the University.

In connection, individuals who are members of the University community have a responsibility to represent themselves in a lawful and responsible manner at all times, both on and off campus. It would be unreasonable to suggest that a person committing a wrong act, on or off campus, which violated both the Student Code of Conduct and Criminal statutes, could not be punished by all injured parties, e.g., the citizens of the state or local community and the University.

The University reserves the right to exercise its discretion on taking disciplinary action against students of the University when the University's reputation or its orderly functioning as an academic community are clearly involved and distinct or to protect the safety and well-being of the campus community.

## III. Prohibited Conduct

Monmouth University prohibits the following specified conduct:

1. Sexual Misconduct
2. Sexual Assault
3. Non-Consensual Sexual Contact
4. Dating Violence
5. Domestic Violence

6. Stalking
7. Sexual Exploitation
8. Sexual Harassment
9. Gender Based Harassment
10. Retaliation

#### **IV. Definitions**

##### **1. Sexual Misconduct**

Sexual Misconduct is defined as any sexual act or sexual contact upon another person without his or her explicit consent, which is a sexual offense under New Jersey criminal law (See NJSA title 2C:14-1, et. al.). Sexual Misconduct encompasses the act of sexual assault.

##### **2. Sexual Assault**

Sexual Assault is sexual penetration of another person under any one of the following circumstances: (1) under the legal age of consent, (2) with a person who is incapable of giving consent because of temporary or permanent mental or physical incapacity or (3) through the use or perception of physical force, threat, coercion.

##### **3. Non-Consensual Sexual Contact**

Sexual Contact means any form of intentional touching, either directly or through clothing, of the victim's intimate parts designed to degrade or humiliate the victim or cause sexual arousal or gratification to the actor. Sexual contact can also occur when an actor intentionally touches himself or herself while in the view of and aware of the victim's presence and with the same purpose of humiliation, arousal, or self-gratification.

Non-Consensual Sexual Contact is having sexual contact with another individual without affirmative consent, when an individual is incapacitated, or by threat or force.

##### **4. Dating Violence**

Dating Violence is an act of domestic violence between individuals in a social relationship of a romantic or intimate nature.

##### **5. Domestic Violence**

Domestic Violence is an actual or threatened physical harm or infliction of fear of imminent physical harm upon a family member, significant other, household member, resident sharing a room, or other individual with an intimate relationship to the actor.

##### **6. Stalking**

Stalking occurs when an individual engages in conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of a third person or suffer other emotional distress. This includes cyber-stalking.

##### **7. Sexual Exploitation**

Sexual exploitation refers to non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. (E.g. observing another individual's nudity/sexual activity; allowing another to observe nudity/sexual activity without the knowledge and consent of all participants; non-consensual streaming or distribution of images, photography, video or audio recording of sexual activity/ nudity without the knowledge and consent of all participants.

##### **8. Sexual Harassment**

Sexual harassment is unwelcome action, language or visual representation of a sexual nature that has the effect of unreasonably interfering with an individual's education, employment, or participation in a University activity or that creates a hostile working, educational, or living environment. A form of quid pro quo (this for that) sexual harassment exists when submission to or rejection of unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature results in adverse educational or employment action, or the threat of such adverse action, or limits or denies an individual's educational or employment access, benefits, or opportunities.

## 9. Gender Based Harassment

Acts of aggression, intimidation, stalking, or hostility based on gender or gender stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with another person's education or participation in educational programs or activities or create an intimidating, hostile, demeaning, or offensive academic or living environment.

## 10. Retaliation

Retaliation is any adverse action taken or threatened (including intimidation, threats, harassment, and other such action) against any complainant or person reporting or filing a complaint of sexual misconduct or any person cooperating in the investigation of allegations of sexual misconduct to include testifying, assisting or participating in any manner in an investigation.

## V. Key Terms

### 1. Affirmative Consent

Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that the person has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. 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. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. (E.g. lack of consciousness, being asleep, being involuntarily restrained, or being intoxicated).

### 2. Bystander intervention-

An active bystander is someone who acknowledges a problematic situation and takes on the personal responsibility to intervene with the goal of preventing a situation from escalating. The bystander must decide if they will speak up, step in, or offer assistance.

### 3. Force

Force is the use or threat of physical violence to overcome an individual's free will to choose whether or not to participate in sexual activity or provide consent. Force may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Coercion, intimidation, and non-physical threats can all be forms of force. Consent obtained by force is not valid.

### 4. Coercion

Coercion is to force one to act or not act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional intimidation, or the use of physical force. Consent obtained through coercion is not valid.

### 5. Incapacitation

Incapacitation is a physical condition where a person is unconscious or physically unable to leave or provide consent. This includes a mental condition, permanent or temporary, which makes the victim incapable of understanding the nature of the activity or unable to communicate due to a mental or physical condition.

## VI. Reporting Process

1. For student complaints involving faculty or non-faculty employees of the University please refer to the policies and procedures found on the following page: [monmouth.edu/equity-and-diversity/discrimination-and-harassment](http://monmouth.edu/equity-and-diversity/discrimination-and-harassment)
2. For Student complaints involving persons who are neither students nor employees of the University please contact the following:
  - Monmouth University Police Department:  
**732-571-4444**

- The Office of Equity and Diversity (Title IX Coordinator): **732-571-7577**
  - The Office of Student Life: **732-571-3417**
3. For complaints against students in accordance with the Student Code of Conduct please contact the following:
- Office of Student Life: **732-571-3417**
  - Office of Equity and Diversity (Title IX Coordinator) **732-571-7577**
  - Monmouth University Police Department **732-571-4444**
4. For student complaints involving another student(s) there are several options regarding how to proceed. These options are:
- Meeting with the Monmouth University Police Department if the incident took place on campus. **(732-571-4444)**, or meeting with the local police department if the incident took place off campus to file a police report. (See section XIII for local law enforcement contact information).
  - Meeting with the Office of Student Life to file a complaint under the Student Code of Conduct and/or to request interim measures **(732-571-3417)**.
  - File a complaint with the Title IX Coordinator/Deputy Title IX Coordinator in the Office of Equity and Diversity **(732-571-7577)**.
  - Meet with a confidential resource which includes Counseling and Psychological Services **(732-571-7517)** and the Health Center **(732-571-3464)**.
  - Make an anonymous report concerning an act of sexual misconduct without disclosing Complainants name or the name of the Respondent or without requesting any action. This can be done by contacting the Office of Equity and Diversity, Office of Student Life, or Monmouth University Police Department.
  - A student may choose to take advantage of any or all of these options, simultaneously.
  - A student may choose not to pursue any of these options.

Students who may be victims/survivors of a sexual misconduct are encouraged to report the assault to the proper authorities as soon as possible. A psychological counselor from the Office of Counseling and Psychological Services, a representative from the Office of Student Life, or an individual from the Monmouth University Police Department will assist a student in notifying the proper authorities if the student requests assistance.

Equally important, is the need for the student to seek medical attention immediately. It is critical that this be done as soon as possible to preserve any physical evidence. If a student wishes to have someone accompany the student to the hospital the student should inform MUPD, the Office of Student Life, the Office of Equity and Diversity, or a psychological counselor from the Office of Counseling and Psychological Services.

#### **VII. Amnesty Policy**

In order to encourage reporting, Monmouth University will grant amnesty to a student who violates the student code of conduct (for example, the use of illegal drugs or underage consumption of alcohol) while reporting sexual assault and/or sexual misconduct. For instance a student may be engaging in underage consumption of alcohol and witness another individual being sexually assaulted. The student's should not hesitate to report the sexual assault because of their underlying violation of the student code of conduct. The University will not take action against that student for their underage consumption of alcohol because they reported a sexual assault.

This policy does not grant amnesty for students who are involved in criminal activity aside from the above mentioned violations of the student code of conduct. The University may require that the student who reported the incident attend educational remedies regarding the use of drugs and alcohol.

#### **VIII. Title IX Coordinator**

Monmouth University has a designated Title IX Coordinator and a Deputy Title IX Coordinator. These employees are responsible for compliance with Title IX of the Education Amendments of 1972, which prohibits sex discrimination, including sexual harassment, gender-based harassment and sexual violence, in education programs.

**Title IX Coordinator**

Nina Anderson  
 Wilson Hall Rm 304  
 732-571-7577  
 nanderso@monmouth.edu

**Deputy Title IX Coordinator**

Amy Arlequin  
 Wilson Hall Rm 304  
 732-571-7577  
 aarlequi@monmouth.edu

The names and contact information for the Title IX/Deputy Title IX Coordinators can also be found at the following page: [monmouth.edu/equity-and-diversity/our-office](http://monmouth.edu/equity-and-diversity/our-office)

Following receipt of notice of an alleged violation of this policy, The Title IX Coordinator/Deputy Title IX Coordinator will conduct an assessment into the allegations to ensure that the alleged Respondent does not pose a threat to the campus community. The Title IX Coordinator/Deputy Title IX Coordinator will interview all involved parties as well as any witnesses to the incident. Both the Complainant and the Respondent will be informed of the options, resources, and interim measures available to them. The Title IX Coordinator/Deputy Title IX Coordinator will notify the Complainant and the Respondent of the outcome of the assessment, in writing, within five (5) business days of the completion of the assessment. If the assessment conducted by the Title IX Coordinator/Deputy Title IX Coordinator establishes that the Respondent poses a threat to the campus community, the University may choose to move forward under the Student Code of Conduct without the cooperation of the Complainant. The Title IX Coordinator/Deputy Title IX Coordinator cannot provide confidentiality to any parties involved in an allegation of sexual misconduct. Privacy will be provided to all parties involved to the extent that any information obtained will only be shared with people necessary to conduct the assessment. If the Title IX Coordinator/Deputy Title IX Coordinator receives an anonymous report of an alleged violation of this policy, an assessment will be conducted within the best of their ability given the information provided.

## **IX. Procedures for On-Campus Disciplinary Action under the Student Code of Conduct**

### **1. Timeframes**

A Complainant (student, employee, or 3rd party) who is a victim of prohibited conduct by a student may file charges against any student of the University for that Prohibited

Conduct. Persons wishing to file charges based on the Student Code of Conduct must do so through the Office of Student Life. The Assistant Vice President for Student Life or another judicial officer will conduct an investigation into the matter to ascertain the particular facts of the case. The investigation is a prompt, fair, impartial process that provides an equal opportunity for the parties to provide information and identify relevant witnesses. In sexual misconduct cases mediation is not an option.

The University will seek to resolve every report under this policy within sixty (60) calendar days of an initial report, not counting any appeal. The University recognizes that each case has its own unique circumstances and timeframes for each stage of the process may vary depending on the details of a case. The University may extend any timeframe for good cause, with a written explanation to the Complainant and Respondent.

The University's process for responding to, investigating, and adjudicating reports under this policy will continue during any law enforcement proceeding or civil proceeding. The University generally will not wait for the conclusion of any related criminal proceeding. However, brief delays may occur to allow law enforcement to gather initial evidence.

### **2. Interim and Final Remedial Measures**

In all cases the University will take appropriate steps designed to mitigate the effects of the alleged prohibited conduct, prevent its reoccurrence, and make accommodations for the complainant(s) and respondent(s). These measures will be applied in a manner equitable to all parties involved. Such measures may include but are not limited to offering:

- Academic accommodations (e.g. changing a student's academic schedule, allowing a student to withdraw from or retake a class without penalty, or providing access to tutoring or other academic support).
- Residential accommodations (e.g. changing a student's campus residence).
- Work accommodations (e.g. adjusting a student's work schedule for University employment).
- Issuance of a "no contact" letter through the Office of Student Life. The duration of these letters may vary

depending on the particular situation in which they are issued and may be permanent.

- Training and educational materials for the campus community.
- Protective measures (e.g. interim suspension of the Respondent).

Any decisions regarding interim measure shall be made by the Office of Student Life in consultation with relevant University administrators. Such action may be taken in the immediate aftermath of an incident and/or while an investigation or a disciplinary action is pending. It is not necessary to file a complaint under this Policy, participate in the adjudication process, or file a criminal complaint in order to request services or accommodations from the University. Students may request accommodations even in cases where the victim has requested that no investigation be undertaken.

Students are provided written notice of these options in the Student Handbook, the University Sexual Misconduct Policy, as well as this guide which is distributed to the campus community twice annually.

The Title IX Coordinator/Deputy Title IX Coordinator will seek to minimize unreasonable burdens on either party; however, reasonable efforts will be made to allow the parties to continue their academic, University housing, and/or University employment arrangements. While the University can not provide confidentiality with respect to interim measure and accommodations, the University will only provide this information to those individuals who need to know in order to make them effective.

## **X. Hearing, Determination, and Outcome**

The Office of Student Life will provide simultaneous written notice of the charges, date and time of the hearing and the name of the hearing panel members to the Complainant and the Respondent no less than five (5) business days prior to the hearing. The hearing panel will be comprised of one member of the administration, one faculty member from the University Disciplinary Committee, and one student designated by the Student Government Association. The Vice President for Student Life and Leadership Engagement or his/her designee reserves the right to substitute a member of the

administration for the student member for interim suspension hearings and during semester breaks and holidays when students are not generally present on the campus. Both the Respondent and the Complainant will have an opportunity to object beforehand to the panel members. The Respondent may NOT waive his/her right to a hearing. The “preponderance of the evidence” standard will be used to make determinations in hearings. This means determining whether “is it more likely than not” that a violation of the Student Code of Conduct occurred.

The Respondent and the Complainant have the right to review any information provided to the University that will be used during the disciplinary proceedings. Both the Respondent and the Complainant have the right to submit written statements as to their account of the matter. Upon request accommodations may be made to limit face-to-face contact between the respondent and the complainant during disciplinary hearings. In addition, both parties to the matter are entitled to have one advisor of choice. However, a person who will be a witness in the hearing may not also serve as an advisor. Each party is responsible for presenting his/her own information and therefore, advisors are not permitted to speak or participate directly in any meeting or hearing but are only allowed to provide support and/or guidance directly to their respective party. The parties should select an advisor who has a schedule which will allow attendance at the scheduled dates and times for meetings and hearings. Delays will not normally be permitted due to the scheduling conflicts of an advisor. The Title IX Coordinator and judicial officer must be notified by the parties at least two (2) business days prior to any scheduled meeting or hearing if they plan to have an advisor present for the meeting or hearing and if so, the identity of the advisor. The Title IX Coordinator, his/her designee and the judicial officer reserve the right to remove an advisor from any meeting or hearing for violation of this policy.

