



**STEVENS**  
INSTITUTE OF TECHNOLOGY  
1870

***Annual Security and  
Fire Safety Report  
2022***

## From the Chief of Police

*Thank you for taking the time to view the 2022 Annual Security and Fire Safety Report for Stevens Institute of Technology.*

*The Stevens Institute of Technology campus is comprised of 58 acres located in historic Hoboken, New Jersey. Situated along the Hudson River, the Stevens campus features a beautiful panoramic view of the New York City skyline and is the highlight of a city that hosts a vibrant community of local residents, businesses, and visitors.*

*Our approach to providing campus safety and security is one of community policing and partnership building within the Stevens community and with our host city. Stevens also focuses on emergency management operations in the unlikely event that an incident that represents a serious or continuing threat to our community should occur.*

*Stevens Institute of Technology is committed to providing a safe and secure environment for students, faculty, staff, and visitors. Providing a safe environment for our students while they enjoy their college experience and all the wonderful opportunities that go along with college campus living and learning is our top priority. The Stevens Campus Police is staffed 24/7 and trained to handle all types of situations, from the routine calls for assistance to serious emergencies. Our officers are fully certified by the New Jersey Police Training Commission and have full police powers within the State of New Jersey. In addition, our staff of 19 armed Police Officers is complemented by 2 dispatchers who assist in providing professional security services to the Stevens community. As a member and former President of the Hudson County Chiefs of Police Association. I work closely with other Police Chiefs from the surrounding community to ensure that we coordinate our public safety efforts and collaborate in bringing about new programs to serve our community.*

*Moreover, Campus Police and the Fire Safety Officer, in collaboration with the Division of Facilities, engage in continual review of safety and security features across campus and implement improvements as appropriate.*

*Please note that this annual report reflects the status of the campus during calendar year 2021, including modifications to policies and procedures implemented in response to the 2020 coronavirus pandemic.*

*We hope that you find the information in our annual security and fire safety report a great resource in making your stay at Stevens a safe one.*

*Timothy J. Griffin*

Timothy J. Griffin

Chief of Police

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# STEVENS RESOURCES AND CAMPUS POLICE PARTNERS

## For Emergencies

Campus Police	201.216.3911
Off Campus Emergency	911

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## Health Care Resources

Stevens Student Health Services	201.216.5678
Student Counseling & Psychological Services	201.216.5177

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## Non-Emergency Contact Information

Campus Police	201.216.5105
Hoboken Police Department	201.420.2100
Hoboken Fire Department	201.420.2004
Hoboken University Medical Center	201.418.1000

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## Drug and Alcohol Help Numbers

Alcoholics Anonymous	1-800-ALCOHOL
Alcohol Hotline	1-800-322-5525
Alanon	973-744-8686
Children of Alcoholics	201-659-0683
	201-218-9544
Drug & Alcohol Helpline	1-800-541-LIFE
Narcotics Anonymous	1-800-992-0401
NJ Drug Hotline	1-800-225-0196

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## Resources For Reporting Sexual Assaults

Title IX Coordinator	201.216.3383
Campus Police	201.216.3911
Hoboken Police Department	201.420.2100
Hoboken University Medical Center	201.418.1000
Hudson County Prosecutor's Office	201.915.1234
Stevens Student Health Services	201.216.5678
Student Counseling & Psychological Services	201.216.5177

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## Suicide Prevention Hotlines

National Suicide Prevention Lifeline	988
Crisis Text Line	text "HELLO" to 741741

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# **COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT (THE “CLERY ACT”)**

The Clery Act requires colleges and universities to:

- publish three years of crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities (collectively, referred to in this Report as “Stevens Geography”). The statistics must be gathered from campus police or security, law enforcement agencies, and Stevens officials who have significant responsibility for student and campus activities;
- publish certain campus security policy statements;
- provide timely warning notices of those crimes that have occurred in Stevens Geography and pose an ongoing threat to students and employees;
- record in a public crime log any crime that occurred on campus or within the patrol jurisdiction of Campus Police and is reported to Campus Police; and
- record in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Stevens Campus Police are responsible for preparing and distributing this Report. The information contained within the Report includes statistical information gathered for the 2019, 2020 and 2021 calendar years. We work with many other departments at Stevens, such as Student Affairs, which includes the Vice President for Student Affairs, the Dean of Students, the Director of Community Standards & Title IX, the Deputy Title IX Coordinators, and the staff in Residential Education and Residential and Dining Services, to compile the information contained in the Report. We also work with outside law enforcement agencies who have jurisdictional authority in areas adjacent to the campus and off-campus locations where Stevens owns or controls property.

We encourage members of the Stevens community to use this Report as a guide for safety resources both on and off campus.

Each member of the Stevens community receives an e-mail that describes this Report and provides its Web address for viewing. For more information or for a copy of this Report, contact Stevens Campus Police at 201.216.5105 or via email at [tgriffin@stevens.edu](mailto:tgriffin@stevens.edu).

# STEVENS CAMPUS POLICE

## Our Mission and Core Values

“To Protect and Serve the Stevens Community, secure its property, enforce the laws of the State of New Jersey, prevent, detect and deter crime and prepare the Stevens Community to respond to any unforeseen crisis in a manner that allows the Institution to continue to function”

- **Pride.** We possess a high sense of honor and tradition in carrying out our police duties and recognize that the service we provide others is a direct reflection upon Stevens and its time-honored history.
- **Duty.** We are committed to carrying out our duties to ensure that those we serve are afforded the most professional police services we can provide. We do our best to demonstrate our commitment to serve by placing the needs of others ahead of our own.
- **Professionalism.** We constantly strive toward excellence through continuing training, education, innovative thinking, and a commitment to updating and improving those tools that help us to help others. We treat those with whom we serve with respect, fairness, and courtesy.

# STEVENS POLICE AUTHORITY AND JURISDICTION POLICIES

## Law Enforcement Authority

Stevens Campus Police (“Campus Police”) is staffed 24/7 and trained to handle all types of situations from routine calls for assistance to more serious emergencies. The officers are fully certified by the New Jersey Police Training Commission and have full police powers within the State of New Jersey, including the power of arrest in accordance with New Jersey law. In addition, the staff of 19 armed Police Officers is complemented by 2 dispatchers who assist in providing professional security services to the Stevens community.

## Interagency Cooperation

Campus Police is responsible for investigating alleged criminal acts that occur on-campus as well as on or near campus housing and facilities, including for activity in non-Stevens-owned fraternity and sorority houses located near campus. Campus Police are also first responders within the City of Hoboken whenever mutual aid is requested in furtherance of the Hudson County Mutual Aid Agreement among all county law enforcement agencies. Campus Police are assisted in investigating crimes by the Hoboken Police Department and the Hudson County Prosecutor’s Office (“HCPO”) whenever appropriate.

Campus Police also works closely with the Hoboken Police Department in cooperative efforts that benefit Hoboken and Stevens such as the Junior Police Academy and National Night Out for young teenagers and joint training initiatives. In addition, Stevens Campus Police enjoys a close working relationship with the HCPO, the Hudson County Chiefs of Police Association, the New Jersey State Police, and other local, county, state, and federal law enforcement agencies. This cooperation allows for the sharing and dissemination of critical information among all the agencies in order to maintain an informed and safe community.

Five members of Campus Police are assigned to the Hudson County Rapid Deployment Force where they receive extensive training in the areas of Civil Disobedience, Mass Transportation Security, Active Shooter Training, and many other fields of training, and have been deployed around the State during numerous emergent situations.

# CRIME REPORTING POLICY STATEMENT

## Introduction

Stevens Institute of Technology is committed to conducting its academic and administrative responsibilities in an ethical and lawful manner and in accordance with applicable laws, regulations, and Stevens policies. Stevens depends on its faculty, staff, and students to share in this responsibility through the timely reporting of suspected illegal activity.

Members of the Stevens community who engage in illegal activity are subject to disciplinary action, up to and including termination of employment or student status, and/or criminal prosecution. Stevens reserves the right to refer a matter to law enforcement for criminal prosecution.

All crime victims are strongly encouraged to report all crimes accurately and promptly to Campus Police, or to local police if the crime occurs off-campus. In the event that a crime victim is incapacitated, other members with knowledge of the crime are encouraged to immediately report it to Campus Police by calling 201-216-3911.

Except for confidential communications made to licensed health providers acting in their official capacity (unless the information shared falls under the Duty to Warn Obligation,) all Stevens employees are instructed to report any suspected crimes. In addition to Campus Police officers and staff, certain Stevens employees have a separate and additional responsibility under federal law to inform Campus Police of specified crimes witnessed by them or reported to them. These employees are known as Campus Security Authorities (“CSAs”). A CSA is defined as “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.” Stevens has identified its CSAs and has informed them of their responsibilities in writing and through mandatory annual training.

Stevens Campus Police are responsible for investigating all criminal matters that occur on Stevens on-campus properties and affiliated fraternity and sorority houses. Criminal matters that occur in off-campus facilities, including Stevens leased housing, or on public property adjacent to Stevens’ campus are handled by the Hoboken Police Department often with assistance from Campus Police.

Crime statistics that occur in both non-campus and public property areas are reported by Stevens based upon available information obtained from local police departments and are included in this Report for the three most recent years. See Appendix A for a list of reportable crimes under the Clery Act.

## Contacting Stevens Campus Police

Complaints of suspected or actual criminal activity should be reported immediately to Campus Police at one of the following numbers:

***Main Number - 201.216.5105***

***Emergency Number - 201.216.3911***

The primary concern of Campus Police is always safety. Reporting an incident to Campus Police does not mean that a victim must file criminal charges. Accordingly, in most situations, the victim will be able to play a role in determining whether Campus Police (or some other law enforcement agency) conducts a criminal investigation. Depending on the nature of information reported to Campus Police, Stevens may have an obligation to further investigate, regardless of whether criminal charges are brought.

## **Policy Prohibiting Retaliation**

Stevens maintains a policy prohibiting retaliatory action against members of the Stevens community who disclose or report potential violations of law to Stevens or to public bodies; please [click here](#) for the policy.