### **1. Request for Accommodations**

All students with disabilities who are involved in the student conduct process including complainants, respondents, supporters, and witnesses may seek accommodations for any stage of the student conduct process, including hearings, conduct meetings,



investigations, and any pre-hearing meetings. Any student requesting an accommodation must do so far enough in advance to allow the request to be reviewed and an appropriate accommodation identified and implemented. Accordingly, each student seeking an accommodation is strongly encouraged to do so as early as possible in the student conduct process. To request an accommodation please refer to the policy on the following page: [monmouth.edu/disability-services/current-students](http://monmouth.edu/disability-services/current-students)

## **2. Statement of Witnesses**

Any persons having specific knowledge of the matter may be called as witnesses. Every effort will be made to obtain names and written statements of witnesses and documentary evidence for both the complainant(s) and the respondent(s). If available these documents must be submitted to the Office of Student Life at least five (5) business days prior to the hearing. The hearing panel may preclude the testimony of any witness who does not submit a statement in conformance with this requirement if, in the opinion of the hearing panel, allowing such testimony would substantially impair either the complainant's or the respondent's ability to effectively present their case. In making this determination the hearing panel shall consider such factors as the reasons why a statement was not on file, the nature of the testimony summarized in the proposed witness's statement prior to the hearing, and other appropriate factors.

## **3. Control of the Hearing Proceedings**

The presiding hearing officer shall exercise control over the manner in which the hearing is conducted to avoid unnecessary lengthy hearings and to prevent harassment or intimidation of witnesses. Anyone who disrupts a hearing or who fails to adhere to hearing guidelines may be excluded from the proceedings and is subject to disciplinary action.

## **4. Burden of Proof**

A preponderance of the evidence standard shall be applied. Therefore it must be established that it is more likely true than not true that the alleged violation took place. It should be noted that the resolution is not

dependent upon the number of witnesses who testify on either side, but rather on the credibility and weight which is attributed to such testimony.

## **5. Privacy of Hearings**

The hearing shall be conducted in private. People not directly involved in the hearing are excluded from the proceedings.

## **6. Questions during Hearings**

The hearing panel may address questions to any party during the proceedings or to any witness called by the parties or by the hearing panel. Complainants and Respondents may address their questions of witnesses through the hearing panel, which shall have the discretion to decide whether the question will be posed to the witness.

## **7. Evidence for Consideration**

Pertinent records, exhibits, and written statements may be received as evidence for consideration by the hearing panel at the discretion of the chairperson. If available these documents must be submitted to the Office of Student Life at least five (5) business days prior to the hearing. Both the Respondent and the Complainant will receive copies of such and will be given a similar, timely opportunity to review the documents.

## **8. Appearance of Witnesses**

The hearing panel may require the presence of witnesses by sending them a letter via hand-delivery or certified mail, return receipt requested or via email with a read/received receipt. University students and employees are expected to comply with such requests unless a verified hardship would result.

## **9. Failure to Appear at Hearings**

The failure of individuals charged with misconduct to appear at a hearing after proper notice will not prevent the hearing from taking place or invalidate the outcome.

## **10. Recording of Hearings**

A recording of the hearing shall be made. The recording will be under the control of the Vice President for Student Life and Leadership Engagement. A request to review the

recording must be made in writing and the recording must be reviewed in the Office of Student Life.

### 11. Determination of the Hearing

Within five (5) business days after the hearing deliberations are completed, the hearing panel shall determine (by majority vote) whether the Respondent has violated the Student Code of Conduct. The Chairperson on behalf of the hearing panel, shall prepare a written report to the Vice President of Student Life and Leadership Engagement or his/her designee consisting of: a statement of charges, evidence presented to the panel, the decision of the hearing panel and the sanctions imposed.

### 12. Notification of the Hearing Board Decision

The Vice President or his/her designee will notify both the Complainant and the Respondent simultaneously in writing of the hearing panel's decision within five (5) business days of the receipt of the decision. The President of the University will also be notified of the decision.

## XI. Appeals Process

An appeal shall be limited to the review of the verbatim record of the initial hearing and supporting documents unless a further hearing is required to receive and evaluate new evidence. An appeal may be initiated for one or more of the following purposes:

1. The hearing process as described in the code was materially violated in such a manner that the outcome could have been affected.
2. A violation of individual/organization rights as outlined in this document.
3. Submission of new evidence sufficient enough to alter a decision, or other relevant facts not brought out in the original hearing because such facts were not known to the person appealing at the time of the original hearing.
4. To determine if the sanctions imposed were appropriate for the violation(s) of the Student Code which the student was found to have committed.

A decision reached by a hearing panel or a sanction imposed may be appealed by either party. The appeal must be

submitted in writing to the Vice President of Student Life and Leadership Engagement or his/her designee within five (5) business days of the finding by the hearing panel.

1. The appeal and any supporting documentation shall be sent to the opposing party for review. The opposing party shall be given five (5) business days to submit a reply.
2. The Vice President or his/her designee shall review the matter and render a decision on the appeal within twenty (20) business days from receipt of the written appeal.
3. Within five (5) business days of the receipt of the decision by the Vice President for Student Life and Leadership Engagement or his/her designee, an appeal can be made to the President. The appeal and any supporting documentation shall be sent to the opposing party for review. The opposing party shall be given five (5) business days to submit a reply.
4. The President or his/her designee shall make a final decision on the case within twenty (20) business days from the receipt of the appeal. The President or his/her designee shall make a final decision on the case.

Following the President's or his/her designee's decision the matter shall be concluded with no further recourse.

All deadlines and timeline requirements set forth in this section may be extended for good cause. Both the respondent and the complainants will be notified in writing of any delay and provided the date of the new deadline.

## XII. Sanctions for Sexual Misconduct

In accordance with the Student Code of Conduct, the following sanctions may be imposed by a hearing board or officer on a student found to have violated the sexual offense section in the code.

- a. **Fine**—a monetary fine may be imposed as part of a student's sanction. Fines are payable within a prescribed period of time to the Office of Student Life.
- b. **Disciplinary Probation**—May include, but not be limited to, the possible exclusion or restricted participation in privileges or extracurricular University activities for a specified period of time including the possibility of more severe sanctions in the event of

further violation of University regulations during the period of probation.

- c. **Education/Service Work**—a requirement to participate in an educational program or to perform a number of service work hours. Included in this sanction may be a requirement to participate in a psychological consultation/ assessment and/or counseling.
- d. **Residence Hall Probation**—a defined period of time whereby a student living in residence is given an opportunity to modify his/her behavior without further violations.
- e. **Residence Hall Suspension**—separation from the residence halls for a defined period of time.
- f. **Residence Hall Expulsion**—permanent separation from the residence halls.
- g. **Suspension**—separation of the student from the University for a definite or indefinite period of time. This action will be on record in the disciplinary files of the Vice President for Student Life and Leadership Engagement.
- h. **Expulsion**—permanent separation of the student from the University. This action will be permanently recorded in the files of the Vice President for Student Life and Leadership Engagement.

### **XIII. On-Campus Resources**

#### **1. Confidential Resources**

Victims of sexual assault or sexual misconduct are encouraged to report any crime to the police. Should a victim prefer that details of an incident be kept confidential, they are encouraged to seek on-campus services through Counseling and Psychological Services (**732-571-7517**) or Health Services (**732-571-3464**). These resources can offer confidential emotional and medical support.

Disclosure of the details of sexual assault or sexual misconduct to any other office on campus requires that the office share the information with individuals on campus responsible for such matters. The University will keep the information concerning an incident of prohibited conduct and the individuals involved as private

as possible however, any office or individual outside of a confidential resources cannot provide confidentiality.

#### **a. Counseling and Psychological Services**

Student Center 3rd Floor — **732-571-7517**

Hours of Operation:

Monday-Friday: 8:45 a.m. – 5:00 p.m.

**e-mail: [mucounseling@monmouth.edu](mailto:mu counseling@monmouth.edu)**  
**[monmouth.edu/counseling](http://monmouth.edu/counseling)**

#### **b. Campus Health Services**

Birch Hall

Hours of Operation:

Monday-Thursday: 8:00 a.m. – 7:00 p.m.

Friday: 8:00 a.m. – 5:00 p.m.

### **2. Office of Student Life**

Student Center Room 206 — **732-571-3417**

Hours of Operation:

Monday-Friday: 8:45 a.m. – 5:00 p.m.

[monmouth.edu/student-life/student-life-division](http://monmouth.edu/student-life/student-life-division)

### **3. Office of Equity and Diversity/Title IX Coordinator**

Wilson Hall Room 304 — **732-571-7577**

Hours of Operation:

Monday-Friday: 8:45 a.m. – 5:00 p.m.

[monmouth.edu/equity-and-diversity](http://monmouth.edu/equity-and-diversity)

### **4. Office of Judicial Affairs**

Student Center Room 212 — **732-263-5218**

Hours of Operation:

Monday-Friday: 8:45 a.m. – 5:00 p.m.

[monmouth.edu/judicial-affairs](http://monmouth.edu/judicial-affairs)

### **5. Office of Residential Life**

Pinewood Hall — **732-571-3465**

Hours of Operation:

Monday-Thursday: 8:45 a.m. – 5:00 p.m.

[monmouth.edu/reslife](http://monmouth.edu/reslife)

## **XIV. Off-Campus Support Services**

### **1. Monmouth Medical Center**

300 Second Ave, Long Branch, NJ 07740

Emergency Care: **732-923-7300/7328**

[barnabashealth.org/Monmouth-Medical-Center.aspx](http://barnabashealth.org/Monmouth-Medical-Center.aspx)

**2. 180 Turning Lives Around**

Hazlet, NJ

Sexual Assault Hotline — **1888-264-RAPE (7273) or 732-264-RAPE**

180nj.org

**3. Rape, Abuse, and Incest National Network (RAINN)**

National Sexual Assault Hotline — **1800-656-HOPE**

rainn.org/get-help/national-sexual-assault-hotline

**4. NJ Coalition Against Sexual Assault (NJCASA)**

24 Hour State Hotline — **1-800-601-7200**

njcasa.org/sexual-violence-nj/sexual-violence-programs

**5. National Coalition Against Domestic Violence**

**1-303-839-1852**

**XV. Police****1. Monmouth University Police**

**732-571-4444**

**2. Long Branch Police Department**

**732-222-1000**

**3. West Long Branch Police Department**

**732-229-5000**

**4. Ocean Township Police Department**

**732-531-1800**

**5. Emergencies**

**Dial 911**

**XVI. Prevention and Awareness Programs**

The University sponsors educational programs to promote awareness of all forms of sexual misconduct throughout the year. Specific programs are included during New Student Orientation and twice a year in the fraternity and sorority education program. All incoming freshman students are required to complete our online educational program, Not Anymore. The program is made available to all students and employees and participation is strongly encouraged. This program focuses on consent, bystander intervention and healthy relationships. Annually, a week of educational programming is held on campus called Hawks United Week. Programming during this week focuses on the prevention

and awareness of sexual misconduct on our campus. During this week presentations and performances are held as well as passive programming. The topics addressed during this week include but are not limited to sexual assault, domestic violence, dating violence, stalking, and bystander intervention. In addition, programs will be conducted by the Office of Counseling and Psychological Services, the Office of Equity and Diversity, the Office of Student Life and Residential Life. Printed material on the subject will also be distributed to all incoming first-year residential students at move in and at ID pick up for commuter students. Information will also be available in the Office of Student Life, Health Services, Office of Equity and Diversity, and the Office of Counseling and Psychological Services. Further information on the Sexual Assault Policy and Procedures may be obtained by contacting the Offices of Student Life, University Police, The Office of Equity and Diversity, and the Office of Judicial Affairs.

**XVII. Training**

The Office of Equity and Diversity provides numerous trainings throughout the year to both students and employees to ensure they are familiar with and understand the Universities' policies and procedures on sexual misconduct. All individuals responsible for implementing sexual misconduct policy, investigating, and determining violations of this policy will receive annual training on relevant topics and how to conduct investigations and disciplinary proceedings that protect the safety and respectful treatment of all parties and promote accountability to the Monmouth community.

**XVIII. Policy Compliance**

Any person with a concern about the Universities' handling of a particular matter should contact the Universities' Title IX Coordinator, Nina Anderson or the Deputy Title IX Coordinator Amy Arlequin at **732-571-7577**.

The U.S. Department of Education, Office for Civil Rights is a federal agency responsible for ensuring compliance with Title IX. OCR may be contacted at 400 Maryland Avenue, SW, Washington, DC 20202-1100, **(800) 421-3481**.

**Campus Sexual Assault**

# Victim's Bill Of Rights

## I. INTRODUCTION

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the university community in achieving these ends. The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault, and non-consensual sexual contact, respect for the individual and human dignity are of paramount importance. The state of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures, and services designed to insure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

## II. 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.

"Campus authorities" as used in this act shall mean any individuals or organizations specified in an institution's statement of campus security policy as the individuals or organizations to whom students and employees should report criminal offenses.

## A. 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 suggestion that victims were contributorily negligent or assumed the risk of being assaulted.
- 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.

## B. RIGHTS TO RESOURCES ON/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.

**C. 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.

**D. 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 occurred
- 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.

**E. 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 available assistance in changing academic and living situations after an alleged sexual assault incident if so requested by the victim and if such changes are reasonably available.

**F. STATUTORY MANDATES**

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

- Each campus shall make every reasonable effort to ensure that every student at 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.

## **EDUCATIONAL AND AWARENESS PROGRAMS FOR PREVENTION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, INTERPERSONAL VIOLENCE, AND SEXUAL MISCONDUCT**

Monmouth University sponsors programs throughout the year to promote awareness of sexual assault, acquaintance rape, domestic violence, dating violence, stalking, interpersonal violence, and other forms of sexual misconduct. Specific programs are presented during the New Student Orientation program and twice a year as part of the Greek education program. Additional programs are conducted throughout the year by the Office of Counseling and Psychological Services, Office of Residential Life, and the Office of Student Life. The Office of the General Counsel, the Office of Equity and Diversity, and Student Life also conduct educational sessions and awareness for both students and employees throughout the year.

Monmouth University’s Office of Counseling and Psychological Services sponsors numerous programs throughout the year which are presented by both campus clinicians and outside specialists. Programs include, but are not limited to:

- **SCREAM**—a live performance on sexual assault on campus performed by college student actors
- **Take Back the Night**—a campus walk that raises awareness, recognizes the need for survivor support, and provides literature and educational information, discussion groups are also held the same evening

- **Campus Sexual Assault Awareness Month in April**—with numerous programs that vary each year
- **Denim Day**—a statewide recurrence in April recognized on campus with awareness campaigns and speakers
- **Walk a Mile in Her Shoes**—a campus walk where men are encouraged to “walk in her shoes” by wearing women’s shoes and walking across campus to raise awareness; survivor presentations are held at this event
- Sessions on drug facilitated rape by specialists
- **The Clothesline Project**—a demonstration raising awareness about sexual assault with informational pamphlets available to the campus community
- **Hawks United Week in October**—a weeklong event consisting of numerous programs that vary each year
- Presentations by Monica Gural, Esq., Supervisor, Domestic Violence Representation, Legal Services of New Jersey
- Survivor presentations that encourage student questions and discussion
- Men’s Discussion Group
- Women’s Discussion Group
- Presentations in class as requested by faculty on sexual assault and relationship issues
- Presentations as requested by various student groups on sexual assault and relationship issues
- Students in Recovery Club and new Recovery Lounge.

In addition, the Office of Substance Awareness co-sponsors a Bystander Intervention program with Student Activities. The program focuses on the importance of intervening with a focus on sexual assaults.

Monmouth University also presents *The Vagina Monologues* which focuses on the prevention of domestic violence, dating violence, and sexual assault prevention and awareness.

Monmouth University is a Community Partner with 180 Turning Lives Around, the local women’s center. The agency regularly participates in campus programs on sexual assault, partners with the University, and presents programs for students. The University is also a member of the Campus

Consortium of the New Jersey Coalition Against Sexual Assault. The agency also supports Monmouth University programming and assists us with training staff and students, and in recent years a campus chapter, “Begin by Believing,” was established. Incoming students also receive CPS Emergency Services wallet cards with 24-hour hotline numbers.

### Training Programs

Monmouth University also provides several training programs to its employees and students throughout the year, including, but not limited to:

- **Not Anymore**—online educational program for students and employees focused on sexual violence, bystander intervention, and healthy relationships
- In-person educational sessions for both students and employees on campus policies and procedures and available resources—conducted by the Office of the General Counsel, the Office of Equity and Diversity, and Student Life
- RA Training Sessions focusing on FERPA, Clery, Title IX, and policies and procedures regarding sexual misconduct—conducted by the Office of the General Counsel and the Office of Equity and Diversity
- Sexual Assault RA Training—normally held in August by 180 Turning Lives Around

### REGISTERED SEX OFFENDERS

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 Internet registry law can be found in the criminal justice code of the New Jersey statutes at 2C:7-12 to 19.

You can access the sex offender website at:

**[state.nj.us/njsp/info/reg\\_sexoffend.html](http://state.nj.us/njsp/info/reg_sexoffend.html)**

## Visa and Immigration Resources

### Immigration & Visa Information for Victims of Sexual & Interpersonal Violence

In March 2013, Congress passed, and the President signed, a bill to reauthorize the Violence Against Women Act (VAWA).

It requires institutions to provide written notices to students and employees (and to student and employee victims) about “existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community”.

Institutions are encouraged to notify victims about U and T nonimmigrant statuses, which are available to certain non-immigrant crime victims. Other relevant information would be how withdrawing from courses—a common interim measure or accommodation—may affect status, or whether reporting to police may reveal that someone is out of status.

International students and scholars with questions about their immigration and visa status are advised to seek the assistance of an immigration attorney. This document is a resource to explain certain aspects of the law but is not a replacement for legal advice.

***I've been a victim of assault; does my immigration status affect my ability to access on-campus resources?***

**No.** Under the law, students and staff who are victims or survivors of sexual and interpersonal violence receive the same rights under Title IX of the 1972 Education Amendments (Title IX) and the Violence Against Women Act (VAWA), regardless of immigration and visa status. Information about on-campus medical and counseling resources, as well as available accommodations, may be found at: [monmouth.edu/student-life/handbook](http://monmouth.edu/student-life/handbook) and [monmouth.edu/sexual-misconduct/](http://monmouth.edu/sexual-misconduct/). Information about the student conduct process may be found at: [monmouth.edu/student-life/handbook](http://monmouth.edu/student-life/handbook). The College will not retaliate against you or treat you differently on the basis of reporting a crime.

***Can I press criminal charges as a documented or undocumented immigrant?***

**Yes.** Information about New Jersey's criminal definitions of sexual assault, domestic violence, dating violence, and stalking may be found in this Annual Security Report which can also be located at the following link [monmouth.edu/university/campus-safety.aspx](http://monmouth.edu/university/campus-safety.aspx). Specific questions about filing charges may be addressed to:

**Monmouth University Police Department**  
**Chief McElrath**  
**732-571-4444**

***Are there specific visa and immigration statuses for victims of crimes?***

**Yes.** For victims of sexual assault, domestic violence, dating violence, and stalking, there may be other visa options, including U and T Visas. For specifics, talk to an immigration attorney.

**U visa:**

- For victims of substantial physical or mental abuse as the result of certain criminal activity, including sexual abuse, domestic violence, rape, assault, or other related crimes
- Victim/applicant must be a victim of qualifying criminal activity and likely to be helpful to the investigation and/or prosecution of that criminal activity
- Generally valid for four years
- For more information, consult an immigration attorney, and see: [uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status](http://uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status)

**T visa**

- For victims of human trafficking
- Must comply with reasonable requests from law enforcement for cooperation in investigation or prosecution of trafficking act(s) (unless unable to cooperate because of physical or psychological trauma), and must be able to demonstrate that the victim/applicant would suffer extreme hardship if removed from the United States
- Generally valid for four years
- For more information, consult an immigration attorney, and see: [uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status](http://uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status)



***Is there an office on campus that can provide me additional information?***

**Yes.** International Students and Faculty Services can provide useful information regarding immigration status. Note that for questions regarding changes to other visa statuses, or legal options that fall outside of standard F-1 and J-1 student visas, or employer-sponsored work visas, consult a qualified immigration attorney.

**International Student and Faculty Services**  
**Barbara Nitzberg**  
**Student Center 1<sup>st</sup> Floor Room 30**  
**732-571-3640**

**Visa Options: F-1 and J-1 status students**

- Options for reduced course load approval due to medical conditions certified by a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist
- Options for, and consequences to, withdrawing from your academic program
- Information about returning to the academic program at a later date, if the student chooses to withdraw
- Options and consequences for accompanying spouses
- General information on options for changing visa status.
- General information on U and T visas.  
(Referral to a qualified immigration attorney)
- Referral to a qualified attorney

**Visa Options: H-1B, O-1, E-3, or TN employees**

- Options for a work leave of absence, and consequences to your immigration status
- Options and consequences for accompanying spouses
- General information on options for changing visa status. Referral to a qualified immigration attorney
- General information on U and T visas  
(Referral to a qualified immigration attorney)
- Referral to a qualified immigration attorney

**Pending U.S. permanent residents** (green card not yet approved)

- Impact of leaving your employment on your pending employer-sponsored permanent resident application;
- Referral to a qualified attorney

***What are immigration lawyers and what do they do?***

Immigration lawyers are licensed attorneys who specialize in the field of immigration law. They function as the client's advocate, and can represent clients before immigration agencies, both in immigration court as well as in filing applications for immigration benefits. The lawyer can give general advice and can discuss immigration options. Like all lawyers, immigration lawyers are bound by professional ethical and legal requirements, and keep client discussions confidential.

***Where can I find a local immigration attorney?***

- U.S. Citizenship and Immigration Services (USCIS), a bureau of the Department of Homeland Security (DHS), offers two sites to help individuals find free or low-cost legal representation.
- USCIS Find Help in your Community Web page | USCIS Find Legal Services Web page
- The Board of Immigration Appeals (BIA) provides a listing of attorneys by state who provide immigration services either for free or for little cost.
- The American Immigration Lawyers Association (AILA) offers an online Immigration Lawyer Referral Service that can help a student or scholar find an immigration lawyer.



## Campus and community visa and immigration assistance services for victims of dating or domestic violence, sexual assault, or stalking

### Campus Services

#### International Students and Faculty Services

Barbara Nitzberg 732-571-3640

Campus Police 732-571-4444

### Community Legal Services

#### CASA of New Jersey

77 Church St., New Brunswick, NJ 08901  
609-695-9400 [casaofnj.org](http://casaofnj.org)

#### Legal Services of New Jersey

P.O. Box 1357, Edison, NJ 08818  
888-576-5529 [lsnj.org](http://lsnj.org)

#### Catholic Charities of the Archdiocese of Newark

976 Broad St., Newark, NJ 07102  
973-733-3516 [ccannj.com](http://ccannj.com)

#### Camden Center for Law and Social Justice

9 N. Georgia Ave., Atlantic City, NJ 08401  
609-348-2111 [cclsj.org](http://cclsj.org)

### National Services

#### U.S. Citizenship and Immigration Services (USCIS)

- USCIS Find Help in your Community Web page, [uscis.gov/citizenship/learners/find-help-your-community](http://uscis.gov/citizenship/learners/find-help-your-community)
- USCIS Find Legal Services Web page, [uscis.gov/avoid-scams/find-legal-services](http://uscis.gov/avoid-scams/find-legal-services)

#### Board of Immigration Appeals (BIA)

Listing of attorneys by state who provide immigration services either for free or for little cost, [justice.gov/eoir/probono/states.htm](http://justice.gov/eoir/probono/states.htm)

#### American Immigration Lawyers Association (AILA)

Immigration Lawyer Referral Service, at [ailalawyer.org/](http://ailalawyer.org/)

#### American Bar Association (ABA)

Information on finding legal services by state, [apps.americanbar.org/legalservices/findlegalhelp/home.cfm](http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm)

## Good Samaritan Practice

The health and safety of students is of paramount concern to all at Monmouth University. Resources such as the University Police Department, Office of Residential Life, Substance Awareness, and the Health Center are available for students to seek assistance for themselves, and, equally important, their fellow student. Recognizing there are times when students or members of a University organization find themselves in a position where medical assistance is needed to ensure the proper care of a person who is significantly intoxicated or under the influence of drugs, the University has established this Good Samaritan Practice.

This practice has been established to ensure that proper medical assistance and intervention is sought in these instances and not delayed for fear of punitive action by the University under the Student Code of Conduct. All students are expected to act first out of concern for themselves and others by contacting appropriate University personnel, i.e., a Resident Assistant (RA), Area Coordinator (AC) or Head Resident, or the University Police to obtain emergency assistance.

### Under the Good Samaritan Practice:

- Students and/or organizations that seek assistance from University, police, or medical authorities to address a situation involving a significantly intoxicated or under-the-influence individual(s) will not be charged with a violation of the University's alcohol and/or drug policy.
- The practice applies to both the caller and the subject of the call if they under the legal drinking age to consume.
- This practice does not, however, preclude the University or other appropriate authorities from taking disciplinary action for other Student Code of Conduct offenses which may be associated with the situation, i.e., vandalism, theft, physical or sexual assault, etc., or the University Police Department filing appropriate criminal charges.
- Individuals and/or organizations involved in a situation that falls under the Good Samaritan Practice will be required to complete certain educational and counseling initiatives which are intervention and prevention based. Failure to complete these activities would result in action under the Code of Conduct.

Students and/or organizations that demonstrate a consistent and repeated pattern of such behavior, after appropriate intervention and education has been provided, will not be considered under this practice.

## Alcoholic Beverages Policy

The Division of Student Life at Monmouth University is committed to the educational and social growth of students within the University's community. On campus, students and their guests interact through a variety of programs and activities. The purpose of these events is to promote a healthy social experience on campus. The misuse and abuse of alcohol in whatever form is inconsistent with this purpose. The University encourages and supports students who abstain from the use of alcoholic beverages. It acknowledges that we live in a social environment which establishes by law a minimum age for the use of alcohol (21). Monmouth University does permit the consumption of alcohol on campus provided the guidelines established by the University, and departments within, are followed.

This policy has been established to regulate the use of alcohol on Monmouth University property or in University-owned or -sponsored housing and to promote the responsible conduct of Monmouth University students and others with regard to such use.

In addition, Monmouth University students are expected to follow the laws of the state of New Jersey off campus as well involving the use of alcoholic beverages. Students violating local and state alcoholic regulations off campus will be disciplined under the Student Code of Conduct. We recognize the need for order and regulation in this process and will not tolerate disruptive behavior or conduct that infringes upon the rights of those who wish to pursue their academic interests as responsible members of this community. The specific ramifications of violating this policy are outlined and specifically noted in the University's Student Code of Conduct.

### **A. The use of alcoholic beverages on campus is regulated primarily by the laws of the State of New Jersey as follows:**

1. No one under 21 years of age may purchase, possess, or consume alcoholic beverages.
2. Transportation of open alcoholic beverage containers in any kind of vehicle, including University vehicles, on or off campus, is a violation of state law. The transportation of alcoholic beverages by persons under 21 on campus is strictly prohibited. No person, regardless of age, may consume alcoholic beverages in public areas of the campus unless specifically approved by the Vice President for Student Life and Leadership Engagement or his/her designee.
3. The Attorney General has defined public areas as including Residence Hall entrances and lobbies, lounges, hallways and stairwells, or common grounds of a college or university to which the general public by specific or implied invitation has access, and in which an individual could have no reasonable expectation of privacy.
4. The sale or distribution of alcoholic beverages to persons under the legal drinking age is a serious criminal offense. Individuals can be held liable to both criminal and civil action (i.e., law suits for damages and negligence) for the injury or death of any person resulting, either directly or indirectly, from the distribution of alcoholic beverages by them to a person under the legal drinking age.
5. Any University official who knowingly distributes alcohol to an underage person will be charged criminally and will be disciplined.
6. All employees are expected to exercise good judgment when consuming alcohol on campus and are expected to behave appropriately and within the confines of the law.

**B. DEFINITION OF ALCOHOL:**

1. This policy has been designed to ensure a uniform application and understanding. The definition of “alcoholic beverage” is to be interpreted in the broadest sense. Therefore, alcohol and alcoholic beverages are defined as any beverage which has an alcoholic content. This would include, but not be limited to, all forms of alcoholic beverages, beer, wine, wine coolers, and distilled spirits.

**C. JURISDICTION AND VIOLATIONS:**

1. The All University Social Event Alcohol Policy shall apply to every function and event, excluding those held at private residences owned by the University, including but not limited to receptions, banquets, dinners, tailgating, picnics, or any outdoor event, social event, and campus-wide activity sponsored by organizations or individuals associated with Monmouth University. All events must be registered and regulated as outlined below.
2. This policy shall be in effect during all periods of the year, including the summer.
3. Student violations of this policy will be reviewed under the jurisdiction of the Student Code of Conduct and appropriate sanctions applied. Applicable sanctions are outlined within the Code of Conduct. Violations by other constituencies or groups within the University may include criminal prosecution, disciplinary action up to and including discharge, and the loss of future approval for alcohol related events for a prescribed period of time.

**D. RESTRICTIONS ON QUANTITY:**

1. Kegs, beer balls, and similar products are prohibited on University property. Kegs and beer balls, as well as taps, will be subject to confiscation by University officials should they be discovered. Kegs, beer balls, and taps will not be returned to the person(s) from whom they were confiscated. This applies to full as well as empty containers.

**E. REGISTRATION AND REGULATIONS OF EVENTS – POLICY IMPLEMENTATION:**

1. Any event at which there will be alcoholic beverages must be authorized by the Vice President for Student Life and Leadership Engagement or his/her designee.