Policy on Confidential Reporting of Crime; Confidential Reporting to Pastoral and Professional Counselors

In addition to reporting to Campus Police, Stevens has several methods for individuals to report crimes and other serious incidents, including the ability to report on a confidential basis. To report crimes and other serious incidents on a voluntary and confidential basis (including an anonymous report of a sexual assault), any community member may complete a Voluntary and Confidential Reporting of Crimes Form or submit an [Incident Report](#) through the Stevens online portal. A person may choose to write a letter or note instead of filling out the form. Stevens Campus Police has placed a drop-box at the Howe Center Desk located in the Howe lobby, where reports may be submitted. Campus Police routinely check the box for reports.

Confidential reports that provide sufficient detailed information for classification of an offense by Campus Police will be included in Stevens' crime statistics.

All Stevens students may also report confidentially to any of the counselors, physicians, nurse practitioners, or other licensed health providers in Counseling and Psychological Services, Student Health Services, and Sports Medicine in Athletics. Professional counselors are encouraged, as they deem appropriate, to inform persons they are counseling of the procedures allowing confidential reporting. These procedures allow individuals, including witnesses, to report crimes on a confidential basis. Campus "professional counselors," when acting as such, are not considered campus security authorities, and are not required to report crimes for inclusion in the annual disclosure of crime statistics. A professional counselor is a Stevens employee whose official responsibilities include providing psychological counseling to students and who is functioning within the scope of their license or certification. A pastoral counselor is an adviser who provides pastoral counseling and/or religious services for Stevens students.

## **Compliance Hotline**

While not intended for the reporting of crimes, Stevens also maintains a [Compliance Hotline](#), which may be used to file identified or anonymous reports of violations of law or Stevens' policies. This Compliance Hotline should not be used in emergency situations; for all emergencies, call Campus Police at 201.216.3911 or dial 911.

## **Victim Notification**

Upon written request, Stevens will disclose to the alleged victim (or the victim's next of kin if the victim is deceased) of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Stevens against a student who is the alleged perpetrator of such crime or offense.

# SECURITY OF AND ACCESS TO CAMPUS FACILITIES AND STEVENS HOUSING

Stevens is committed to providing a safe and secure environment for the university community and simultaneously maintaining an open campus. To promote these goals, as described in more detail below, Stevens imposes certain constraints on building access.

An automated card access control system is installed on exterior doors in many academic and administrative buildings. All on-campus student housing facilities require 24/7 swipe card access. For academic and administrative buildings, swipe access is on a timer, which limits accessibility to the facility to certain hours of the day and evening, depending upon the facility and the need for access by authorized persons. Stevens faculty, staff, and students with a need to access a facility after hours must contact the appropriate department manager to request access.

All undergraduate residence halls are equipped with an electronic card access control system providing access to current students and authorized staff. Guests and other visitors may visit residence halls provided they have been authorized and are accompanied by a member of the residential community. Unauthorized and/or unaccompanied guests are not permitted in the residence halls. Doors to student residences are locked 24 hours a day.

The fraternity and sorority houses owned by Stevens are equipped with an electronic card access control system providing access to current students and authorized staff and faculty. Stevens' leased housing facilities have specific security systems that are managed by the management/owner of the property.

## Security Considerations in the Maintenance of Campus Facilities

Stevens is committed to campus safety and security and exterior lighting and landscape control is a critical part of that commitment. Moreover, one hundred and fifty (150) security cameras are positioned throughout the campus for exterior monitoring. Campus Police report unsafe conditions found on campus during regularly assigned patrols. Stevens encourages community members to report any instances of inadequate lighting or concerns about physical security to Stevens Campus Police at 201.216.5105.

## Daily Crime Log Policy

Stevens Campus Police maintains crime and fire logs at the Campus Police Headquarters located on the first floor of the Kidde Building on the southern end of campus (see campus map on p. 26), and these logs are open for public review. These logs are continuously updated and are available for inspection during business hours.

# CAMPUS CRIME AND OTHER NOTIFICATIONS

Stevens Campus Police are responsible in all instances for delivery of timely warning notices, crime alerts, and other communications regarding emergency situations affecting the Stevens community. Based on varying circumstances, Campus Police works with senior administrators across campus to assess and evaluate whether a notice is warranted and works with Student Affairs and the Office of University Relations to compose and deliver effective and timely communications.

## Timely Warning Notices

Stevens Campus Police will issue a timely warning notice to the Stevens community in the event a situation arises on campus or in another part of Stevens Geography that in the judgment of the Chief of Campus Police (in consultation with Student Affairs and often the Office of General Counsel) constitutes an ongoing or continuing threat to Stevens faculty, staff, or students. The warning will be issued through the Stevens email and emergency text message system to students, faculty, and staff. Notices do not identify victims to protect their privacy.

## Crime Alerts

From time to time, Stevens Campus Police will issue a crime alert to inform the Stevens community of criminal activity in the vicinity of Stevens campus or other parts of Stevens Geography. Crime alerts are issued through the Stevens email and emergency text message system to students, faculty, and staff.

## Campus-Wide Alert System

Stevens Campus Police also issues alerts via text messaging to the campus community. These communications are sent to individuals who subscribe to the Stevens Alerts (powered by Everbridge) campus-wide alert system, which was in effect until the Summer of 2022. The University began a transition away from Stevens Alerts/Everbridge in the Spring of 2022 and ultimately shifted to a new safety app that replaced Stevens Alerts by the start of the Fall 2022 semester. The University now uses [Stevens Guardian](#) (through Rave Guardian), a safety app that community members download to their phone. This app creates a personalized safety network that connects students, faculty, and staff directly to Stevens police and provides important information shared directly to the individual's cell phone. All students, faculty and staff are strongly encouraged and reminded regularly to sign up. See the [Stevens Campus Police Website](#) for further information.

## COVID-19 Notifications

Beginning on January 27, 2020, Stevens regularly issued alerts to the university community regarding COVID-19. The communications conveyed important information about general safety precautions, the number of cases reported to Stevens Student Health Services and/or Human Resources, travel restrictions and related information and directed community members to information from healthcare providers, state health authorities and the Centers for Disease Control and Prevention.

On March 11, 2020, Stevens transitioned all Spring 2020 academic programs to remote learning, closed Stevens housing, and moved all but essential employees to remote working arrangements. During the summer of 2020, Stevens prepared for the planned partial re-opening of campus in Fall 2020 through extensive sanitization of all facilities and de-densification and other modifications to classroom and office space.

Moreover, Stevens arranged for mandatory weekly COVID-19 testing of all students, faculty and staff who returned to campus in August of 2020. The results of the testing were reported to the community in weekly COVID-19 updates.

In Fall 2020, all entering undergraduate and graduate students were given the option to return to campus. Approximately 950 students opted to return to campus and enrolled in a combination of live and remote classes. Live classroom instruction was carried out in a de-densified, hybrid classroom learning environment. Similarly, for entering students who opted to live on campus, de-densified student housing was provided to lower the risk of transmission of COVID-19. In Spring 2021, graduating undergraduate students were also permitted to return to campus.

By the fall of 2021, we welcomed all students, faculty and staff back to campus for an entirely in-person academic and social experience. Students, faculty and staff were randomly selected each week to participate in COVID-19 testing through April of 2022. Masks were required indoors until April of 2022, when the mask requirement extended only to classrooms, the Office of Student Health Services, and the shuttle.

## **EMERGENCY RESPONSE PLAN**

Stevens' Emergency Response Plan ("ERP") outlines policies and procedures for managing emergencies, including those which may threaten the health and safety of the campus community or significantly disrupt Stevens' programs and activities. The ERP provides a structure for coordinating preparedness, response, and recovery efforts for emergencies and disasters.

The ERP applies to a broad range of emergencies and other events that can impact the safety of the Stevens community and its constituents. The ERP is designed for major emergencies and is activated when an emergency reaches proportions beyond the capacity of routine departmental response procedures. Stevens Campus Police responds to the scene of all emergencies and begins to coordinate response efforts with other Stevens' resources and, as appropriate, outside agencies.

During calendar year 2020, the Vice President for Enrollment Management and Student Affairs served as the primary incident commander ("IC") during emergencies for which the ERP is triggered. (Effective July 1, 2021, the role of the primary incident commander rotates among three members of the Stevens leadership team every two years.) During an emergency or disaster, the IC activates an incident command system ("ICS"), designed to meet the complexity and demands of the particular emergency. The ICS consists of members of Stevens' day-to-day emergency management team ("EMT"), other administrative staff with expertise in responding to emergency situations and trained first responders. Together, they are responsible for the ERP and carrying out exercises to prepare for varying types of disasters.

Upon determining that an emergency situation warrants notification to the community and taking into account the safety of affected individuals and the campus community, the IC, Campus Police, or another office designated by the IC, immediately sends a message to the campus community, or to a particular message group defined by geography, via email, text messaging, social media, websites, and/or radio. As indicated above, Stevens encourages all students, faculty, and staff to download the Stevens Guardian (formerly Stevens Alerts/Everbridge) campus-wide alert system to ensure receipt of campus-wide alerts. The content and method of delivery of emergency notifications is tailored to the nature and level of the emergency as determined by the IC, Campus Police and/or other members of the ICS.

Generally, on at least an annual basis, evacuation plans are tested for each building located on the Stevens campus to prepare building occupants for an organized evacuation in case of fire or other emergency. For each building, an evacuation drill is conducted. The drill is scheduled, unannounced, and requires the coordination of Stevens' first responders. Upon completion of every drill, an evacuation report is prepared documenting

the evacuation time, the number of persons evacuated, as well as the functioning of the alarm system and related equipment. Each year, the EMT members participate in a table-top exercise to practice and evaluate our response to a potential emergency. In 2020, the EMT met regularly in response to the pandemic. Training is conducted annually for all major stakeholders in the EMT.

All members of Campus Police regularly train and participate in active shooter drills that prepare them for responding to a range of active shooter scenarios. Campus Police also conducts active shooter training for faculty, staff, and students throughout the year. The training is designed to empower members of the campus community with an actionable strategy to respond to such threats and decrease the likeliness of physical harm. Participation in live active assailant training is required for all faculty and staff.