**F. HOSTING RESPONSIBILITIES FOR AN EVENT:**

Any person(s) authorized to host an event is responsible for the following:

1. Make appropriate arrangements to obtain all applicable permits and complete and submit a Monmouth University Alcohol Contract. If University funds are being used to purchase the alcohol being served, an Alcohol Approval Form must be first submitted to the area vice president then on to the President for approval and signature two weeks prior to the scheduled event. A copy of the form is available on the shared drive under Public Forms. A copy of these materials must be submitted to the Vice President for Student Life and Leadership Engagement at least two (2) weeks in advance of the event.
2. If alcoholic beverages are being served at an event, either through the cost of admission or on a cash basis, a Social Affairs Permit from the New Jersey State Division of Alcoholic Beverage Control (ABC) will be required. The process to apply for a license must be started at least four (4) weeks in advance of the event by first contacting the office of The Vice President for Student Life and Leadership Engagement for approval and further directions. The cost associated with obtaining such a license will be the responsibility of the host and due at the time of application. Once your event is approved by the Division of ABC you will be issued an event license that must be displayed at your event and a copy must be submitted to the Vice President for Student Life and Leadership Engagement or his/her designee.
3. Provide adequate safety and security as determined by the Vice President for Student Life and Leadership Engagement in consultation with the Chief of University Police and the event’s sponsor.

4. The consumption of alcoholic beverages will take place only during the timeframe authorized by the Vice President for Student Life and Leadership Engagement or his/her designee, and within the designated area. The event must stop serving alcohol at least one half hour before the time that the event is scheduled to end. Any deviation from the established timeframe or designated area will be a violation of this policy.
5. Ensuring that provisions are made to regulate portions of alcoholic beverages that will be served during an event. Intoxicated persons should not be served. In addition, "drinking games" and shots are strictly prohibited.
6. The alcohol provided for the event must be acquired through the University's Dining Service contract or via any means deemed appropriate by the Vice President for Student Life and Leadership Engagement or his/her designee.
7. The host or host organization is responsible for the care of the facility and must make all arrangements to have the area cleaned.
8. It is the responsibility of the host to ensure that all state and local laws with regard to the possession or consumption of alcoholic beverages are being complied with. Failure to do so will result in disciplinary action against the host of the organization or the organization itself.
9. The host or a designee is responsible for being present at the event throughout the entire period that alcohol is being served or consumed. There are no exceptions to this policy.

#### **G. PROHIBITION OF "OPEN" EVENTS AND CONSUMPTION:**

1. All University events on campus that involve the consumption of alcohol are limited to the members of the University and their invited guests.

#### **H. AMENDMENTS TO THE POLICY:**

All requests for amendments to this policy must be directed to the Vice President for Student Life and Leadership Engagement for consideration. Any changes to this policy will be made in accordance with policy implementation

as outlined in the Administrative Policies and Procedures Handbook.

#### **Education and Prevention**

The education and prevention regarding the use and misuse of alcohol is a responsibility that is shared by the entire campus community. To ensure an understanding of this policy and compliance, the University has established a variety of programs and mechanisms to promote responsible consumption of alcohol and provide for adequate education regarding the effects of alcoholic beverages.

To accomplish this:

1. The prevention of behavior that violates this policy and the abuse of alcoholic beverages will be coordinated by the Division of Student Life.
2. The University will provide resources and time for the prevention of, and the education concerning, conduct that violates this policy. The University will provide information to deans, Student Life personnel, directors, student organizations, and staff regarding: student rights and responsibilities concerning this policy, the availability of personal counseling regarding alcohol abuse, and the opportunities for alcohol-free sponsored events and programs.
3. The University will provide training to those students who work in a variety of "peer helping" roles on the University's campus that encompass referrals, resources, and methods for handling conduct covered in this policy.

#### **Health Risks**

The health risks most commonly associated with the use of alcoholic beverages are described below:

Whether in the form of beer, wine, or liquor, alcohol is a mind-altering chemical, which has effects similar to barbiturates and narcotics. Alcohol acts as a depressant to the central nervous system. In small amounts, alcohol can produce mild relaxation and a feeling of well-being. In large amounts, alcohol can cause intoxication, sedation, unconsciousness, or death.

Hangovers are probably the best known sign of too much alcohol in the body. They are caused by the body's reaction to the toxic, or poisonous, effects of alcohol. Often those effects

can occur at very low levels of drinking.

**Liver**—95% of all alcohol is metabolized by the liver. Because clearing alcohol out of the body is a “priority,” the other functions of the liver, such as regulating blood glucose levels, are slowed down.

**Stomach**—Alcohol causes a surge in the flow of digestive acids, which can irritate the stomach lining. Nausea and vomiting frequently occur, while regular, heavy drinking can cause ulcers and chronic stomach problems.

**Nervous System**—Alcohol suppresses almost every function, causing problems such as slurred speech, uncoordination, loss of balance, and memory loss.

**Heart**—Alcohol makes the heart work harder and less efficiently. Long-term heavy drinking is associated with heart muscle disease, irregular heartbeats, and an increased risk of coronary artery disease.

**Other Heart Problems**—Heavy, prolonged, or excessive drinking can lead to malnutrition, cancer, psychological problems, miscarriages, possible birth defects, and infertility in women, as well as impotency and sterility in men.

### University Resources and Programs

Monmouth University has developed a multifaceted response to meet the needs of students who may be at risk for alcohol and other drug problems. Substance awareness programs are coordinated through the Office of Substance Awareness, in collaboration with the Office of Counseling and Psychological Services, Health Services, Judicial Affairs, Athletics, Residential Life, and Student Activities.

Drug and alcohol counseling, treatment, or rehabilitation programs available to students:

- Confidential substance abuse assessments, short-term counseling, recommendations, and referrals are available from a licensed clinician.
- The Health Center staff of physicians and nurse practitioners can also assist with substance abuse concerns, especially if a health problem exists.
- Students in recovery club
- Students in recovery lounge

Visits to the Health Center are confidential. The number is **732-571-3464**.

Educational Programs and Courses targeted at preventing drug and alcohol abuse:

- Monmouth provides an online alcohol education program for students.
- Substance abuse assessments are provided for violators of the alcohol/drug policy.
- Presentations for student organizations, groups, or classes on alcohol and other drug issues are regularly scheduled, as well as hosting outside national speakers.
- The Substance Awareness Resource Center, located in the Health Center, contains pamphlets, schedules for 12 Step Meetings, brochures, videos, books, etc., that focus on a variety of substance awareness topics.
- Alcohol Awareness Month and National Alcohol Screening Day Events are held in the spring semester.
- National Collegiate Alcohol Awareness Week and Drunk Driving Awareness Month Events are held in the fall semester.
- Support services are available for students who are concerned about a family member or friend's substance abuse or addiction.

### Program Review

In compliance with Federal Law, this policy will be reviewed biennially to determine the effectiveness of the University's Alcohol and Drug Prevention Program; implement changes to the program as required and to ensure that disciplinary sanctions are consistently enforced.

### Appendix A

#### USCS 11145G. DRUG AND ALCOHOL ABUSE PREVENTION

Notwithstanding any other provision of law, no institution of higher education shall be eligible to receive funds or any form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program, unless it certifies to the Secretary that it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and

employees that, at a minimum includes:

1. The annual distribution to each student and employee of –
  - a. standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
  - b. a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
  - c. a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
  - d. a description of any drug or alcohol counseling, treatment, or rehabilitation or entry programs that are available to employees or students; and
  - e. a clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions to, and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct required by paragraph 1.a; and
2. A biennial review by the institution of its program to—
  - a. determine its effectiveness and implement changes to the program if they are needed; and
  - b. ensure that the sanctions required by paragraph 1.e are consistently enforced.

### **Sanctioning Guidelines for Violations of the Alcohol Policy**

The following sanctions will be in effect for students found responsible for violating the Monmouth University alcohol policy.

The University reserves the right at any point in the range of offenses to impose sanctions deemed appropriate, in addition to or in place of sanctions listed below. Additionally, the University reserves the right at any point in the range of offenses to request students to seek a formal alcohol evaluation as deemed necessary by the Director of

Counseling and Psychological Services, the Coordinator of Substance Awareness, and/or the Vice President for Student Life and Leadership Engagement or their designee. In all cases, the University reserves the right to prosecute criminally for violation of policies concerning alcohol and drugs.

### **Sanctions**

Use, Possession, Distribution, and/or Being in the Presence of Alcohol for Those Individuals Under 21 Years of Age

#### **First Offense:**

1. Minimum \$100 fine (depending upon quantity) and/or a service work assignment.
2. Assignment to an on-campus educational program. (Failure to complete this program will result in an increased fine as well as an alternative assignment to be determined by the Vice President for Student Life and Leadership Engagement or her designee.)
3. Parental notification. (Applicable when a summons for a violation of state law or borough ordinance is received.)

#### **Second Offense:**

1. Minimum \$200 fine. (no exceptions)
2. Educational and/or service work assignment.
3. Parental notification.
4. A mandatory meeting with Monmouth University's Substance Awareness Coordinator.
5. Arrest by the MUPD and face criminal prosecution for violations that occur on campus.

#### **Third Offense:**

1. One semester suspension from the University. Readmission contingent upon review by the Vice President for Student Life and Leadership Engagement in consultation with the Coordinator of Substance Awareness and the Director of Counseling and Psychological Services.
2. Parental notification.
3. Arrest by the MUPD and face criminal prosecution.

These sanctions were both initiated and endorsed by the Monmouth University Student Government Association.

**Parental Notification:**

The Family Educational Rights and Privacy Act (FERPA) permits colleges and universities to inform parents/guardians of students under 21 years of age when their student has been found in violation of University alcohol and drug policies.

The Office of Student Life will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a second violation of the alcohol policy, and (3) on the first violation of the alcohol policy when one or more of the following occurs:

- a summons for a violation of state law or borough ordinance is issued
- the student demonstrates a reckless disregard for his or her personal safety or the safety of others
- medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior
- the student operates a motor vehicle under the influence of alcohol

### **Violations of the Alcohol Policy by Students 21 Years of Age or Over**

#### **1. Consuming alcoholic beverages in public areas as defined in the Student Handbook**

- First Offense: Warning.
- Second Offense: Fine of up to \$200.

#### **2. Consuming alcoholic beverages to the point of problematic intoxication**

- First Offense: Warning.
- Second Offense: Fine of up to \$200.
- Sanctions will be determined on a case-by-case basis.

#### **3. Distribution to Individuals Under 21:**

- First Offense: Up to \$200 fine and ten hours of community service.
- Second Offense: Criminal prosecution; fine up to \$500 and 20 hours of community service.

### **Recommended Actions for Noncompliance with Sanctions:**

The student will receive a written warning of noncompliance. To insure that the student will receive the letter, it will be delivered by either certified mail, via e-mail with a read/received receipt, or hand delivered by a member of the residential life staff.

If there is continued noncompliance, a hold will be placed on a student's record preventing them from registering for classes, etc. Students may also be subjected to action under the Student Code of Conduct for failing to comply.

## **Substance Abuse Policy**

The use of drugs by students can create conditions that are contrary to those deemed necessary for the maintenance of an optimal academic environment. Monmouth University affirms its responsibility to secure this optimal educational atmosphere by establishing the following policy:

The use, possession, or sale of alcohol, illegal drugs, or narcotics, and/or paraphernalia by a student will subject that individual to disciplinary action and legal prosecution under federal, state, or local statutes. The decision rendered shall be determined by the circumstances of the student's involvement. In addition, the presence of the odor of marijuana, and the possession of drug paraphernalia or any device used to ingest marijuana in any campus residence hall, building, etc., may also subject students to internal disciplinary action.

### **A. Drug Laws**

According to the New Jersey Code of Criminal Justice pertaining to controlled substances, students should be aware of the following:

1. It is unlawful for any person, knowingly or purposely, to manufacture, distribute or dispense, possess, or have under his/her control with the intent to manufacture, distribute, or dispense, a controlled dangerous substance or controlled substance analog.
2. It is unlawful for any person, knowingly or purposely, to obtain or to possess a controlled dangerous substance unless the substance was obtained directly by a valid prescription from a practitioner (physician, dentist, etc.).



3. Anyone convicted of distributing a controlled substance to a person under age 18 will be subject to twice the term of imprisonment, fine, and penalty.
4. New Jersey law provides strict liability for drug-induced deaths. Even if the victim voluntarily takes the drug, the person who distributes or dispenses the controlled substance can be prosecuted for a homicide. Anyone convicted of any drug offense, including use, will have to pay a special penalty which starts at \$500 and goes up to \$32,000.
5. Anyone convicted of any drug offense will automatically lose his or her driver's license for at least six months. It doesn't matter if a car was used in committing the offense.

## B. Health Risks

The health risks most commonly associated with the use of alcoholic beverages, drugs, and narcotics are described below:

### Drugs and Narcotics

We live in a drug-oriented society. Drugs have saved lives, reduced pain, and improved the quality of our lives. However, misuse and abuse of drugs can cause critical injury or death.

**Marijuana**—Marijuana is a drug taken to produce a high or euphoric feeling and a state of relaxation. The short-term effects of marijuana include distortion of time perception, increased heart rate, dilation of the blood vessels, and loss of short-term memory. Visual perception and psychomotor skills are also decreased, which have adverse effects on driving ability. The effects of long-term use include loss of motivation, chronic bronchitis, decreased lung capacity, and an increased risk of lung cancer. In men, marijuana use can result in reduced levels of testosterone.

**Cocaine**—Cocaine is a powerful stimulant. It is most often inhaled (snorted) into the nose. It can also be smoked or injected. No matter how it is taken, the drug's immediate effect is to create a high that is often described as orgasmic or euphoric. It creates increased alertness, suppresses appetite, and temporarily relieves depression. Studies indicate that cocaine's effect on the body and psyche is dangerous. It

is thought that some of the damage caused by cocaine is irreversible. The least harmful effects are nosebleeds and nasal erosions that result from irritation of the lining of the nose. Most dangerous are the "coke blues" which are intense downs that often occur after a high, which results in the user trying other drugs to relieve the psychological and emotional discomfort. There is a strong psychological dependency on "coke" which slowly increases as tolerance develops.

**Stimulants**—Caffeine is the most widely used stimulant, and can be found in coffee, tea, cola, and cold medications. Amphetamines are also stimulants. They are also referred to as "speed and uppers." Stimulants increase awareness, keep people awake, and depress the appetite. Short-term effects include elevated blood pressure, nervousness, and hyperactivity. Long-term effects include insomnia, malnutrition, and acute psychosis.