### **Emergency Warning Siren**

The need to communicate emergency instructions during a crisis is central to the effectiveness of executing Stevens' ERP. In serious emergency situations which are based in a particular location, alarms located inside that location alert everyone in the location to evacuate. In more serious or widespread emergencies, the campus-wide emergency warning siren will be activated in order to immediately notify all members of the Stevens community within earshot that an emergency exists. Campus Police are responsible for determining when to communicate emergency instructions and for taking action to do so.

## **CRIME PREVENTION EDUCATION AND AWARENESS**

Stevens Campus Police and Student Affairs staff stress the importance of crime prevention and safety for the Stevens community. Crime prevention workshops regarding personal safety, fire safety, firearms awareness, drunk driving, and the safeguarding of personal property are presented to campus organizations and student groups throughout the year. Over the summer months before the first year at Stevens, incoming students are asked to complete two educational online modules - one regarding alcohol and other drug use, and the other providing information and resources about sexual misconduct. During New Student Orientation, mandatory sessions are provided to new students on crime, sexual assault prevention, fire prevention and drug and alcohol awareness. All new students are also required to attend Active Shooter training during Orientation. Stevens Campus Police routinely publishes useful crime prevention tips to the entire Stevens community and conducts informal lectures on residential safety and other safety related topics to the many fraternity and sorority communities, student-athletes, student clubs and other organizations at Stevens.

Stevens' approach to providing campus safety and security is one of community policing and partnership building within the University community and with Stevens' host city, Hoboken, N.J. In all its communications with students, faculty and staff, Campus Police reminds community members of the importance of taking responsibility for their own security and the security of others. Students, faculty, and staff are encouraged to take advantage of all available resources to protect themselves, including the shuttle bus service and escort service described below.

### **Escorts to Off-Campus Housing**

During evening hours when the Stevens shuttles are not running and upon request, Stevens Campus Police provide an escort ride to students who live off-campus as they travel from campus to their residence or to the train or light rail stations. Stevens Campus Police is also available for escort services anytime a student feels that an unsafe condition exists.

## Stevens Shuttle

The Stevens shuttle provides a safe way for students, faculty, and staff to travel to and from campus. From the time of the campus closure for COVID-19 in March of 2020 through the Fall of 2021, Stevens did not operate its traditional campus shuttle that provided service between the campus, the train terminal, and off-campus housing locations on a scheduled route throughout the day. This was due to having fewer individuals on the campus and also due to the inability to socially distance on the shuttle. In the Spring of 2022, Stevens shifted to a partnership with the Via rideshare service to offer a new type of Stevens Shuttle that operates on demand, as opposed to on a set schedule. This service stops at specified points during the daytime hours (campus, the train terminal, the light rail station, the Hoboken hospital, and off-campus housing). At night, the Stevens Shuttle becomes a safe ride option, permitting riders to travel anywhere in the city of Hoboken so long as they are starting or ending their ride on the Stevens campus. The new Stevens Shuttle through Via requires riders to download the Stevens Shuttle app to request a ride. More information can be found on the [Stevens Shuttle website](#).

# STUDENT CODE OF CONDUCT

All undergraduate and graduate students are expected to conduct themselves in a manner consistent with the mission of the University. Students are expected to demonstrate integrity by maintaining an ongoing dedication to honesty and responsibility, to demonstrate trustworthiness by acting in a reliable and dependable manner, and to show respect by treating others with civility and decency.

The Student Code of Conduct (detailed in the [Student Handbook](#)) provides guidance concerning the kinds of behavior that are consistent with Stevens' mission and values and promote interactions appropriate in a higher education community. The Student Code of Conduct fosters a climate in which all students, faculty, and staff feel safe and valued. It is applicable in any university-owned, operated, leased, controlled, or affiliated property, and at university-sponsored or officially sanctioned activities on- or off-campus.

# ALCOHOL AND OTHER DRUG POLICIES

The abuse of alcohol and other drugs is a risk to Stevens and its educational mission, and to the well-being of the community as a whole. Because of our concern for the health and safety of our students and employees, the importance of an efficient and effective workforce, and our intent to comply with applicable federal, state, and local laws regarding substance abuse, Stevens maintains a policy on alcohol and drug use, summarized below.

Stevens is committed to a drug-free environment. The possession, sale, use, or distribution of illegal drugs is a violation of federal and state law. The unlawful manufacture, possession, distribution, dispensation, sale, or use of controlled substances (illegal drugs) or prescription drugs on the campus is prohibited and will not be tolerated. Any student found selling or distributing illegal drugs will be reported immediately to Campus Police and will be held accountable based on Stevens' student conduct procedures as administered by the Office of Community Standards and Title IX and the Office of Residential Education. Sanctions may include removal from Stevens housing, and/or suspension or expulsion from Stevens.

Alcoholic beverages cannot be brought into or consumed on Stevens' premises, except in connection with authorized Stevens' events and in accordance with University policies. No alcohol may be served at any Stevens function without the prior approval of the Office of University Events. The possession, sale, use or distribution of alcoholic beverages by individuals under the age of 21 is prohibited. The possession and use

of alcoholic beverages by individuals who are 21 years of age at approved events and in their private rooms is permitted.

Common areas of Stevens housing may not be used for gatherings at which alcohol is served. No alcoholic games are allowed in Stevens housing. Kegs and beer balls are prohibited. No alcoholic beverages or containers are permitted in any room or in possession of residents under the age of 21, or in freshman/ alcohol-free residence halls. Glass collections, bottle collections, beer cans, alcohol, or drug paraphernalia – including posters – are not permitted in Stevens’ residential housing. Finally, to discourage excessive consumption, large quantities of beer, wine or hard liquor are prohibited in all student rooms. Individual students living in rooms in which all occupants are age 21 and over may possess no more than six (6) 12 oz. bottles/cans of beer or .75 liter of wine or .75 liter of spirits at one time in their room. Stevens strictly enforces these policies. Violators are subject to sanctions up to and including suspension, expulsion and/or arrest and prosecution.

## **ALCOHOL AND DRUG EDUCATION PROGRAMS**

Stevens offers regular programming, workshops and events that address the use and abuse of alcohol and drugs. Offices including Wellness Education, Residential Education, Student Life (which includes Fraternity and Sorority Life), and Counseling and Psychological Services offer a range of educational programs and events for students. All four offices, along with the Office of Disability Services, collaborate for an annual wellness fair. A Wellness Educator facilitates programming and education for the community, in addition to a counselor in the Counseling and Psychological Services office who has expertise in alcohol and other drug counseling.

All new students are required to complete educational modules regarding alcohol and other drugs and sexual assault prevention (through the Everfi company) prior to arriving on campus. During orientation, new students attend an in-person educational session on alcohol and drug abuse. All new members of fraternities and sororities are also required to attend a new member education series which includes programming regarding responsible use of alcohol, the dangers of alcohol and drug use and Stevens’ policies regarding drug and alcohol use.

These alcohol and drug education programs are described in more detail below:

*Everfi’s AlcoholEdu for College (2-Part Program)* is an interactive online program designed to inspire students to make healthier decisions related to alcohol and other drugs. All incoming first year students are required to complete this program before arrival on campus.

*Everfi’s AlcoholEdu Ongoing Education (2-Part Program)* is an interactive online program that builds upon AlcoholEdu for College. Research shows that prevention education is most effective when students engage with the material regularly throughout their time in college. This course is assigned to all non- first-year students annually.

*Everfi’s AlcoholEdu for Sanctions* is an interactive online program designed to help students evaluate their current choices related to alcohol. Stevens uses this course as an educational sanction for students who violate the University’s alcohol policy.

*Strive to THRIVE* is an annual wellness fair focused on the mind, body, and soul of our students to promote mental, physical, and emotional wellness. The event features community partners, volunteer organizations, local gyms and wellness centers, informational tables, alcohol and other drug resources, mental health

information, healthy snacks, and more.

*Speak Up!* is a bystander intervention training program that teaches students how to intervene when another student is in need. All new first year students receive information on the “Speak Up!” program with details on how to intervene in various situations. Additionally, Resident Assistants, Peer Leaders, new club and NCAA (National Collegiate Athletic Association) athletes, and new Fraternity and Sorority members attend this training to address bystander intervention as it relates to sexual assault, alcohol, discriminatory language, and depression.

*Warning Signs* educates staff, faculty, and students about the warning signs of a student in distress. Included in the workshop is information on how to recognize and respond to signs and symptoms of drug and alcohol abuse.

*Drug and Alcohol Workshop* is offered through Counseling and Psychological Services and facilitated by Stevens’ trained Peer Educators. This workshop focuses on drug and alcohol issues facing college students.

*Alcohol 101 Table Event* offered a demonstration of standard drink sizes based on the type of alcohol. Additionally, students were provided with information on the risks associated with binge drinking.

*Alcohol and Cannabis Screening Table Event* involved students completing an Alcohol and Cannabis Screening form that was evaluated by the Wellness Educator. All screening results were normal. If they were not, the Wellness Educator would have reached out to the students to set up a private meeting.

## **NOTIFICATION OF MISSING STUDENT POLICY**

Stevens maintains a Missing Student Policy that applies to all Stevens Institute of Technology students living in Stevens housing (whether located on or off-campus). It is the policy of Stevens to respond to all reports that a student who resides in Stevens housing (whether located on or off-campus) is missing. Students are under no obligation to notify Stevens of time spent away from their residences; however, a student is defined as “missing” when their absence for a period of 24 hours is inconsistent with their established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures will be taken to determine whether or not the person is at their on- or off-campus place of residence, and whether or not anyone familiar with the person has seen or heard from the person or is aware of where they may be. Any member of the Stevens community who is concerned that a student is missing should contact Campus Police immediately at (201) 216.3911. Stevens Campus Police is responsible for investigating each report of a missing student and for determining whether the student is missing in accordance with the Title IX Policy.

Each student has the option to identify a confidential contact person or persons who will be notified within 24 hours in the event that a determination is made by Campus Police that the student is missing. This contact may be added or updated annually when completing the online application for student housing. Only authorized campus officials and law enforcement officers acting in furtherance of a missing person investigation may access this information. Campus Police will coordinate with local law enforcement agencies no later than 24 hours after determining that a student is missing.

- If the student is determined by Stevens Police to be missing, the Stevens staff will:
- Notify the student’s confidential contact (if one is designated) that the student is missing not later than 24 hours after Campus Police determines that the student is missing.

- Notify the student’s emergency contact person if a confidential contact for this purpose is not designated.
- If the missing student is under 18 years of age, and not emancipated, notify a custodial parent or guardian of the missing student not later than 24 hours after Campus Police determines that the student is missing.
- Inform other Stevens units, as needed, that the student is missing.
- Initiate other actions, as needed, in the best interests of the student.

## **WEAPONS ON CAMPUS**

All state and federal statutes as well as local ordinances regarding the possession of firearms and weapons, including air guns, and imitation firearms (both legal and illegal) apply on Stevens’ campus. Subject to limited exceptions made only by the Chief of Police or designee, weapons are prohibited on University property. Such items will be confiscated by the Stevens Campus Police Department and individuals involved will be subject to disciplinary action up to and including termination or expulsion and may be subject to criminal penalties. Any person who possesses the legal authority to carry a concealed weapon within the State of New Jersey must report to the Chief of Campus Police immediately upon arrival to campus to request permission to carry a firearm on campus.

## **TITLE IX POLICY**

Stevens is committed to equality of opportunity and creating a campus climate that supports, nurtures, and rewards educational and career advancement on the basis of ability and performance. Accordingly, it is the policy of the University not to discriminate on the basis of sex, gender identity or expression, or affectional or sexual orientation. Stevens is further committed to maintaining a safe and nondiscriminatory learning environment that is free of gender-based and sexual misconduct, including Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

On August 14, 2020, Stevens implemented The Title IX Policy, found [here](#), consistent with the University’s obligations under the Title IX Regulations issued by the Department of Education in May of 2020. Stevens’ Title IX Policy is applicable to all students, faculty, and staff. The Title IX Policy sets forth various rules and procedures, as well as the steps Stevens must take to respond to allegations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking and Retaliation. Information about confidential reporting and resources, and a description of the resources, options and assistance that is available to students and employees who make a report under the Title IX Policy are also listed.

Stevens’ Title IX Coordinator may be contacted to report an incident, ask a question or to access resources:

**Xhiljola Ruci Kluger, J.D.**

University Center, 2nd Floor

Phone: 201-216-3383

E-mail: [xrucci@stevens.edu](mailto:xrucci@stevens.edu)

In addition, Stevens has appointed two Deputy Title IX Coordinators who may also be contacted:

**Stacy Flowers Fisher, Ph. D.**

Director of Residential Education and Deputy Title IX Coordinator  
Harries Tower, 1st Floor  
Phone: 201-216-8963  
E-mail: sflowers@stevens.edu

**Maria Sinaileen Ouckama**

Assistant Vice President, Human Resources and Deputy Title IX Coordinator Howe Center, 5th Floor  
Phone: 201-216-5146  
E-mail: mouckama@stevens.edu

Stevens' Title IX website provides information about on and off campus resources and provides information on Stevens' Title IX Policy and procedures as well as educational programs and awareness campaigns. This website can be accessed [here](#).

An overview of the University's policies, procedures, and resources, as of August 14, 2020, appear below.

The Title IX Policy applies to all students, faculty, and staff at Stevens, as well as third parties (visitors, volunteers, contractors, and others who spend time on campus or who participate in the University's Education Program or Activities). It applies to Title IX Misconduct that occurs in the United States and within the University's Education Program and Activities.

Gender-based and sexual misconduct, including Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence and Stalking, that occurs outside of the United States or outside of the University's Education Program or Activities are addressed in Stevens' Student Code of Conduct, found [here](#), for student Respondents and the Policy on Discrimination, Harassment and Bias Incident, found [here](#), for employee Respondents.

**Definitions of Title IX Misconduct and Related Terms**

The definitions of sexual assault, domestic violence, dating violence, stalking and consent from the FBI's Uniform Crime Reporting Program and the Violence Against Women Reauthorization Act and New Jersey state law appear in Appendices B and C, respectively. The definition of Title IX Misconduct and related terms as used in the Stevens Title IX policy appear in Appendix D.

**Responding to Title IX Misconduct**

Stevens treats allegations of sexual misconduct very seriously and has procedures in place to assist persons affected by sexual misconduct in obtaining medical treatment, counseling, and police assistance. Stevens will review and respond to reports of Title IX misconduct, if such misconduct occurred in connection with the University's Education Program and Activities through the Title IX Policy.

Consistent with its disciplinary authority over and relationship to the Respondent, Stevens will take action to remedy the misconduct and provide reasonably available and appropriate Supportive Measures to the Complainant. Various forms of accommodations may be made to protect students who have been subject to sexual misconduct including changes in housing, "no contact" orders, and other types of residential and academic assistance. Where Stevens does not have disciplinary authority over the Respondent, Stevens will assist the Complainant in identifying external reporting options. While Stevens' ability to take action against

a person who is neither a student nor an employee may be limited, responsive actions or sanctions will be considered and, if appropriate, imposed on such person (e.g., ban from campus, notifying the Respondent's employer of the misconduct). In addition, where appropriate, Stevens will take steps to prevent the recurrence of any Title IX Misconduct and to correct the effects on the Complainant and others.

## **Reporting Title IX Misconduct**

Individuals who have been affected by Title IX misconduct have several reporting options, including the option to notify campus or other law enforcement authorities. Stevens staff will assist any individual in notifying law enforcement authorities if the individual wishes. The individual may also decline to notify law enforcement if they choose.

The safety and well-being of individuals are of paramount importance. Stevens strongly encourages individuals who have been affected by sexual misconduct to contact trained professionals for emotional support, medical services, and advocacy with reporting and/or the criminal justice system. Stevens works closely with the Hudson County Sexual Assault Response Team (SART). SART can be contacted through Hudson Speaks at 201-795-5757.

When the Title IX Coordinator receives a report of Title IX Misconduct, Stevens will respond to reported misconduct by treating Complainants and Respondents equitably, defined in the Title IX regulations as offering Supportive Measures to a Complainant and following a resolution (grievance) process that complies with Title IX regulations, before imposing any disciplinary sanctions. A Complainant has the option to report or decline to report incidents of misconduct to local law enforcement authorities and the University will assist a Complainant in contacting law enforcement if requested. The University has an independent duty to promptly and equitably respond to a report of Title IX Misconduct, notwithstanding the existence of any pending criminal investigation.

*Timeframe for Reporting:* Complainants and others are encouraged to report Title IX Misconduct covered as soon as possible in order to maximize the University's ability to respond effectively. The University does not, however, limit the timeframe for reporting.

*Rules Violations Should Not Deter Reporting:* Stevens' primary concern is safety. Complainants and witnesses should report incidents covered by the Title IX Policy regardless of whether rules violations may have been involved. Use of alcohol or other drugs never makes a Complainant at fault for experiencing sexual violence and should not deter reporting by Complainants, bystanders, or other knowledgeable parties.

*Statement Against Retaliation:* Retaliation is a violation of University policy. The University recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a Respondent or witness may also be the subject of retaliation by another individual, including the Complainant. Retaliation against anyone involved in filing a good faith report, participating in the report or investigation process, or otherwise providing information regarding allegations of misconduct is prohibited by the Title IX Policy and will not be tolerated.

*Obligation to Cooperate and Provide Truthful Information:* All Stevens community members are expected to cooperate in any Title IX investigation and provide truthful information in any report or proceeding under this Title IX Policy.

*Obligation to Report by Responsible Employees:* Individuals who are defined as Responsible Employees and are informed of an allegation of Title IX Misconduct are, in each case, required to immediately inform the Title IX Coordinator or Deputy Title IX Coordinator.

*Bystander Intervention:* The University encourages bystanders to step in and offer assistance where they feel that it is safe for them to do so. Some effective options for bystander intervention may include: (1) indirect or direct intervention when safe to do so, (2) enlisting the assistance of friends, (3) contacting law enforcement, and/or (4) seeking assistance from a person in authority.

### **Stevens and Community-Based Sexual Misconduct Resources**

- Title IX Coordinator, University Center, 2nd Floor, 201.216.3383
- Deputy Title IX Coordinator, Harries Tower, 1st Floor, 201.216.8963
- Deputy Title IX Coordinator, Howe Center, 5th Floor, 201.216.5146
- Stevens Campus Police, Kidde, 1st Floor, 201.216.5105
- Office of Residential Education, Harries Tower, 201.216.5128
- Dean of Students, University Center, 2nd Floor, 201.216.5699
- Student Health Services, Wellness Center, 201.216.5128
- Counseling and Psychological Services, Wellness Center, 201.216.5177
- Hoboken Police Department, 201.420.2100
- The Hudson County Prosecutor’s Office Sex Crimes Unit, 201.915.1234
- Hudson Speaks Against Sexual Violence, 201-795-5757

### **Recommended Steps for Persons Affected by Sexual Assault**

**To get immediate medical treatment, call 201.216.3911 or 911.** It is important that a person who is sexually assaulted receive prompt medical attention to ensure that they are medically well. Since physical injury is not always noticeable at first, it is important to receive a medical examination and treatment as soon as possible. This may include screening and/or treatment for sexually transmitted infection and/or emergency contraception if appropriate.

The examination should also include the collection of physical evidence for use in resolving a complaint or prosecution if the individual so chooses. Such evidence may increase the chances of successful prosecution, and its collection is therefore strongly encouraged. For this reason, individuals who have been sexually assaulted should not bathe, douche, or change clothes before seeking medical treatment. Forensic evidence is collected by a medical provider, usually in an emergency room, up to 96 hours following a sexual assault. Stevens’ students can go to the Hoboken University Medical Center Emergency Room or any nearby hospital emergency room. The medical exam and collection of forensic evidence are done simultaneously. Even though an individual may be unsure initially about reporting the incident to the police, they may later decide to report after they have had time to recover. Collecting forensic evidence makes it much easier to pursue a prosecution later. Toxicology testing for “date rape drugs” is most effective within 72 hours of an assault.