**Depressants**—Depressants, also called "downers," include Quaaludes, barbiturates, and tranquilizers. These drugs reduce anxiety, induce sleep, and promote relaxation. Used together, they can be extremely dangerous and can suppress the central nervous system enough to cause death. Downers cause slower response time, loss of rational judgment, decreased coordination, and loss of motor skills. Driving skills are seriously affected. Tolerance and physical dependence often develops.

**Hallucinogens**—Hallucinogens include LSD, mescaline, and PCP. They produce dream-like perceptions and/or panic reactions that produce horrifying perceptions. PCP is a hallucinogen, which is particularly dangerous and can cause a person to become violent to himself/herself and others.

**Ecstasy** (MDA) is a drug that became popular in the 1980s. It has been billed as "the perfect drug" by enhancing thinking, coordination, and empathy. The use of "Ecstasy" also results in irreversible brain damage. Although most hallucinogens do not result in physical or psychological dependence, tolerance to them can develop.

**Narcotic Analgesics**—These drugs include opium, morphine, heroin, and codeine. They relieve pain. Improper use of narcotics can result in physical dependence in a relatively short period of time. A narcotic overdose can result in death.

**Steroids**—Steroids are drugs that resemble the male sex hormone, testosterone. Popular since the 1950s, steroids have been used by athletes and body builders to increase muscle mass and improve athletic performance. The true effectiveness of steroids in improving strength and performance is not known; however, it is known that steroids pose certain health risks. Taken in large doses, steroids can cause psychological dependence, increased anger, aggression, depression, and will stunt growth in adolescents who have not attained their full height. Men may also experience nipple and breast growth, shrunken testicles, and baldness. Intravenous steroid users are at risk for hepatitis, liver cancer, an altered sex drive, and AIDS.

### C. University Resources and Services

See University Resources and Services under the University's Alcoholic Beverages Policy set forth in this Guide for a Safe Campus.

### D. Program Review

See Program Review under the University's Alcoholic Beverages Policy set forth in this Guide for a Safe Campus.

### Sanctions for Violation of Substance Abuse Policy

The University reserves the right at any point in the range of offenses to impose sanctions deemed appropriate, in addition to or in place of sanctions listed below. Additionally, the University reserves the right at any point in the range of offenses to request students to seek a formal evaluation as deemed necessary by the Director of Counseling and Psychological Services, Coordinator of Substance Awareness, and/or the Vice President for Student Life and Leadership Engagement. In all cases, the University reserves the right to prosecute criminally for violation of policies concerning alcohol and drugs.

### Use, Possession, or in the Presence of Controlled Dangerous Substances/Paraphernalia

#### First Offense:

1. Residence hall probation.

Non-residents found in violation will have privileges of being in any residential facility including the quad, apartments, and parking lots of the residence halls held on a probationary

basis. Any subsequent violation of University or residence hall policy will result in suspension from the residence halls.

2. Up to \$200 fine.
3. Possible service work assignment.
4. Disciplinary probation for one full semester.
5. Possible educational program.
6. A mandatory meeting with Monmouth University's Substance Awareness Coordinator.
7. Parental notification.
8. Arrest by MUPD.

#### Second Offense:

1. Suspension from the University for a minimum of one semester.
2. A fine up to \$400.
3. Reinstatement upon approval of Student Life personnel and Director of Counseling and Psychological Services and/or a formal alcohol and other drug evaluation at a licensed treatment facility.
4. Disciplinary probation upon return to the Institution for a period of two full semesters.
5. Permanent loss of on-campus housing privileges.
6. Parental notification.
7. Arrest by MUPD.

#### Third Offense:

1. Expulsion from the University.
2. Parental notification.
3. Arrest by MUPD.

### Selling or Distribution of Controlled Dangerous Substances

Expulsion from the University and criminal prosecution.

### Other Significant Laws Pertaining to Substance Abuse

- Anyone convicted of distributing a controlled substance to a person under age 18 will be subject to twice the term of imprisonment, fine, and penalty.

- New Jersey law provides strict liability for drug-induced deaths. Even if the victim voluntarily takes the drug, the person who distributes or dispenses the controlled substance can be prosecuted for a homicide. Anyone convicted of any drug offense, including use, will have to pay a special penalty which starts at \$500 and goes up to \$32,000.
- Anyone convicted of any drug offense will automatically lose his or her driver's license for at least six months. It doesn't matter if a car was used in committing the offense.

### **Medical Marijuana Policy**

Medical marijuana, while legally permitted in New Jersey, is prohibited on the Monmouth University campus and on all Monmouth University owned or controlled property. As an institution of higher education and an employer, Monmouth University is required to comply with the Drug Free Schools and Communities Act. Since the federal government does not recognize the difference between medical and recreational use of marijuana, Monmouth University must prohibit all marijuana use, possession, or cultivation (including medical marijuana) on its campus and on all University owned or controlled property. Therefore, even a student with a valid medical marijuana prescription will not be permitted to use, possess or cultivate medical marijuana on the Monmouth University campus or on any Monmouth University owned or controlled property. Monmouth University will not pursue charges under the Student Code of Conduct for students who possess a valid medical marijuana prescription and engage in the off-campus use of medical marijuana, which is consistent with their prescription. However, in order to avoid being charged with a violation the Student Code of Conduct, students will be required to produce a valid medical marijuana prescription if they are either suspected or found to be under the influence of marijuana on the Monmouth University campus or on a University owned or controlled property. Health Services, located in Birch Hall, is a confidential resource that is available to all Monmouth University students and can assist with a variety of health related issues and concerns.

## **Campus Security Authorities**

### **A. Definition**

The Clery Act regulations define the following persons as campus security authorities:

1. A member of a campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who does not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings unless the official is exempt from being a campus security authority as set forth in this policy.

### **B. Responsibilities of Campus Security Authorities (CSAs)**

1. Campus Security Authorities must report allegations of Clery Act crimes that they conclude happened in good faith to the Monmouth University Police Department. Allegations of Clery Act crimes can be reported on Monmouth University Campus Security Authority Crime & Incident Report Form and submitting it to the Monmouth University Police Department. A copy of the form can be obtained from the Monmouth University Police Department. It is important to report allegations to the Monmouth University Police Department immediately because the report may be the basis for determining if there is a serious or continuing threat to the safety of the campus community which may warrant a timely warning or Hawk Safety Alert. If a CSA is unsure whether or not an incident is a Clery crime, he or she should report it.

2. Unless a CSA is a Monmouth University Police Officer, he or she is not responsible for determining authoritatively whether or not a crime took place and should never try to apprehend an alleged perpetrator of a crime.
3. If an individual reporting an incident needs assistance, a CSA should explain how to get help. CSAs should let a victim know that help is available even if he or she does not want an investigation conducted. If it is an emergency situation, the CSA should immediately contact the Monmouth University Police Department at **732-571-4444** or call **911**.
4. CSAs do not have the responsibility to try and convince a victim to contact law enforcement if a victim chooses not to do so. However, if a victim does not want a report to go any further than the CSA, a CSA must explain that he or she is required to submit the report for statistical purposes, but can submit the report without identifying the victim.
  - m. All faculty advisors
3. V.P. & General Counsel
  - a. V.P. & General Counsel
  - b. Associate General Counsel
  - c. Director of Equity and Diversity/Title IX Coordinator
  - d. Director of Internal Audit
4. V.P. for Enrollment Management
  - a. V.P. Enrollment Management
  - b. All Associate Vice Presidents
  - c. All Assistant Vice Presidents
  - d. All Directors
5. V.P. for Finance
  - a. V.P. Finance
  - b. All Associate Vice Presidents
  - c. All Assistant Vice Presidents
  - d. All Directors

### C. Examples of Campus Security Authorities at Monmouth University

Examples of campus security authorities at Monmouth University include, but are not limited to:

1. President
2. Provost & V.P. for Academic Affairs
  - a. Provost & V.P. for Academic Affairs
  - b. Vice Provosts
  - c. All Associate Vice Provosts
  - d. All Associate Vice Presidents
  - e. All Assistant Vice Presidents
  - f. All Academic Deans
  - g. All Associate Deans
  - h. All Assistant Deans
  - i. All Directors
  - j. Athletics Professor in Residence
  - k. All Department Chairs
  - l. All faculty taking students on domestic and international trips
3. V.P. & General Counsel
  - a. V.P. External Affairs
  - b. All Associate Vice Presidents
  - c. All Assistant Vice Presidents
  - d. All Directors
4. V.P. & Director of Athletics
  - a. V.P. and Director of Athletics
  - b. All Directors
  - c. All Associate Directors
  - d. All Head Coaches
  - e. All Assistant Coaches
5. V.P. Student Life & Leadership Engagement
  - a. V.P. for Student Life and Student Engagement
  - b. All Associate Vice Presidents
  - c. All Assistant Vice Presidents
  - d. All Directors

- e. All Associate Directors
  - f. All Assistant Directors
  - g. All Area Coordinators and Residential Assistants in Residential Life
  - h. All Coordinators in Student Life and Student Activities
  - i. All Advisors to recognized student clubs and organizations, fraternities and sororities
9. V.P. for Administrative Services
- a. V.P. Administrative Services
  - b. All Members of the M.U.P.D.
  - c. All Associate Vice Presidents
  - d. All Assistant Vice Presidents
  - e. All Directors
10. V.P. for Information Management
- a. V.P. for Information Management
  - b. All Associate Vice Presidents
  - c. All Assistant Vice Presidents
  - d. All Directors

*\* If you are unsure whether or not you are a CSA, please contact Amy Arlequin, the Clery Compliance Officer, at 732-571-7577.*



#### **D. Examples of Non-Campus Security Authorities at Monmouth University**

Individuals who would not meet the criteria for being campus security authorities include, but are not limited to:

1. A faculty member who does not have any responsibility for student and campus activity beyond the classroom.
2. Clerical staff.
3. Professional counselors whose official responsibilities include providing mental health counseling to members of the Monmouth University community and functioning within the scope of his/her license or certification, including, but not limited to:
  - a. Director of Psychological Counseling
  - b. Psychological Counselors
  - c. Assistant Director of Psychological Counseling
4. All physicians, nurse practitioners, clinicians, coordinators in Health Services whose official responsibilities include treating, examining, and/or counseling members of the Monmouth University community and functioning within the scope of his/her license or certification, including, but not limited to:
  - a. Director of Health Services
  - b. Substance Awareness Coordinators
  - c. Volunteer Substance Awareness Assistants
  - d. University Health Clinicians
  - e. Consulting Physicians
  - f. University Nurse Practitioners

*\* Individuals in Section C and D above who are not acting within the scope of their license, may be considered a campus security authority if they meet the definition. An example would be a psychological counselor who is an advisor to the student club. If an incident was reported during a club event, the individual must report as a CSA.*

## II. WHAT ARE MY RESPONSIBILITIES AS A CAMPUS SECURITY AUTHORITY?

- If an individual reporting an incident needs assistance, a CSA should explain how to get help. Let a victim know that help is available even if he or she does not want an investigation conducted. The decision to act on this option is the victim's. However, in the midst of an emergency situation, a CSA should immediately contact the MUPD at **(732) 571-4444** or call **911**.
- Even if you are unsure whether an incident is a Clery crime, or even if it's criminal in nature, you should report it. **WHEN IN DOUBT, REPORT!**
- Provide as much information about the criminal incident as possible to aid law enforcement and categorize the incident.
- A CSA crime report should include personally identifying information if available. This is important for law enforcement purposes and to avoid double counting of crimes/incidents. The Clery statistical disclosures base on these reports will be kept anonymous, i.e., no personally identifying information is disclosed in Monmouth University's annual security report.
- If a victim does not want a report to go any further than the CSA, explain that you are required to submit the report for statistical purposes, but you can submit it without identifying the victim.
- If a crime is reported to you and goes no further than that, Monmouth University will not have fulfilled its obligation under the law and the campus community might not have the information they need to stay safe on campus. If the Department of Education finds that Monmouth University did not report a crime/incident in its annual security report, it can be fined and lose its federal funding, i.e., financial aid. Again: **IF IN DOUBT, REPORT!**
- Submit your crime/incident report in a timely manner. Forms can be accessed by the Office of the General Counsel or the MUPD. You may even report in an e-mail to the MUPD.
- Reports shall be submitted to the MUPD.

## III. PREPARATION AND DISCLOSURE OF CRIME STATISTICS

The Monmouth University Police Department is responsible for collecting and reporting the annual crime statistics from local police agencies and campus security authorities. This information is included in the Monmouth University Guide for a Safe Campus. By October 1 of each year, notification of the new Guide for a Safe Campus is e-mailed to current students and employees. A hard copy of the report is available upon request to the Monmouth University Police Department.

The crime statistics are also submitted to the United States Department of Education on an annual basis.

The Monmouth University Police Department collects its own statistics and accepts supplemental numbers from campus security authorities in their reporting roles. The Monmouth University Police Department also annually sends a request to local law enforcement agencies that have jurisdiction over some of the University's Clery geography. Additionally, an annual notice is sent to each individual Campus Security Authority at Monmouth University to ensure that all incidents have been reported for the previous calendar year.

Clery reporting covers the preceding calendar year, January 1 to December 31.



## Crime and Fire Statistics Charted

The charted statistics on the following pages are provided in compliance with the Clery Act and are for informational purposes only. If you have questions regarding this information, please contact Chief of Police William McElrath at **732-571-4444**.

The Monmouth University Police Department has an excellent working relationship with neighboring police departments and is notified of any significant criminal activity reported to local police involving Monmouth University students.

Surrounding police departments have also been requested to immediately report any serious crimes adjacent to the campus, or any imminent dangerous situation near the campus, to the University Police. This information will then be forwarded to the campus community.

In order to assist the University Police in complying with requirements set forth by the Jeanne Clery Act, members of the University community are encouraged to report all criminal activities to the Monmouth University Police Department at **732-571-4444** to ensure timely warnings are issued, and to ensure inclusion of those activities in the annual statistics.

Per Federal Law, Monmouth University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

- **Patti Swannack**—Vice President for Administrative Services: **732-571-3546**
- **Timothy Orr**—Construction Manager: **732-571-3566**
- **Dean Volpe**—Captain of Police: **732-571-3492**
- **Michael Wunsch**—Director of Compliance/Risk Manager: **732-263-5355**
- **Mary Anne Nagy**—Vice President for Student Life and Leadership Engagement: **732-571-3417**
- **Bill McElrath**—Director/Chief of Police: **732-571-3488**

When calling please provide as much information as possible about the location, date, time, and cause of the fire.

### CONFIDENTIAL REPORTING

Students wanting to report criminal activities confidentially should contact the Director of Counseling and Psychological Services, the Vice President for Student Life and Leadership Engagement, or the Assistant Vice President for Student Life. Employees who wish to report criminal activities confidentially should contact the Vice President for Administrative Services.

As a matter of University policy, members of the counseling and psychological services staff are required to inform individuals they are counseling that they can confidentially report crimes as stated in the paragraph above.



# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Monmouth University Police Department Crime Statistics 2015-2017	Murder			Negligent Manslaughter			Forcible Sex Offenses						Non-Forced Sex Offenses						Robbery			Aggravated Assault			Burglary			Motor Vehicle Theft			Arson					
							Rape			Criminal Sexual Contact			Incest			Statutory Rape																				
	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15	17	16	15
<b>On Campus, in all Areas Combined</b>	0	0	0	0	0	0	9	4	3	1	0	3	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
<b>In Residential Areas on Campus Only</b>	0	0	0	0	0	0	6	2	2	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
<i>Pier Village</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>The University Bluffs</i>	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>On Adjacent Public Property</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Reported to MU Officials other than Police</b>	0	0	0	0	0	0	6	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Monmouth Corporate Park</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

- When a hate crime is reported, it will be labeled with the following categories of prejudice: R=Race; G=Gender; REL=Religion; SO=Sexual Orientation; GI=Gender Identity; NO=National Origin; E=Ethnicity; and/or D=Disability. In addition to the criminal offenses listed on the chart, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, making graffiti, or any other crime involving bodily injury. In 2012 there was (0). In 2013 there was (0). In 2014 there was (0).
- Of the four (4) total Rape offenses reported in 2016, one (1) occurred in the fall of 2013 and another in the fall of 2014 but, neither was reported until the fall of 2016.



# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Crimes Only Listed if Prejudice 2015-2017	Larceny/ Theft			Simple Assault			Intimidation			Destruction, Damage, or Vandalism to Property (Criminal Mischief)			Other Crimes (involving bodily injury)		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
On Campus in all areas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
On Campus Residences Only	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Pier Village</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>The University Bluffs</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Adjacent Public Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reported to MU Officials other than Police	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Monmouth Corporate Park	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Fire Statistics	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by the Fire	Year of the Fire
2015 - 2017	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to the Fire	Value of Property Damage Caused by the Fire	Year of the Fire
Great Lawn Apartments	0	N/A	N/A	0	0	N/A	N/A
Beechwood Hall	0	N/A	N/A	0	0	N/A	N/A
Cedar Hall	0	N/A	N/A	0	0	N/A	N/A
Elmwood Hall	0	N/A	N/A	0	0	N/A	N/A
Laurel Hall	0	N/A	N/A	0	0	N/A	N/A
Maplewood Hall	1	1	Plastic cup filled with oil stored in oven	0	0	0	2017
Mullaney Hall	0	N/A	N/A	0	0	N/A	N/A
Oakwood Hall	0	N/A	N/A	0	0	N/A	N/A
Pinewood Hall	0	N/A	N/A	0	0	N/A	N/A
Redwood Hall	0	N/A	N/A	0	0	N/A	N/A
Spruce Hall	0	N/A	N/A	0	0	N/A	N/A
Willow Hall	1	1	Hot water distribution pump malfunction	0	0	\$500.00	2017
Hesse Hall	0	N/A	N/A	0	0	N/A	N/A

- Fires only occurred in buildings and years listed for the required reporting period; N/A indicates non-applicability.
- There weren't any applicable fires in 2015.

# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Fire Safety Systems – Residential Housing 2015-2017	Fire Alarm Monitoring Done On Site (by MUPD)	Building Equipped with Full Sprinkler System	Building Has Fire Alarms & Smoke Detectors	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills Each Calendar Year
Garden Apartments	Y	Y	Y	Y	Y	4
Great Lawn Apartments	Y	Y	Y	Y	Y	4
Beechwood Hall	Y	Y	Y	Y	Y	4
Cedar Hall	Y	Y	Y	Y	Y	4
Elmwood Hall	Y	Y	Y	Y	Y	4
Laurel Hall	Y	Y	Y	Y	Y	4
Maplewood Hall	Y	Y	Y	Y	Y	4
Mullaney Hall	Y	Y	Y	Y	Y	4
Oakwood Hall	Y	Y	Y	Y	Y	4
Pinewood Hall	Y	Y	Y	Y	Y	4
Redwood Hall	Y	Y	Y	Y	Y	4
Spruce Hall	Y	Y	Y	Y	Y	4
Willow Hall	Y	Y	Y	Y	Y	4
Hesse Hall	Y	Y	Y	Y	Y	4

• Full sprinkler system is defined as having sprinklers in both the common areas and individual rooms.

• Pier Village and the University Bluffs Apartments are overseen by municipal fire officials. Certificate of the fire Systems Operability are available upon request.

# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Number of Arrests by All Police 2015-2017	Liquor Laws			Drug Abuse Laws			Weapons		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
<b>On Campus in All Areas</b>	22	33	32	6	8	12	0	1	0
<b>On Campus Residential Areas</b>	22	33	30	6	8	12	0	1	0
<i>Pier Village</i>	0	0	0	0	0	0	0	0	0
<i>The University Bluffs</i>	0	0	0	0	0	0	0	0	0
<b>On Adjacent Public Property</b>	0	0	0	0	0	0	0	0	0
<b>Monmouth Corporate Park</b>	0	0	0	0	0	0	0	0	0

• Due to Long Branch Police Department's CAD/Reporting software, arrest applicability is indeterminable.

Number of students not arrested but referred for campus disciplinary action 2015-2017	Liquor Laws			Drug Abuse Laws			Weapons		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
<b>On Campus in All Areas</b>	72	111	132	17	17	16	1	1	0
<b>On Campus Residences Only</b>	72	111	129	17	12	16	1	1	0
<i>Pier Village</i>	0	0	0	0	0	0	0	0	0
<i>The University Bluffs</i>	0	0	0	0	5	2	0	0	0
<b>On Adjacent Public Property</b>	0	0	0	0	0	0	0	0	0
<b>Monmouth Corporate Park</b>	0	0	0	0	0	0	0	0	0

# Crime and Fire Statistics

## CLERY ACT NOTIFICATION

Violence Against Women Act (VAWA) Offenses 2015-2017	Domestic Violences			Dating Violence			Stalking		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
<b>On Campus in All Areas</b>	6	3	1	8	5	2	0	1	0
<b>On Campus Residences Only</b>	5	2	0	7	2	1	0	0	0
<i>Pier Village</i>	0	0	0	0	0	0	0	0	0
<i>The University Bluffs</i>	0	0	0	0	0	0	0	0	0
<b>On Adjacent Public Property</b>	0	0	0	0	0	0	0	0	0
<b>Reported to Other than Police</b>	0	0	0	0	0	1	0	0	0
<b>Monmouth Corporate Park</b>	0	0	0	0	0	0	0	0	0

## CRIME AND FIRE LOGS

The Monmouth University Crime and Fire Logs are located within the Monmouth University Police Department. Please see Dispatch at the Monmouth University Police Department. The Logs are available to view 24 hours a day, seven days a week.

## Sexual Harassment Policies And Procedures

### PROCEDURES FOR REPORTING AND RESOLVING COMPLAINTS REGARDING DISCRIMINATION/SEXUAL HARASSMENT AGAINST FACULTY

#### I. INTRODUCTION

Consistent with the University's mission as an institution of higher education and its policies against discrimination and sexual harassment, the University abides by all applicable federal, state, and local laws which prohibit discrimination, including, but not limited to, on the basis of race, religion, color, national or ethnic origin, age, sex (including sexual harassment), sexual orientation, marital status, disability, gender identity, or other legally protected classes in any educational or employment program, policy, or practice of Monmouth University (including outside contractors and visitors). In accordance with these laws and policies, the University also prohibits retaliation against anyone that has complained about discrimination or otherwise exercised rights guaranteed by these laws. Regardless of the means selected for resolving allegations of discrimination, including sexual harassment, the initiation of a complaint will not cause any reflection on the complainant nor will it affect such person's employment, compensation, or work assignments. Every effort should be made to resolve any incident as soon as possible while the facts and potential testimony of witnesses, if any, are current.

#### II. PROCEDURE

The procedures described below are provided for the prompt and equitable resolution of complaints by faculty, students, and non-faculty employees who believe they have been subjected to discrimination, including sexual harassment in violation of the University's policy against discrimination and sexual harassment. These procedures will be followed when the alleged violator is a faculty member of the University. Separate procedures address non-faculty members. Allegations of discrimination, including sexual harassment involving a student, are addressed through the Student Code of Conduct.

Nothing in this procedure shall limit or prohibit the filing of a grievance or action under a collective bargaining agreement, the University's Code of Conduct for student disciplinary actions, or with an external agency responsible for addressing issues of discrimination or sexual harassment.

#### A. Optional Informal Process Between the Parties

1. If a person believes that he or she has been discriminated against, the following are the optional procedures for informal resolution. If the complainant wishes, he or she may choose to file a formal complaint rather than pursue the procedures for informal resolution. (See Section II C.)
2. Those initiating an informal resolution process may inform, either orally or in writing, the individual perceived as engaging in discriminatory conduct or communication as soon as possible that such conduct or communication is offensive and must stop. If a meeting is arranged, a neutral witness may be present. The Director of the Office of Equity and Diversity may be present to provide assistance in attempting to resolve the alleged complaint.
3. If a person does not wish to or feel comfortable communicating directly with the alleged violator or if the direct communication with that individual has not resolved the problem, the person should contact one of the following for assistance or advice as soon as possible:
  - a. Appropriate Chairperson, School Dean, or officer of the Faculty Association.
  - b. Counselor/Advisor in Counseling and Psychological Services.
  - c. The Vice President for Student Life and Leadership Engagement.
  - d. His/her immediate supervisor.
  - e. The Vice President for Administrative Services.
  - f. The Provost.
  - g. The Director of the Office of Equity and Diversity.

4. The Director of the Office of Equity and Diversity may be contacted directly at any time regarding any issue of discrimination or sexual harassment. Again, if the individual filing the complaint wishes, he or she may choose to file a formal complaint, (see Section II, C for formal complaint procedures).
5. Any University official approached with a complaint pursuant to this procedure, including the appropriate officials listed above, shall immediately notify the Director of the Office of Equity and Diversity of the complaint and its substance.
6. The Director of the Office of Equity and Diversity will initiate the informal resolution process.

### **B. Informal Resolution Process**

1. The initial attempt at resolving a complaint regarding discrimination or sexual harassment may be conducted according to an informal process.
2. During this initial phase, the student, employee, or faculty member filing the complaint (complainant) may meet with the appropriate University officials designated in Section II, A.2 or the Director of the Office of Equity and Diversity in order to describe the complaint verbally. No written outline of the complaint is required at this stage unless requested by the Director of the Office of Equity and Diversity. The requesting party will be afforded an opportunity to review the written complaint.
3. The Director of the Office of Equity and Diversity will investigate the complaint informally. This investigation is limited to meetings with the complainant, the person accused of having committed the alleged act or acts (respondent) and except for unusual circumstances, any other appropriate campus administrators, faculty members, members of the nonacademic staff, and/or students who may have knowledge of the situation.
4. The following items shall be included in the initial meeting with both the complainant and the respondent as soon as possible thereafter:
  - a. A copy of the University policy allegedly violated and a copy of these procedures will be given.
  - b. Assurance that the matter will be pursued.
  - c. Assurance that the Director of the Office of Equity and Diversity or another appropriate official will be available throughout the process to answer questions or address concerns.
  - d. Assurance that the matter will be kept confidential to the extent possible.
  - e. Assurance that retaliation will not be permitted. Any acts of retaliation shall be subject to investigation and shall be properly addressed.
5. The Director of the Office of Equity and Diversity, along with, when appropriate, other involved University officials, shall discuss the initiation of the complaint with the respective parties, the process of investigation and resolving the complaint, and the timetable for the completion of this process, i.e., investigation, resolution, and recommendation. An attempt to resolve the complaint with the complainant and the respondent will follow.
6. The Director of the Office of Equity and Diversity will attempt to reach an informal resolution within fifteen (15) working days and inform the complainant of the results in writing, including providing information about how to file a formal complaint. If the informal resolution is not completed, the Director of the Office of Equity and Diversity will contact the complainant who may choose to extend the informal process for up to fifteen (15) working days or to move directly to the formal complaint process.
7. Every effort will be made to resolve the complaint at the lowest level possible and consistent with the desires of the person bringing forward the complaint. However, the University recognizes that under certain circumstances, it has a legal obligation to ascertain where discrimination and/or sexual harassment exist irrespective of whether a formal complaint is actually filed. Therefore, at any point during the informal process, either the complainant, respondent, or the Director of the Office of Equity and Diversity may move the complaint to the formal process set forth below.

### C. Formal Complaint Procedure

1. Should the initial informal attempt or attempts to resolve the matter be unsuccessful, or if the student or employee chooses not to utilize the informal complaint process, the complainant may initiate the formal complaint procedure. A formal complaint must be submitted in writing to the Director of the Office of Equity and Diversity.
2. The student or employee should file a formal complaint within ninety (90) working days following the last alleged discriminatory incident. Where the informal complaint process has been pursued, the ninety (90) -day limit can be extended.
3. When a student believes that it is not in his or her best interest for a complaint to be investigated during the course of a semester, the formal complaint must still be filed within the above time limit. However, at the written request of the student and approval by the Director of the Office of Equity and Diversity, notice to the charged parties shall be delayed to no later than fourteen (14) working days after the end of the semester in which the alleged discriminatory act is alleged to have occurred. Under such circumstances, all of the time limits dependent on the date of the formal complaint shall start to run from within fourteen (14) working days after the end of the semester.
4. The written complaint must be filed with the Office of Equity and Diversity and include the following:
  - a. The complainant's name, campus location, and status within the University community, including title, department, and school as appropriate.
  - b. The basis of the alleged act or acts of sexual harassment or discrimination; that is, race, religion, color, national or ethnic origin, age, sex, sexual orientation, marital status, disability, gender identity, or other protected class.
  - c. A brief description of what occurred, including dates, times, and names of witnesses or individuals who can corroborate the allegations, and the complainant's reason for concluding that the behavior or action was discriminatory or sexually harassing.
  - d. The name and position in the University community held by the person or persons who committed the alleged act(s).
  - e. Copies of materials, if any, which may be relevant to the investigation of the complaint.
  - f. The date(s) on which the alleged act(s) was committed.
  - g. The date(s) on which the complainant first knew of the alleged act(s), and any steps the complainant has taken to date, if any, to resolve the complaint.
  - h. A statement indicating the remedy sought by the complainant.
  - i. The signature of the complainant.

### D. Procedures for Investigating Formal Written Complaints

1. As soon as possible, but within fourteen (14) working days after receipt of the written complaint, the Director of the Office of Equity and Diversity of the University shall review the materials, which comprise the written complaint, and commence investigation of the complaint. The Director of the Office of Equity and Diversity shall consult, if appropriate, with a faculty resource person with regard to academic and classroom behavioral issues. The Provost, when appropriate, upon request from the Director of the Office of Equity and Diversity, shall select the faculty resource person in consultation with the Faculty Association. The formal investigation may include initial meetings with the complainant and with the respondent, a discussion of the available procedures, and an exploration of possible avenues for resolution of the complaint. As part of the investigation, the Director of the Office of Equity and Diversity will notify the respondent of the allegations within ten (10) working days from receipt of the complaint, and shall provide the respondent with a copy of the written complaint.