For questions regarding the collection of physical evidence, please contact Stevens Campus Police or:

#### **Hudson County Prosecutor’s Office**

Office of Victim Witness Advocacy  
555 Duncan Avenue  
Jersey City, New Jersey 07305  
201-795-6508

**Hudson County Prosecutor's Office**

FNE (Forensic Nurse Examiner)

201-795-6400 ext. 6884

**SART SITE:****Christ Hospital**

176 Palisade Ave Jersey City, NJ 07306

201-795-8375

**Hoboken University Medical Center**

308 Willow Ave

Hoboken, NJ 07030

201-418-1000

**Jersey City Medical Center**

355 Grand Street Jersey City, NJ 07302

201-915-2000

**Confidentiality**

The University is committed to protecting the privacy of all individuals involved in a report of misconduct under the Title IX Policy consistent with the need for a thorough review of the allegations by the University. Information reported will be shared only on a need-to-know basis and in accordance with applicable policies and procedures. The University will also maintain as confidential any Supportive Measures provided to a Complainant, to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures. All employees who are involved in the University's Title IX response, including the Title IX Coordinator, Investigators, and adjudicators, receive specific training and guidance about safeguarding private information, including the protections set forth in Title IX, the Clery Act and the Family Educational Rights and Privacy Act ("FERPA").

Individuals who wish to seek confidential assistance may do so by speaking with professionals who are mandated by law to protect the confidentiality of a disclosure. On campus, these professionals include licensed health professionals employed by the University (in the context of a doctor-patient relationship). University employees who are not designated as confidential resources are encouraged to promptly share a report of misconduct covered by the Title IX Policy with the Title IX Coordinator or Deputy Title IX Coordinators.

Privacy and confidentiality have distinct meanings under the Title IX Policy.

*Privacy* generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those individuals who "need to know" in order to assist in the active review, investigation, or resolution of the report. While not bound by legal confidentiality, these individuals will be instructed by the University to be discreet and respect the privacy of all individuals involved in the process to the extent possible.

*Confidentiality* refers to the statutory protections applicable to individuals who disclose information to Confidential Resources (professional mental health counselors, medical professionals, rape crisis counselors, and ordained clergy). Information shared by an individual with a Confidential Resource cannot be revealed to any other individual without the permission of the individual. Confidential Resources will maintain confidentiality unless: there is an imminent risk of harm to the individual or others; suspected abuse of

a minor under the age of 18; or as otherwise permitted or required by law. Individuals who wish to seek confidential assistance may do so by speaking with a Confidential Resource.

If a report of Title IX Misconduct discloses a serious or continuing threat to the campus community, the University will issue a timely notification to the community to protect the health and safety of the community as required by the Clery Act. In all of these instances, the information is reported in a manner that does not include personally identifying information about the Complainant or persons involved in an incident unless identification of a Respondent is necessary to include as part of the timely notification. The University may also share non-personally identifying information about reports received in aggregate form, including data about outcomes and sanctions.

All University proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (“FERPA”), the Clery Act (as amended by VAWA (Violence Against Women Act)), Title IX, state and local law, and University policy.

### **Scope and Manner of Resolution**

When a Complainant files a Formal Complaint, the Title IX Coordinator will be responsible for determining whether the reported conduct falls within the scope of the Policy. If so, Stevens must move forward with a formal resolution of the Formal Complaint, as described below. If not, Stevens is required to dismiss the Formal Complaint and proceed with resolving the complaint under the Student Code of Conduct or the Policy on Discrimination, Harassment and Bias Incidents, if applicable.

If the Complainant declines to file a Formal Complaint, the Title IX Coordinator may still determine that it is appropriate to file a Formal Complaint.

If the Complainant declines to file a Formal Complaint, the Title IX Coordinator may still determine that it is appropriate to file a Formal Complaint.

At the conclusion of the initial assessment, the Complainant will receive a written notice of Stevens’ determination as to whether and how the report will proceed.

The formal resolution process (i.e., an investigation, hearing, and appeal process) is initiated by the filing of a Formal Complaint. The Formal Complaint may be submitted to the Title IX Coordinator in person, by mail, or by electronic mail, using the Formal Complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance in making a Formal Complaint. At the time of filing the Formal Complaint, the Complainant must be participating in or attempting to participate in the University’s Education Program or Activities.

Stevens may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX Misconduct arise out of the same facts or circumstances.

Stevens will take all reasonable steps to respond to the report consistent with a Complainant’s requested course of action, but its ability to do so may be limited based on the considerations outlined above.

When the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator or designee will inform the Complainant about the chosen course of action.

### **Formal or Informal Resolution Process**

Upon filing of a Formal Complaint that falls within the scope of the Title IX Policy, the matter will be resolved either through the formal or informal resolution process outlined below. The University must pursue an

investigation of a Formal Complaint, unless the parties agree to pursue informal resolution, which will only be pursued with the written, voluntary consent of both the Complainant and Respondent.

### **Mandatory Dismissal**

The Title IX Coordinator will evaluate reasonably available information to make the following determinations:

- a. Did the reported conduct occur within the University's Education Program or Activity; this question considers:
- b. Did Stevens have substantial control over the Respondent; and
- c. Did Stevens have substantial control over the context in which the conduct is reported to have occurred;  
or
- d. Did the conduct occur in a building owned or controlled by a student organization that is officially recognized by Stevens;
- e. Did the reported conduct occur in the United States; and,
- f. Would the facts set forth by the report, if substantiated, constitute Title IX Misconduct?

Where the Title IX Coordinator determines that the answer to these three questions is "yes," and a Formal Complaint is filed by either the Complainant or the Title IX Coordinator, Stevens will follow the formal resolution process required by the Title IX regulations. Where the Title IX Coordinator determines that the answer to any of these three questions is "no," the Title IX Coordinator will dismiss the allegations in the Formal Complaint and refer the conduct to the appropriate University official for assessment under other potentially applicable policies, including the Student Code of Conduct and the Policy on Discrimination, Harassment and Bias Incidents.

### **Discretionary Dismissal**

The Title IX Coordinator may dismiss the Formal Complaint or any allegations therein if:

- a. the Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegation therein;
- b. the Respondent is no longer enrolled or employed by Stevens; or
- c. specific circumstances prevent Stevens from gathering sufficient evidence to reach a determination on the Formal Complaint.

### **Notice of Dismissal**

If the Title IX Coordinator dismisses all of the allegations in the Formal Complaint with respect to Title IX Misconduct, the Title IX Coordinator may determine that sufficient cause exists to move forward with the resolution of any remaining allegations in accordance with other Stevens' policies. If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. Either party may appeal the decision to dismiss the Formal Complaint.

## **Notice of Allegation**

After a Formal Complaint is filed, the Title IX Coordinator will notify the Complainant and the Respondent, in writing, of the following:

1. notice of the process for formal and informal resolution;
2. sufficient details regarding:
  - a. the identities of the Complainant and the Respondent, if known;
  - b. the date, time (if known), location, and nature of the reported conduct;
3. the reported policy violation(s);
4. the name of the Investigator;
5. information about the parties' respective rights and responsibilities;
6. the prohibition against retaliation;
7. the importance of preserving any potentially relevant evidence in any format;
8. how to challenge participation by the Investigator on the basis of a conflict of interest or bias;
9. a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the formal resolution process;
10. that the parties are entitled to an advisor of their choice, which may be an attorney advisor, and the advisor is permitted to review the evidence gathered in the investigation and conduct cross-examination of the other party and witnesses;
11. that Stevens requires honest and truthful participation in a University investigation under Section 11 of the Student Code of Conduct; and
12. a copy of the Title IX Policy.

If the investigation reveals the existence of additional or different potential violations of the Title IX Policy, including a violation of a Supportive Measure, the Title IX Office will issue a supplemental notice of allegation.

## **Informal Resolution**

Stevens may resolve reports through informal resolution, as appropriate based on the circumstances. Informal resolution is available only once a Formal Complaint has been filed (prior to a determination of responsibility), and if the Complainant, the Respondent, and Stevens voluntarily consent to the process in writing. Informal resolution is not available in cases in which an employee is alleged to have sexually harassed a student. In all cases, the Title IX Coordinator will have discretion to determine whether or not informal resolution is appropriate under the circumstances.

An informal resolution will include involvement of a facilitator (who may be the Title IX Coordinator), as deemed appropriate by Stevens. Informal resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent; and/or indirect action by the Title IX Coordinator. Any person who facilitates an informal resolution will be trained and free from conflicts of interest or bias for or against either party.

If a resolution is reached between the parties, the matter will be considered closed, and the parties will be precluded from filing another complaint arising from the same conduct or set of facts. Prior to reaching a resolution, any party may withdraw from the informal resolution process and resume the formal resolution process. Stevens will strive to complete an informal resolution within thirty (30) days of the parties' written agreement to participate in the process.

## **Formal Resolution Process**

### **a. Expectations of Parties**

During the investigation and resolution process, both the Complainant and Respondent will have equitable access to process, which includes:

- i. the opportunity to receive a written notice of investigation;
- ii. to participate in the investigation;
- iii. to review and present information and evidence;
- iv. to be accompanied by an advisor of their choice to any meeting;
- v. to provide timely and equal access to all information gathered that is directly related to the allegations in the Formal Complaint, as well as the information contained in the investigation report which will be used in the proceedings;
- vi. to timely written notice of meetings at which their presence will be requested or required, including the purpose of the meeting and participants, with sufficient time to prepare;
- vii. to notice of the hearing;
- viii. to question the other party during the hearing through the party's advisor;
- ix. to simultaneous written notice of the outcome, sanction, and rationale;
- x. and to appeal the outcome.

### **b. Obligation to Participate by University Employees**

The University expects all members of the faculty and staff to cooperate fully in the investigation of complaints. Any faculty or staff member who is the subject of a potential witness regarding, or the recipient of a report of misconduct covered by the Title IX Policy and refuses to cooperate in an investigation is subject to discipline up to and including termination of employment.

### **c. Assignment of Investigator**

The Title IX Coordinator will appoint one or more Investigators to investigate the allegations in the Formal Complaint. The role of the Investigator will be to gather information through interviews of the Complainant, Respondent, and witnesses, and the collection of documents, and synthesize the information in a report that will be provided to the Complainant, Respondent, and the Hearing Officer.

### **d. Information Gathering**

1. *Generally:* During an investigation, the Investigator will meet separately with the Complainant, Respondent, and relevant witnesses. The Investigator will also gather documents, photographs, communications between the parties, and other electronic records as appropriate. The Investigator

may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the Investigator may consult medical, forensic, technological, or other experts or publications when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation. The Investigator may also consider information publicly available from social media or other online sources that comes to the attention of the Investigator. The Title IX Office does not actively monitor social media or online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the Investigator.

2. *Witnesses:* Witnesses are individuals who may have information related to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. Witnesses may also be offered by a party or by Stevens to provide expert subject matter information. Witnesses may include individuals outside the University community.
3. *Privileged Records:* The Investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the Investigator, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.
4. *Obligation on the University:* The Investigator may receive any information presented by the parties, but the Investigator, not the parties, is responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution. In the event that a party declines to voluntarily provide material information or delays in doing so, the University's ability to conduct a prompt, thorough, and equitable investigation may be impacted. Stevens will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. *Timeline:* The Investigator will seek to complete the fact gathering stage of the investigation within sixty (60) business days of the issuance of the notice of investigation. As detailed later in the Title IX Policy, The Title IX Coordinator and Investigator may grant temporary delays of the investigation or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.
6. *New or Evolving Evidence:* During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigator or Title IX Coordinator. The Investigator may consider such information in the investigation and will also share any information about retaliation or violation of the terms of a Supportive Measure with the Title IX Coordinator for further action.

e. Evidence Review

At the conclusion of the fact-gathering stage, prior to the completion of the investigation report, the Investigator will make information gathered in the investigation available for review by the parties and their advisors. The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence which will not be relying upon in reaching a determination regarding responsibility, and

inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The Investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) business days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

f. Determination of Relevancy

1. *Relevancy Generally:* The Investigator will review all information identified or provided by the parties and will determine the relevance of the information developed or received during the investigation. Relevant information is information that tends to make a material fact at issue more or less probable. The following forms of evidence are considered irrelevant:

- a. *Privileged Records:* A party's medical, counseling, or legal records are not relevant and may not be included in the investigation report or hearing, unless the party gives their voluntary, written consent to do so. In those instances, the relevant information from the records must be shared with the other party.
- b. *Prior Sexual History of a Complainant:* A Complainant's prior sexual history is generally not relevant, except in two circumstances.
  - i. To show consent. Where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges the conduct was consensual, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of the Title IX Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent.
  - ii. To show someone other than Respondent engaged in the conduct.
- c. *Prior or Subsequent Conduct by a Respondent:* In gathering information, the Investigator may also consider other reports of, or findings of responsibility for, prior or subsequent conduct by the Respondent to the extent such information is relevant and available. Such information may be relevant to prove motive, intent, absence of mistake, pattern, or another material fact. For example, where there is evidence of a pattern or conduct similar in nature by the Respondent, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the determination of responsibility and/or assigning of a sanction. Where there is a prior finding of responsibility for a similar act of misconduct, there is a presumption of relevance, and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction.
- d. Any party seeking to introduce information about prior sexual history or pattern evidence should bring this information to the attention of the Investigator at the earliest opportunity.

g. Investigative Report

The Investigator will produce a written investigation report that fairly summarizes the relevant information and facts, both inculpatory and exculpatory, gathered during the investigation. As noted above, the Investigator has the discretion to determine the relevance of any witness or other evidence. The investigation report will include the Investigator's assessment of credibility and recommended finding on responsibility, but the Hearing Officer has the ultimate and independent decision-making authority on credibility and responsibility.

The Title IX Coordinator will provide the investigation report, along with a written notice of hearing, to the parties, their advisors, and the Hearing Officer, in electronic format or hard copy format ten (10) days prior to the scheduled hearing. Each of the Complainant and Respondent may submit a written response to the investigation report within five (5) business days.

h. Dismissal of Formal Complaint

After reviewing the investigation report, the Title IX Coordinator will review the matter to determine whether it should be dismissed under the Title IX regulations, as outlined in Section VII.

i. Acceptance of Responsibility

At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the Policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to the conclusion. Where there is an acceptance of responsibility as to all of the potential Policy violations, the Investigator will complete an investigation report of all information gathered to date and refer the matter for sanctioning as described below.

j. Notice of Hearing

The Title IX Coordinator or designee will provide the Complainant and Respondent with a written notice of hearing at least five (5) days prior to the hearing. The notice of hearing will include:

1. the specific policy violations that will be the subject of the hearing;
2. the date, time, and location of the hearing;
3. the name of the Hearing Officer;
4. how to challenge the participation of the Hearing Officer on the basis of conflict of interest or bias;
5. the right to have an advisor present at the hearing and conduct cross-examination on the party's behalf;
6. that Stevens will provide an advisor, without fee or charge, to conduct cross-examination on behalf of the party at the hearing if the party does not have an advisor present for the hearing;
7. how to request that witnesses be present at the hearing; and,
8. information about the hearing format.

k. Impact and Mitigation Statements

Prior to the start of the hearing, the Complainant may submit a written statement describing the impact of the Title IX Misconduct on the Complainant. The Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanctions(s) imposed, if any. In the event of a finding of responsibility, the Title IX Coordinator will provide any such statement(s) to the Sanctioning Officer. Each party has the opportunity to view the other party's statement.

l. Standard of Review

The standard of review that the University will use when reviewing a Formal Complaint and making related determinations is the standard of preponderance of the evidence. This means that the University will decide whether it is more likely than not, based upon the information provided in the investigation report

(only including statements that are subject to cross-examination) and at the hearing, that the Respondent is responsible for the alleged violation(s).

m. Hearing Officer

The Title IX Coordinator will assign the matter to a trained Hearing Officer who is free from a conflict of interest or bias. The Hearing Officer will oversee a live hearing, determine whether questions asked by the parties' advisors are relevant (as described above), evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and make a full and fair determination as to responsibility

n. Live Hearing

*1. Hearing Format*

The Hearing Officer has the discretion to determine the format for the hearing and its deliberations. Typically, the parties will have an opportunity to provide an opening statement to the Hearing Officer. Each party will then have an opportunity to address the Hearing Officer and respond to questions by the Hearing Officer or as described below, by the other party's advisor. The Hearing Officer will also hear from relevant witnesses, including the Investigator.

Each party will have the opportunity to question the other party, the witnesses, and the Investigator through their advisor directly, orally, and in real time. Only relevant questions may be asked of a party or witness. Before a Complainant, Respondent, or witness responds to a question, Hearing Officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant, as defined in the Title IX Policy.

After all parties and witnesses have been heard, each party will have an opportunity to provide a closing statement. At the conclusion of the hearing, the Hearing Officer will deliberate in private to determine whether there is sufficient evidence, by a preponderance of the evidence, that the Respondent engaged in conduct that violated the Title IX Policy.

*2. Evidence Considered at the Hearing*

At the Hearing, the parties may address any information in the investigative report and supplemental statements submitted in response to the investigative report. Stevens will make all evidence provided in the evidence review described above available to the parties at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

If a party or witness does not submit to questioning by the other party's advisor at the hearing, the Hearing Officer may not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Officer may not draw any inference from the decision of a party or witness not to participate in the hearing.

*3. Provision of Advisor*

If a party does not have an advisor present at the hearing, Stevens will provide an advisor, free of charge, who may be, but is not required to be, an attorney, for questioning on behalf of that party.

*4. Location of Hearing*

The hearing will be live, and the participants must be able to simultaneously see and hear each other. Hearings may be conducted with all parties present in the same geographic or virtual location, or at

the request of either party, the hearing can occur with the parties located in separate rooms (or virtual rooms) with technology enabling the Hearing Officer and parties to simultaneously see and hear the party or the witness answering questions.

#### *5. Record of Hearing*

The hearing will be audio-recorded and Stevens will make the recording available to the parties for review. Neither the parties, nor any participants or observers, will be permitted to make any audio or video recordings.

#### *6. Determination by the Hearing Officer*

After the Hearing Officer has concluded its review of the investigation report and any additional information provided during the hearing, the Hearing Officer shall render a determination whether the evidence presented establishes, by a preponderance of the evidence, that the Respondent engaged in Title IX Misconduct in violation of the Title IX Policy. The Hearing Officer may reach credibility determinations but may not base credibility determinations on a person's status as a Complainant, Respondent, or witness.

#### *7. Written Notice of Outcome*

The Hearing Officer will prepare a written decision and rationale, including a finding of responsibility or non-responsibility, and a rationale. The Title IX Coordinator will issue the written notice of outcome to the Complainant and Respondent within ten (10) business days (or longer for good cause) following the conclusion of the Hearing. The notice of outcome will include:

- Identification of the allegations potentially constituting Title IX Misconduct;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather other evidence, and hearings held, as applicable;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts; and
- A statement of, and rationale for, the result as to each alleged Policy violation, including a determination regarding responsibility.

For findings of non-responsibility, the Title IX Coordinator will issue the notice of outcome to the parties simultaneously, along with the procedures and permissible bases for the Complainant and Respondent to appeal the outcome.

For findings of responsibility, the Title IX Coordinator will issue the written notice of outcome to the Complainant, Respondent and Sanctioning Officer.

#### *8. Determination of Sanction*

The Sanctioning Officer is responsible for reviewing the written notice of outcome, the investigation report, any mitigation, or impact statements submitted by the parties, and all other submissions from the parties, and determining the appropriate sanction. For student Respondents, the Sanctioning Officer is the Assistant Vice President for Student Affairs. For employee Respondents, the Sanctioning Officer is the Vice Provost for Academic Innovation and Faculty Affairs.