2. If the investigation of a complaint would require interviewing students or employees who may not be available between semesters, and those interviews are significant to the complaint, these deadlines will be delayed until the beginning of the following semester and the complainant so notified.
3. Possible outcomes of an investigation are (1) a finding that the allegations are not warranted or could not be substantiated, (2) a finding that the allegations are substantiated and constitute sexual harassment, discrimination, or inappropriate behavior and, if so, will be referred to the Provost for corrective action, (3) a finding that the allegations were brought forth in bad faith or a malicious manner and, if so, will be referred to the appropriate administrative authority for corrective action, (4) a finding that the allegations could not be substantiated, but still warrant preventative or corrective training/education by the University for the affected area.
4. The Director of the Office of Equity and Diversity shall, as soon as possible, but within sixty (60) working days after receipt of the written complaint, make every effort to complete a fact-finding investigation of the complaint and submit a final report to the Vice President and General Counsel.
5. The Vice President and General Counsel will review the findings of the investigation with the Provost, who will then take appropriate action, if any. The Faculty Association will be notified that a decision has been made and the name of the faculty member involved. The Director of the Office of Equity and Diversity will be notified by the Vice President and General Counsel as to the proposed actions, if any, against the parties in the complaint.
6. The Director of the Office of Equity and Diversity will within five (5) working days notify all parties of the determination and consult with the appropriate University authorities to insure implementation of the decision.

## **E. University Action**

Where required by state and federal law, the University may assume the role of a complainant and pursue a report or complaint of sexual harassment or discrimination, either informally or formally. The University may respond to complaints or reports by persons external to the University community about alleged sexually harassing or discriminatory conduct by University faculty.

## **III. DISCIPLINE**

Whenever a violation of this policy is brought to the University's attention through appropriate channels, prompt corrective action will be taken. For example, individuals found to have engaged in discrimination, sexual harassment, or retaliation pursuant to these procedures may be subject to disciplinary action for violations of the University's policies (up to and including separation from the University). The University will follow applicable University procedures in taking any disciplinary action. Any disciplinary action taken against a member of a collective bargaining unit will be in accordance with the applicable collective bargaining agreement.

## **IV. APPEALS**

Any party aggrieved with the resolution of the complaint by Provost under Section II, D.5 above may appeal that resolution to the President within twenty (20) working days of the notification by the Provost. Such an appeal shall be submitted in writing and shall be decided within fourteen (14) working days of its receipt. The determination of the President will be deemed final and binding but shall be subject to appeal as set forth below in this paragraph. The President's determination shall be sent to the involved faculty member, the Provost, and the Faculty Association. A faculty member may appeal the decision of the President through the arbitration process set forth in Article VII of the Faculty Agreement. The Faculty Association shall, within ten (10) working days after receipt of the President's decision notify the Provost in writing of its intent to proceed to arbitration.

**V. CONFIDENTIALITY**

1. Cases involving discrimination and especially sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited to individuals who have a legitimate need to know or who have information relevant to the investigation in order that the privacy of all individuals involved is safeguarded to the extent practicable under the circumstances.
2. Every effort should be made to protect members of the University community so that they may use the discrimination and sexual harassment grievance procedures without fear of reprisal or retaliatory action.
3. University employees and students are obligated to comply with requests to provide statements during an investigation.

**VI. FALSE CHARGES**

Once a complaint of sexual harassment and/or discrimination has been made, the University has an obligation to investigate the matter. Any complaint determined to be intentionally dishonest or made maliciously without regard for the truth shall subject such complainant to disciplinary action. The determination as to whether a complaint constitutes a false charge under this section shall be made as part of the complaint resolution process set forth in these procedures.

**VII. MONITORING**

1. The Director of the Office of Equity and Diversity shall monitor all reported incidents of alleged discrimination and sexual harassment for an appropriate time period, subsequent to their resolution, to ensure that the offending conduct has ceased, any corrective action has been complied with, and retaliatory actions have not occurred.
2. The Director of the Office of Equity and Diversity will monitor repeated complaints within the same unit or against the same individual. Where repeated complaints or violations are identified, the Office of the Office of Equity and Diversity will refer the matter to the Provost for training, education, and/or disciplinary action.

**VIII. TIME LIMITS**

1. All of the time limits contained in this document may be extended for good cause, upon notification to the parties and the Director of the Office of Equity and Diversity.
2. If the complainant fails to respond within the time limits provided, upon written notice of such failure, the complaint may be deemed to have been withdrawn.

**IX. RECORDINGS**

1. During the formal investigation process, the Director of the Office of Equity and Diversity shall electronically record all interviews for the purpose of creating a transcript of the interview. Once the recordings have been transcribed, reviewed, and signed by the person interviewed, the recording will be destroyed.
2. Recording of interviews will not be allowed by anyone else.

**X. RELEASE OF DOCUMENTS**

Except as stated above, documents obtained in the course of an investigation (formal or informal) will not be released to any party to the investigation. See Section XII below.

**XI. REPRESENTATION**

1. No party, including the complainant, respondent, or witnesses, shall be allowed to have an attorney present at the proceedings under these procedures.
2. Any complainant or respondent who is a member of a collective bargaining unit may have his or her union representative present during proceedings under these procedures.

**XII. RECORD KEEPING**

1. All records required to be kept by the Director of the Office of Equity and Diversity, including recordings of interviews, are confidential. The records shall be so noted and maintained in the files of the Director of the Office of Equity and Diversity.

2. Records pertaining to individuals who have either filed complaints or who have been subject of complaints shall be maintained in the Director of the Office of Equity and Diversity's files. Except as required by University policy and/or law, no records maintained by the Director of the Office of Equity and Diversity shall be released.

### **XIII. RETALIATION**

The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a sexual harassment or discrimination allegation will not be subjected to retaliation. The University will take appropriate steps to assure that a person against whom such an allegation is made is treated fairly. The Director of the Office of Equity and Diversity will take appropriate follow-up measures to assure the goals of this policy are met. Persons who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure for lodging a discrimination/sexual harassment complaint.

### **XIV. REPORTING REQUIREMENTS**

To assure University-wide compliance with this policy and with federal and state law, the Director of the Office of Equity and Diversity must be advised of all reported incidents of sexual harassment and discrimination and their resolution.

## **PROCEDURES FOR REPORTING AND RESOLVING COMPLAINTS REGARDING DISCRIMINATION/SEXUAL HARASSMENT AGAINST NON-FACULTY EMPLOYEES**

### **I. INTRODUCTION**

Consistent with the University's mission as an institution of higher education and its policies against discrimination and sexual harassment, the University abides by all applicable federal, state and local laws which prohibit discrimination on the basis of race, religion, color, national or ethnic origin, age, sex (including sexual harassment), sexual orientation, marital status or disability in any educational or employment program, policy, or practice of Monmouth University (including outside contractors and visitors). In accordance with these laws and policies, the University also prohibits retaliation against anyone that has complained about discrimination or otherwise exercised rights guaranteed by these laws. Regardless of the means selected for resolving allegations of discrimination, including sexual harassment, the initiation of a complaint will not cause any reflection on the complainant nor will it affect such person's employment, compensation or work assignments or, in the case of students, grades, class selection or other matters pertaining to his or her status as a student at the University. Every effort should be made to resolve any incident as soon as possible while the facts and potential testimony of witnesses, if any, are current.

### **II. PROCEDURE**

The procedures described below are provided for the prompt and equitable resolution of complaints by faculty, students and non-faculty employees who believe they have been subjected to discrimination, including sexual harassment in violation of the University's policy against discrimination and sexual harassment. These procedures will be followed when the alleged violator is not a faculty member or a student of the University. Separate procedures address faculty members. Allegations of discrimination, including sexual harassment involving a student, are addressed through the Student Code of Conduct. Nothing in this procedure shall limit or prohibit the filing of a grievance or action under a collective bargaining agreement, the University's Code of Conduct



for student disciplinary actions or with an external agency responsible for addressing issues of discrimination or sexual harassment.

All employees and students, covered by this procedure, who believe they have been subjected to discrimination, including sexual harassment, have several ways to make their concerns known.

### **A. Initial Attempt at Informal Resolution (Optional)**

1. If a person believes that he or she has been discriminated against, the following are the optional procedures for informal resolution. If the complainant wishes, he or she may choose to file a formal complaint rather than pursue the procedures for informal resolution. (See Section II C).
2. Those initiating an informal resolution process may inform, either orally or in writing, the individual perceived as engaging in discriminatory conduct or communication as soon as possible that such conduct or communication is offensive and must stop. If a meeting is arranged, a neutral witness should be present.
3. If a person does not wish to or feel comfortable communicating directly with the alleged violator or if the direct communication with that individual has not resolved the problem, the person should contact one of the following for assistance or advice as soon as possible:
  - a. Your immediate supervisor, appropriate School Dean or Chairperson.
  - b. Counselor/Advisor in Counseling and Psychological Services.
  - c. The Vice President for Student Life and Leadership Engagement.
  - d. The Vice President for Administrative Services.
  - e. The Provost.
  - f. The Director of the Office of Equity and Diversity.
4. The Director of the Office of Equity and Diversity may be contacted directly at any time regarding any issue

of discrimination or sexual harassment. Again, if the individual filing the complaint wishes, he or she may choose to file a formal complaint, (see Section II, C for formal complaint procedures).

5. Any University official approached with a complaint pursuant to this procedure, including the appropriate officials listed above, shall immediately notify the Director of the Office of Equity and Diversity of the complaint and its substance.
6. The Director of the Office of Equity and Diversity will initiate the informal resolution process.

### **B. Informal Resolution Process**

1. The initial attempt at resolving a complaint regarding discrimination or sexual harassment may be conducted according to an informal process.
2. During this initial phase, the student or employee filing the complaint (complainant) may meet with the appropriate University officials designated in Section II, A.2 or the Director of the Office of Equity and Diversity in order to describe the complaint verbally. While no written outline of the complaint is required at this stage, such a written outline or any other written materials related to the complaint will be reviewed.
3. The Director of the Office of Equity and Diversity will investigate the complaint informally. This investigation may include but is not limited to meetings with the complainant, the person accused of having committed the alleged act or acts (respondent) and any other appropriate campus administrators, faculty members, members of the nonacademic staff and/or students who may have knowledge of the situation.
4. The following items shall be included in the initial meeting with both the complainant and the respondent as soon as possible thereafter:
  - a. A copy of the University policy allegedly violated and these procedures will be given.
  - b. Assurance that the matter will be pursued.
  - c. Assurance that the Director of the Office of Equity and Diversity or another appropriate official will

be available throughout the process to answer questions or address concerns.

- d. Assurance that the matter will be kept confidential to the extent possible.
  - e. A statement regarding non-retaliation.
5. The Director of the Office of Equity and Diversity, along with, when appropriate, other involved University officials, shall discuss the initiation of the complaint with the respective parties, the process of investigation and resolving the complaint, and the timetable for the completion of this process, i.e., investigation, resolution and recommendation. An attempt to resolve the complaint with the complainant and the respondent will follow.
  6. The Director of the Office of Equity and Diversity will attempt to reach an informal resolution within fifteen (15) working days and inform the complainant of the results in writing, including providing information about how to file a formal complaint. If the informal resolution is not completed, the Director of the Office of Equity and Diversity will contact the complainant who may choose to extend the informal process for up to fifteen (15) working days or to move directly to the formal complaint process.
  7. Every effort will be made to resolve the complaint at the lowest level possible and consistent with the desires of the person bringing forward the complaint. However, the University recognizes that under certain circumstances, it has a legal obligation to ascertain where discrimination and/or sexual harassment exist irrespective of whether a formal complaint is actually filed. Therefore, at any point during the informal process, either the complainant, respondent or the Director of the Office of Equity and Diversity may move the complaint to the formal process set forth below.

### **C. Formal Complaint Procedure**

1. Should the initial informal attempt or attempts to resolve the matter be unsuccessful, the complainant may initiate the formal complaint procedure. A

formal complaint must be submitted in writing to the Director of the Office of Equity and Diversity.

2. The student or employee should file a formal complaint within ninety (90) working days following the last alleged discriminatory incident. Where the informal complaint process has been pursued, the ninety (90) day limit can be extended.
3. When a student believes that it is not in his or her best interest for a complaint to be investigated during the course of a semester, the formal complaint must still be filed within the above time limit. However, at the written request of the student and approval by the Director of the Office of Equity and Diversity, notice to the charged parties shall be delayed to no later than fourteen (14) working days after the end of the semester in which the alleged discriminatory act is alleged to have occurred. Under such circumstances, all of the time limits dependent on the date of the formal complaint shall start to run from within fourteen (14) working days after the end of the semester.
4. The written complaint must be filed with the Office of Equity and Diversity and must include the following:
  - a. The complainant's name, campus location, and status within the University community, including title, department, and school as appropriate.
  - b. The basis of the alleged act or acts of sexual harassment or discrimination; that is, race, religion, color, national or ethnic origin, age, sex, sexual orientation, marital status or disability.
  - c. A brief description of what occurred, including dates, times and names of witnesses or individuals who can corroborate the allegations, and the complainant's reason for concluding that the behavior or action was discriminatory or sexually harassing.
  - d. The name and position in the University community held by the person or persons who committed the alleged act(s).

- e. Copies of materials, if any, which may be relevant to the investigation of the complaint.
- f. The date on which the alleged act(s) was committed.
- g. The date on which the complainant first knew of the alleged act(s), and any steps the complainant has taken to date, if any, to resolve the complaint.
- h. A statement indicating the remedy sought by the complainant.
- i. The signature of the complainant.