Sanctions imposed upon students can include a range of sanctions including, warning, censure, education, counseling, disciplinary probation, loss of privileges, suspension or expulsion from a

residence hall or Greek housing, suspension, or expulsion from University premises, and/or suspension or expulsion from the University's academic programs. Any of these forms of sanction may be supplemented with additional actions required to be taken by the Respondent. Sanctions imposed on employees can include a range of sanctions including warning, censure, education, counseling, disciplinary probation, paid or unpaid suspension of employment, demotion, or termination of employment. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal.

In determining sanctions, the Sanctioning Officer will consider the following factors:

- the nature and severity of the conduct;
- the impact of the conduct on the Complainant;
- the impact or implications of the conduct on the community or Stevens;
- prior misconduct for which the Respondent has been found responsible, including the Respondent's relevant prior discipline history, both at Stevens and elsewhere (if available), including criminal convictions;
- whether the Respondent has accepted responsibility for the conduct;
- maintenance of a safe and respectful environment conducive to learning, including whether there is a continued hostile environment on campus caused by the Respondent's conduct;
- presence or absence of bias as a motivation for the Respondent's conduct;
- protection of the Stevens community requiring extended protective measures or other sanctions; and
- any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

o. Remedies

The Sanctioning Officer will draft a sanctioning determination that will include the findings, sanction(s) and the rationale for each sanction and will forward it to the Title IX Coordinator within ten (10) business days of the conclusion of the Hearing (or longer for good cause) for simultaneous distribution to the parties.

The Sanctioning Officer will also determine whether to provide additional remedies to the Complainant to restore and preserve the Complainant's equal access to the University's Education Program and Activity(ies). Examples of such remedies may include the provision of counseling opportunities, academic services, escort services, and/or training for members of the Stevens community, as well as making modifications to class scheduling and/or housing assignments. Requests for changes to academic, living, transportation, or working situations, or other protective measures or accommodations should be made to the Title IX Coordinator or Deputy Title IX Coordinator. The Title IX Coordinator is responsible for the implementation of remedies for the Complainant.

p. Appeals

1. *Appeal Grounds:* Each party has the right to appeal a dismissal of the Formal Complaint, a final determination of responsibility and/or the resulting sanction(s) based on the following limited grounds:

- a. Procedural irregularity that affected the outcome of the matter and/or sanction(s);
- b. New evidence, not reasonably available at the time of the hearing regarding responsibility or dismissal of the Formal Complaint, that could affect the outcome of the matter;
- c. The Title IX Coordinator, Investigator(s), or Hearing Officer or Sanctioning Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

A concise written request for appeal must be submitted to the Title IX Coordinator within five (5) business days following delivery of the notice of the outcome. Each party may respond in writing to any appeal submitted by the other party. Written requests for appeal submitted by one party will be shared with the other party.

## 2. *Appeal Procedure*

For Student and Employee Respondents: Appeals are reviewed by designated Appellate Authorities, depending on the status of the Respondent. Appeals for Students Respondents are reviewed by the Vice President for Enrollment Management and Student Affairs. Appeals for Employee Respondents are reviewed by the Vice President for Human Resources. Either party may challenge the Appellate Authority on the basis of conflict of interest or bias.

Upon receipt of the appeal:

- a. The Appellate Authority will review the investigation report and notice of outcome and may elect to meet with the parties.
- b. Within fifteen (15) working days of receipt of the appeal, the Appellate Authority will render a decision using the preponderance of the evidence standard and will simultaneously inform the parties of the decision in writing.
- c. The options available to the Appellate Authority are to: (A) affirm the findings, disciplinary decision and/or the sanction(s); (B) modify the findings, disciplinary decision and/or sanction(s); or (C) in the event of significant new evidence, order a new adjudication process based on the totality of the evidence.
- d. The decision by the Appellate Authority is final. No further appeals are available.

## **Records**

The Title IX Coordinator will create, and maintain the following records for a period of seven years:

- a. Records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint;
- b. The records of each Title IX Misconduct investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript created, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;
- c. Records of any appeal and the result therefrom;
- d. Records of any informal resolution and the result therefrom; and
- e. All materials used to train Title IX Coordinators, Investigators, Hearing Officers, Sanctioning Officers, and any person who facilitates an informal resolution process.

## Training, Prevention and Education

The University provides training to students and employees to ensure they understand the Title IX Policy and the topics and issues related to maintaining an education and employment environment free from harassment and discrimination. The University is committed to the prevention of Title IX Misconduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming as part of their orientation and returning students and current employees receive ongoing training and related education.

# PREVENTION AND AWARENESS PROGRAMS AND BYSTANDER TRAININGS

Stevens prohibits all forms of sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking as those terms are defined in the Clery Act. Stevens' prevention programs are designed to promote positive and healthy behaviors and encourage safe bystander intervention and risk reduction. The awareness programs are designed to raise awareness about the active role community members can play in crime prevention, risk reduction and bystander intervention.

*Everfi's Sexual Assault Prevention* modules are administered and required to be completed by incoming students, continuing students, and graduate students. The courses combine cutting-edge instructional design and rich media to educate students about healthy relationships, the importance of consent, and the role of bystander intervention. Everfi's Interactive exercises in Sexual Assault Prevention take students through real-world scenarios and encourage students to challenge sexist language and attitudes, provide guidance for supporting someone who has experienced harm, and promote healthy relationships based on positive communication and respect, empowering students to create safe, healthy campus environments.

*Title IX and Sexual Assault Prevention* was administered as a mandatory Orientation session for all new students during the virtual Orientation in August 2020. The Title IX Coordinator gave an educational presentation to all new students providing information about the University's Title IX policy, an explanation of consent, reporting information, and ways to prevent violations of the policy.

*Title IX Training* is mandatory for all new Stevens employees. New employees are required to complete an online Title IX training module, tailored to Stevens' Title IX policy, within 30 days of joining the University. In addition, they are required to attend live Title IX training within the first year of employment.

*Additional Title IX Trainings* are offered throughout the year and facilitated by our Title IX team. Resident Assistants and Orientation Leaders are required to attend Title IX training as part of a more comprehensive training program annually or more frequently; fraternity and sorority leaders, peer health mentors, and other student groups also participate in Title IX training programs offered at various times throughout the year.

*Bystander Intervention and Risk Reduction* are addressed through several initiatives, including the Stevens' bystander intervention campaign and training program – Don't Stand By. Speak Up! "Speak Up!" was developed in response to student input regarding the issues they have encountered as students. All new students receive information on the "Speak Up!" program with details on how to intervene in various situations. The bystander training includes information about effective options for intervention, including 1) indirect or direct intervention when safe to do so; 2) enlisting the assistance of friends; 3) contacting law enforcement; and or 4) seeking assistance from a person in authority, among other options. The trainings also address strategies to reduce risk, including a) dissuading a person from going off alone with an aggressive person; b) removing a person from a risky situation; and c) remaining with a person until a potential aggressor

has left or the person is in a safe place. Resident Assistants, Peer Leaders, new club and NCAA athletes, and new Fraternity and Sorority members attended a 90-minute training to address bystander intervention as it relates to sexual assault, alcohol, discriminatory language, and depression.

*Awareness Programs and Campaigns* are presented throughout the year to educate the Stevens community about resources, risk reduction and healthy behaviors. Stevens joined national efforts through the “It’s On Us” campaign and the creation of a Stevens video that is utilized in training and through programming that was overseen in all Stevens residence halls. Stevens also hosts “Take Back the Night” annually with the City of Hoboken during April, sexual assault awareness month. Together, the Stevens and Hoboken communities came together for a march and candlelight vigil.

Finally, the Stevens “*Know More*” campaign provides public service-type advertising throughout campus regarding healthy behaviors, consent, and sexual assault, as well as information regarding Stevens’ Title IX Policy that is disseminated during every bystander intervention and sexual assault training. Our “Know Your Rights” brochure was designed to inform our students about Stevens’ Title IX Policy and resources and is disseminated to all incoming students.

Resident Assistants (RAs) offer programs and information throughout the year regarding sexual assault, consent, and healthy relationships as well as provide resources for our residents. Stevens RAs attend mandatory training twice a year facilitated by the Title IX staff.

## **SEX OFFENDER REGISTRY**

Stevens is required by the Campus Sex Crimes Prevention Act to notify students and employees of the location of information pertaining to individuals who have been convicted of violent sex offenses or criminal offenses against minors. The National Sex Offender Public Website can be found [here](#). Information regarding registered sex offenders may also be obtained from Stevens Campus Police.

## **CRIME STATISTICS REPORTING**

Stevens Campus Police collects crime statistics through a number of methods and reflects all data in a crime log. Crimes that occur on-campus are gathered by Campus Police through a review of calls and CSA reports. Campus Police analyzes each report within the classifications of the Uniform Crime Report (UCR) and relevant laws. Crimes that occur at housing facilities leased by Stevens and on public property within Stevens Geography are reported to Stevens by the Hoboken Police Department. Stevens also requests crime statistics for any facility regularly used by Stevens pursuant to a written contractual arrangement by request to the local police department where the facility is located.

# STEVENS GEOGRAPHY

Stevens reports incidents that occur at its on-campus and non-campus facilities, as well as crimes that occur on public property within Stevens Geography. Stevens works closely with the Hoboken Police department and other law enforcement agencies to gather crime data reported to police for Stevens housing located in both on-campus and off-campus facilities, as well as public property adjacent to the Stevens campus. For purposes of this Report, incidents that occur at off-campus housing locations within one mile of campus are treated as “on-campus” starting with the 2017 crime statistics. The Annual Fire Safety Report (see p. 31) includes fire statistics and fire safety information for both on-campus housing and off-campus housing leased by Stevens located within 1 mile of campus. In many cases, incidents that occur on public property adjacent to Stevens campus do not involve members of the Stevens community, but are included in this Report to be compliant with Clery requirements (see below for a campus map and a map of all Stevens residential facilities)



1 Castle Point Terrace  
 Hoboken, NJ 07030  
 201-216-5000  
 stevens.edu



**ACADEMIC BUILDINGS**

- ABS Engineering Center **17**
- Babbio Center **3**
- Burchard Building **4**
- Carnegie Laboratory **5**
- Davidson Laboratory **19**
- Edwin A. Stevens Hall & DeBaun Auditorium **1**
- Gateway Academic Center
- Gianforte Family Hall **7**
- South Hall **6**
- Kenneth J. Altorfer Academic Complex **15**
- Kidde Hall **14**
- McLean Hall **2**
- Morton Hall **12**
- Nicoll Environmental Laboratory **18**
- North Building **24**
- Peirce Hall **13**
- Rocco Technology Center **16**
- Samuel C. Williams Library **35**

**ADMINISTRATIVE BUILDINGS**

- 1 Ninth Street **26**
- 2 Ninth Street **27**
- 807 Castle Point Terrace **21**
- Gatehouse **42**
- Griffith Building **43**
- Hoxie House **30**
- Ruesterholz Admissions Center **32**
- Student Center **31**
- Student Wellness Center **25**
- Wesley J. Howe Center **34**
- University Center Complex **39**

**RESIDENCE HALLS**

- 600 River Terrace **8**
- 602 River Terrace **9**
- 604 River Terrace (Gibb House) **10**
- 606 River Terrace **11**
- Castle Point Hall **29**
- Davis Hall **41**
- Humphreys Hall **23**
- Jonas Hall **22**
- Lore-El Center **20**
- Palmer Hall **33**
- Residential Towers
- Harries Tower **37**
- South Tower **38**

**FRATERNITIES & SORORITIES**

**ATHLETIC FACILITIES**

- Schaefer Athletic & Recreation Center **36**
- Tennis Office **28**
- Walker Gymnasium **40**

**PARKING FACILITIES**

- 8th St Lot
- Babbio Center Garage
- Castle Point Hall Lot
- Howe Center Lot
- North Lot
- River Lot
- Ruesterholz Lots



**STEVENS**  
INSTITUTE OF TECHNOLOGY  
1870

# Office of Residential and Dining Services

## 2021 Cleary Map



Leased Housing Properties	
1	Shipyards North Vanguard (1333 Hudson St)
2	Shipyards North Independence (1 Independence Court)
3	Shipyards South Vanguard (1201 Hudson St)
4	Avalon (800 Madison St)
5	538 Washington St*
6	110 Washington St*
* Occupy entire building	

Greek Houses and Stevens Owned	
A	1036 Park Ave**
B	903 CPT Alpha Sigma Phi*
C	Castle Point Hall**
D	837 Hudson St Phi Sigma Kappa*
E	812 CPT Beta Theta Pi*
F	835 CPT Phi Sigma Sigma**
G	831 CPT Lambda Upsilon Lambda
H	806 CPT Sigma Nu**
I	809 CPT Delta Tau Delta**
J	804 CPT Chi Psi (Lodge)*
K	808 CPT Theta Phi Alpha**
L	805 CPT Theta Xi**
M	802 CPT Lore El**
N	Jonas Hall**
O	Humphreys Hall**
P	801 Hudson St Chi Phi*
Q	800 CPT Delta Phi Epsilon**
R	Palmer Hall**
S	Davis Hall**
T	River Terrace Suites**
U	528-530 Hudson St Sigma Phi Epsilon*
* Privately Owned	
** Stevens Owned	

# 2021 CRIME STATISTICS

Type of offense	Year	On Campus	Residential facility	Non- campus building or property	Public property	Total
<b>Criminal Homicide</b>						
Murder/Non-negligent manslaughter	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Negligent manslaughter	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
<b>Sexual Assault</b>						
Rape	2021	4	4	0	0	4
	2020	3	3	0	0	3
	2019	3	3	1	0	4
Fondling	2021	1	1	0	0	1
	2020	1	1	0	0	1
	2019	1	1	0	0	1
Incest	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
<b>Robbery</b>						
	2021	1	0	0	0	1
	2020	0	0	0	0	0
	2019	0	0	0	1	1
<b>Burglary</b>						
	2021	0	0	0	0	0
	2020	4	4	0	0	4
	2019	3	2	0	0	3
<b>Aggravated Assault</b>						
	2021	0	0	0	0	0
	2020	0	0	0	1	1
	2019	0	0	0	2	2
<b>Motor vehicle theft</b>						
	2021	0	0	0	0	0
	2020	1	1	0	1	2
	2019	0	0	0	1	1

Type of offense	Year	On Campus	Residential facility	Non- campus building or property	Public property	Total
<b>Arson</b>						
	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	1	1	0	0	1
<b>Stalking</b>						
	2021	0	0	0	0	0
	2020	0	0	0	1	1
	2019	0	0	0	0	0
<b>Domestic Violence</b>						
	2021	1	1	1	0	2
	2020	0	0	0	0	0
	2019	0	0	0	0	0
<b>Dating Violence</b>						
	2021	0	0	0	0	0
	2020	3	3	0	0	3
	2019	2	2	1	0	3
<b>Hate Crimes</b>						
	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

# ARRESTS AND DISCIPLINARY ACTIONS

Arrests - On campus	2019	2020	2021
Illegal weapons possession	0	0	1
Drug law violations	1	0	0
Liquor law violations	0	0	0
Arrests - On Campus - Residence Halls Law Violation	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	1	0	0
Liquor law violations	0	0	0
Arrests - Non-campus	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
Arrests - Public Property	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	2	3	0
Liquor law violations	0	0	1
Disciplinary Actions - On campus	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	5	2	0
Liquor law violations	58	19	37
Disciplinary Actions – Residence Halls	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	5	2	0
Liquor law violations	58	18	37
Disciplinary Actions - Non-campus	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	2	0	4
Disciplinary Actions – Public Property	2019	2020	2021
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
Unfounded Crimes	2019	2020	2021
Unfounded Crimes	0	0	0

# ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act of 2008 requires each academic institution to produce an annual report that provides fire-related statistics, fire safety policies and procedures for on-campus student housing. For the purposes of this report, off-campus housing located within one mile of campus is treated as on-campus. Stevens publishes this information in the Annual Campus Security and Fire Safety Report.

## Definitions:

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or burning in an uncontrolled manner.

**Evacuation Drill:** A supervised and scheduled orderly evacuation of faculty, students, and staff from a facility for the purpose of ensuring the safety of occupants during an actual emergency. Evacuation Drills are conducted at various times throughout the year to provide occupants with familiarity with a facility's fire safety features and avenues of egress.

**Fire Log:** A written log is maintained to chronologically record any occurrence of fire within a student housing facility. The log records the time and date that a fire occurred, as well as the general location and nature of the fire. The most recent seven (7) days of recordings are available for review. The most recent sixty (60) days of recordings are available for review within two (2) business days of a request.

**Fire-related death:** Any death occurring as a direct result of a fire occurring in an on-campus student housing facility or an off-campus student housing facility located within 1 mile of campus, including any individual who dies within one (1) year of such incident.

**Fire-related injury:** Any injury sustained as a direct result of a fire occurring in an on-campus housing facility which requires medical treatment at a medical facility.

**Fire Safety system:** Any devices, systems or combinations of systems designed and intended to detect fire, activate alarms, suppress, or control fires. Such systems may include smoke detectors, heat detectors, sprinklers, or other similar systems.

**Sprinklered Building:** A building in which all parts including dwelling units, common areas, refuse chutes and utility rooms are protected by an automatic wet sprinkler system.

**Partially Sprinklered Building:** Buildings in which only select areas are protected by an automatic wet sprinkler system.

**Smoke Detector:** A device intended to sound an audible alarm upon sensing products of combustion. A smoke detector may also activate a visible signal and may sound locally or transmit a signal to a central station.

**Property Loss:** Any damage to the structure and contents of an on-campus housing facility as a direct result of an occurrence of a fire therein. Included in any assessment shall be any damage resulting from fire suppression efforts.

# 2021 ANNUAL FIRE STATISTICS

## Summary of Fires in Student Housing

Summary of Fires									
	2019			2020			2021		
Name of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Davis Hall	1	0	0	0	0	0	0	0	0
Humphreys Hall	1	2	0	0	0	0	0	0	0
Jonas Hall	1	0	0	0	0	0	0	0	0
Palmer Hall	0	0	0	0	0	0	0	0	0
Castle Point Hall	0	0	0	0	0	0	0	0	0
River Terrace Suites	2	0	0	0	0	0	0	0	0
Lore-El Center	0	0	0	0	0	0	0	0	0
800 Castle Point Terrace	0	0	0	0	0	0	0	0	0
804 Castle Point Terrace*	0	0	0	0	0	0	0	0	0
805 Castle Point Terrace	0	0	0	0	0	0	0	0	0
806 Castle Point Terrace	0	0	0	0	0	0	0	0	0
808 Castle Point Terrace	0	0	0	0	0	0	0	0	0
809 Castle Point Terrace	0	0	0	0	0	0	0	0	0
812 Castle Point Terrace*	0	0	0	0	0	0	0	0	0
831 Castle Point Terrace	0	0	0	0	0	0	0	0	0
835 Castle Point Terrace	0	0	0	0	0	0	0	0	0
903 Castle Point Terrace*	0	0	0	0	0	0	0	0	0
528-530 Hudson St.*	0	0	0	0	0	0	0	0	0
801 Hudson St.*	0	0	0	0	0	0	0	0	0
837 Hudson St.*	0	0	0	0	0	0	0	0	0
1201 Hudson St.**	0	0	0	0	0	0	0	0	0
110 Washington St.**	0	0	0	0	0	0	0	0	0
538 Washington St.**	0	0	0	0	0	0	0	0	0
1036 Park Ave.	0	0	0	0	0	0	0	0	0
1333 Hudson St.**	0	0	0	0	0	0	0	0	0
1 Independence Court**	0	0	0	0	0	0	0	0	0
800 Madison St.**	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>2</b>	<b>0</b>						

\* Privately-owned Greek House

\*\* Stevens Leased Housing

## 2021 Actual Fires in Student Housing

No Actual Fires in Student Housing in 2021

Location	Date of Fire	Time of Fire	Cause of Fire	No. of Injuries Requiring Treatment	No. of Deaths Related to Fire	