#### **D. Procedures for Investigating Formal Written Complaints**

1. As soon as possible, but within fourteen (14) working days after receipt of the written complaint, the Director of the Office of Equity and Diversity of the University shall review the materials which comprise the written complaint and commence investigation of the complaint. The Director of the Office of Equity and Diversity shall consult, if appropriate, with a faculty resource person with regard to academic and classroom behavioral issues. The Provost when appropriate, upon request from the Director of the Office of Equity and Diversity, shall select the faculty resource person. The formal investigation may include initial meetings with the complainant and with the respondent, a discussion of the available procedures and an exploration of possible avenues for resolution of the complaint. As part of the investigation, the Director of the Office of Equity and Diversity will notify the respondent of the allegations within the ten (10) working days from receipt of the complaint, and shall provide the respondent with a copy of the written complaint.
2. If the investigation of a complaint would require interviewing students or employees who may not be available between semesters, and those interviews are significant to the complaint, these deadlines will be delayed until the beginning of the following semester and the complainant so notified.
3. Possible outcomes of an investigation are (1) a finding that the allegations are not warranted or could not be substantiated, (2) a finding that the allegations are substantiated and constitute sexual harassment, discrimination, or inappropriate behavior and, if so, will be referred to the appropriate administrative authority for corrective action, (3) a finding that the allegations were brought forth in bad faith or a malicious manner and, if so, will be referred to the appropriate administrative authority for corrective action, (4) a finding that the allegations could not be substantiated, but still warrant preventative or corrective action by the University.
4. The Director of the Office of Equity and Diversity shall, as soon as possible, but within sixty (60) working days after receipt of the written complaint, make every effort to complete a fact-finding investigation of the complaint and submit a final report to the Vice President and General Counsel.
5. The Vice President and General Counsel will review the findings of the investigation with the appropriate area Vice President, who will then take appropriate action. The Director of the Office of Equity and Diversity will be notified by the Vice President and General Counsel as to the proposed actions, if any, against the parties in the complaint.
6. The Director of the Office of Equity and Diversity will within five (5) working days notify all parties of the determination and consult with the appropriate University authorities to insure implementation of the decision.

#### **E. University Action**

The University may assume the role of a complainant and pursue a report or complaint of sexual harassment or discrimination, either informally or formally. The University may respond to complaints or reports by persons external to the University community about alleged sexually harassing or discriminatory conduct by University employees.

### III. DISCIPLINE

Whenever a violation of this policy is brought to the University's attention through appropriate channels, prompt corrective action will be taken. For example, individuals found to have engaged in discrimination, sexual harassment or retaliation pursuant to these procedures may be subject to disciplinary action for violations of the University's policies (up to and including separation from the University). The University will follow applicable University procedures in taking any disciplinary action. Any disciplinary action taken against a member of a collective bargaining unit will be in accordance with the applicable collective bargaining agreement.

### IV. APPEALS

Any party aggrieved with the resolution of the complaint by the appropriate Vice President under Section II, D.4 above may appeal that resolution to the President within fourteen (14) working days of the notification by the appropriate Vice President. Such an appeal shall be submitted in writing and shall be decided within fourteen (14) working days of its receipt. The determination of the President will be deemed final and binding.

### V. CONFIDENTIALITY

1. Cases involving discrimination and especially sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited to individuals who have a legitimate need to know or who have information relevant to the investigation in order that the privacy of all individuals involved is safeguarded to the extent practicable under the circumstances.
2. Every effort should be made to protect members of the University community so that they may use the discrimination and sexual harassment grievance procedures without fear of reprisal or retaliatory action.
3. University employees and students are obligated to comply with requests to provide statements during an investigation.

### VI. FALSE CHARGES

Once a complaint of sexual harassment and/or discrimination has been made, the University has an obligation to investigate the matter. Any complaint determined to be intentionally dishonest or made maliciously without regard for the truth shall subject such complainant to disciplinary action. The determination as to whether a complaint constitutes a false charge under this section shall be made as part of the complaint resolution process set forth in these procedures.

### VII. MONITORING

1. The Director of the Office of Equity and Diversity shall monitor all reported incidents of alleged discrimination and sexual harassment for an appropriate time period, subsequent to their resolution, to ensure that the offending conduct has ceased, any corrective action has been complied with and retaliatory actions have not occurred.
2. The Office of Equity and Diversity will monitor repeated complaints within the same unit or against the same individual. Where repeated complaints or violations are identified, the Office of Equity and Diversity will respond accordingly with training, education, and/or disciplinary action.

### VIII. TIME LIMITS

1. All of the time limits contained in this document may be extended for good cause, upon notification to the parties and the Director of the Office of Equity and Diversity.
2. If the complainant fails to respond within the time limits provided, upon written notice of such failure, the complaint may be deemed to have been withdrawn.

### IX. TAPE RECORDINGS

1. During the formal investigation process, the Director of the Office of Equity and Diversity shall tape record all interviews for the purpose of creating a transcript of the interview. Once the recordings have been transcribed, reviewed and signed by the person interviewed, the tapes will be destroyed.
2. Tape recording of interviews will not be allowed by anyone else.

## X. RELEASE OF DOCUMENTS

Except as stated in Section II, D.3 above, documents obtained in the course of an investigation (formal or informal) will not be released to any party of the investigation.

## XI. REPRESENTATION

1. No party, including the complainant, respondent or witnesses shall be allowed to have an attorney present at the proceedings for these procedures.
2. Any complainant or respondent who is a member of a collective bargaining unit may have his or her union representative present during proceedings under these procedures.

## XII. RECORD KEEPING

1. All records required to be kept by the Director of the Office of Equity and Diversity, including tape recordings of interviews, are confidential. The records shall be so noted and maintained in the files of the Director of the Office of Equity and Diversity.
2. Records pertaining to individuals who have either filed complaints or who have been subject of complaints shall be maintained in the Director of the Office of Equity and Diversity's files. Except as required by University policy and/or law, no records maintained by the Director of the Office of Equity and Diversity shall be released.

## XIII. RETALIATION

The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a sexual harassment or discrimination allegation will not be subjected to retaliation. The University will take appropriate steps to assure that a person against whom such an allegation is made is treated fairly. The Director of the Office of Equity and Diversity will take appropriate follow-up measures to assure the goals of this policy are met. Persons who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure for lodging a discrimination/sexual harassment complaint.

## Missing Person Resident Student

### PRINCIPLES WHICH GUIDE ACTION

When students come to reside at the University, they expect that they will be part of a safe community. When there is reason for concern regarding the absence of a student who resides on campus, University officials will make every effort to ascertain their whereabouts and to communicate that information to those who need to know. The right of each student to reasonable privacy will likewise be honored, respecting the student's rights granted under FERPA.

Monmouth University recommends that all students register a Confidential Contact who will be notified if a student has been determined as missing. The Confidential Contact form is sent out to all students residing on-campus during the beginning of every academic semester. Students can also find this registration form through Web Advisor listed under e-Forms if they choose to register a contact at a later date. The Confidential Contact will be notified within 24 hours if a student is reported missing. The Confidential Contact is exclusive to missing persons and will only be used if in the case of a missing person.

### NOTIFICATION

The notification of an alleged missing person may come from any source: e.g., parent, boyfriend, girlfriend, significant other, roommate/apartment mate, a University employee, and/or fellow member of a campus organization.

### Responsible Parties Available for Reporting

- **Mary Anne Nagy**—Vice President of Student Life and Leadership Engagement **732-571-3417**
- **James Pillar**—Associate Vice President for Student Life **732-263-5326**
- **Mark Holfelder**—Associate Director of Residential Life **732-571-3465**
- **Megan Jones**—Associate Director Of Residential Life And Housing Operations **732-571-7575**
- **Harold Hillyard**—Assistant Director of Residential Life and Judicial Affairs **732-571-3465**



### **Members of the Area Coordinator Staff:**

- Alexis Jenkins—732-571-3465
- Tony Conard—732-571-3465
- Nina Dacey—732-571-3465
- Carolyn A. Houck—732-571-3465
- Nicholas A. Manento—732-571-3465

When there is reason to believe that a student is missing, that information will be immediately reported to a “responsible party” (Area Coordinator or other appropriate Administrator). The Area Coordinator on duty, in conjunction with a member of the Director’s Staff (Associate Vice President of Student Life, Associate Directors, or Assistant Director), will notify the Monmouth University Police Department and the Office of the Vice President for Student Life and Leadership Engagement. Credibility will be determined by reporting source; as well as, facts on hand.

### **ACTIVE INTERVENTION**

In the case of an alleged missing person, the first/coordinating official is the Area Coordinator on duty in consultation with a member of the Director’s Staff, (Associate Vice President of Student Life, Associate Directors, or Assistant Director.) A member of the Director’s Staff will notify the Monmouth University Police and the Office of the Vice President for Student Life and Leadership Engagement.

### **TIMELINE OF ACTION AFTER NOTIFICATION**

Area Coordinator will contact student staff in the area in which the potential missing student resides, and the student staff will do the following:

- Perform a health and welfare check of the room – identify if the student is there.
- Canvass the suite/wing/apartment and inquire if the student has been seen on campus.
- Document all information.
- Inform the Monmouth University Police Department of a potential missing student.

The Area Coordinator on duty/working with the student staff will do the following:

- Interview the residents within the room/suite/wing/ apartment and determine:
  - Last sighting of missing student.
  - Check the ProWatch system for building access activity.
  - Check with Gourmet Dining Services to look for meals in any on-campus dining facility.
  - Areas where student may visit or stay frequently.
  - If the student has a boyfriend/girlfriend/significant other that he/she stays with (on/off campus or at another institution).
  - If determined that the missing student’s boyfriend/ girlfriend/significant other is at another institution, do we know first and/or last name of that person?
  - If the students are aware of any issues/incidents that may have impacted the potential missing student within the past month?
  - If there is any indication that the missing student may be in any sort of trouble, or may have been the victim of a crime, the University Police will be contacted immediately.
- Review the Residential Life’s documentation to see if the student has had prior incidents or is at risk. If the student has been a part of the “at risk” population, the Counselor on call should be notified.
- Apprise a member of the Director’s Staff as to the situation and update on all information gathered.
- If listed on the Residence Hall Contract, attempt to contact student via his/her cellular telephone, or an “ADSU” module in User Interface.
- Contact Health Services and determines if the student has been utilizing their services within the past five (5) days.

The Director Staff will do the following:

- A.** Using User Interface, inquire if a student has purchased a meal plan; if so, proceed to “Step B.”
- B.** Contact a manager of the Gourmet Dining staff at (732) 263-5608 or extension 2701. The management staff will determine the last time the student’s meal plan was utilized. If the missing student has not purchased a Resident Meal Plan (apartment residents)—inquire if he/she has purchased a Commuter Meal Plan. The activity of the student can be determined as well.
- C.** Determine the last time the student used his/her ID card to gain access to any on-campus residence hall.
- D.** If we have the name and institution of the missing person’s partner; (boyfriend, girlfriend, or significant other), an outreach to that institution may be made to see if the telephone number of that missing student’s partner can be released to inquire if said student is there.

#### **AFTER 12 HOURS:**

The student staff will do the following:

- A.** Perform a health and welfare check at the student’s room.
- B.** Canvass the suite/wing/apartment and see if student was seen.
- C.** Document all information and update Area Coordinator on duty.

The Area Coordinator on duty will do the following:

- A.** Update the Director Staff as to the progress of the student staff.
- B.** Check students class schedule/reach out to professors for attendance.

The Director Staff will:

- A.** Consult with Monmouth University Police Department pertaining to the status of the student.
- B.** Notify the Counselor on call about the missing resident.

- C.** Update Vice President of Student Life and Leadership Engagement.
- D.** Notify Academic Advisor.
- E.** Notify Health Services.
- F.** In consultation with the Vice President of Student Life and Leadership Engagement, a member of Residential Life or Monmouth University Police Department will contact parents, the Student’s Confidential Contact, or the appropriate emergency contact.
- G.** Regardless of age, emancipation status, or having registered a confidential contact, local law enforcement will be notified of a missing on-campus student within 24 hours of disappearance.

The Area Coordinator of that specific area will do the following:

- A.** Determine which residents are in need of outreach due to the impact of the missing student and provide support as needed.
- B.** Work with Monmouth University Police Department, if needed, assisting in any capacity.
- C.** Meet with building staff and communicate all pertinent information.

#### **AFTER 24 HOURS:**

The student staff will do the following:

- A.** Perform a health and welfare check at the student’s room.
- B.** Canvass the suite/wing/apartment and see if student was seen.
- C.** Document all information and update Area Coordinator on duty.

The Area Coordinator on duty will do the following:

- A.** Update the Director Staff as to the progress of the student staff.
- B.** Check student’s class schedule/reach out to professors for attendance.

The Director Staff will:

- A.** Communicate with Monmouth University Police Department.
- B.** Update Vice President of Student Life and Leadership Engagement.

The Area Coordinator of that specific area will do the following:

- A.** Work with Monmouth University Police Department, if needed, assisting in any capacity.
- B.** Meet with building staff and communicate all pertinent information.

### **AFTER 48 HOURS:**

The student staff will do the following:

- A.** Perform a health and welfare check at the student's room.
- B.** Canvass the suite/wing/apartment and see if student was seen.
- C.** Document all information and update Area Coordinator on duty.

The Area Coordinator on duty will do the following:

- A.** Update the Director Staff as to the progress of the student staff.
- B.** Check student's class schedule/reach out to professors for attendance.

The Director Staff will:

- A.** Update Monmouth University Police Department.
- B.** Update Vice President of Student Life and Leadership Engagement.

The Area Coordinator of that specific area will do the following:

- A.** Continue to provide support as needed.
- B.** Work with Monmouth University Police Department, if needed, assisting in any capacity.
- C.** Check with building staff and communicate all pertinent information.

### **AFTER 72 HOURS CONTINUING UNTIL DAY 6:**

All Professional staff will do the following:

- A.** Update student staff as information becomes available.
- B.** Continue to refer students to counseling as needed.

### **FOLLOW UP WHEN STUDENT IS FOUND:**

When the student is located, the Director Staff will do the following:

- A.** Notify Monmouth University Police Department.
- B.** Notify Vice President of Student Life and Leadership Engagement.
- C.** Notify Academic Advisor.
- D.** Notify Director of Counseling and Psychological Services.
- E.** Notify Residential Life Assistant Staff (Area Coordinator).
- F.** Notify Director of Health Services.
- G.** Notify Student Staff (Resident Assistants).
- H.** Notify Support Offices that the student may be affiliated (EOF, Athletics).
- I.** Meet with Student and discuss incident.
- J.** Determine impact on professional staff. Determine if any additional follow-up is needed.



## INTERVENTION IF STUDENT IS MISSING OVER 7 DAYS

- A.** The Associate Vice President of Student Life in consultation with the Vice President of Student Life and Leadership Engagement to determine the course of action.
- B.** The Vice President of Student Life and Leadership Engagement will convene:
  1. Associate Vice President of Student Life.
  2. Director of Health Services.
  3. Director of Counseling and Psychological Services.
  4. Registrar.
  5. Monmouth University Police Department.
  6. Any additional resources as determined appropriate by the Vice President of Student Life and Leadership Engagement. This group will determine and verify that the student has not been found. Furthermore, the future responsibility of each area will be determined.
- C.** Residential Life will meet with affected students with a member of Counseling and Psychological Services to debrief the students on the situation.
- D.** Residential Life Staff will continue to monitor the effect of the incident on the community and make appropriate referrals to the campus resources.



## Missing Resident Student Procedures

SCHOOLS WITH A CAMPUS POLICE OR SECURITY DEPARTMENT

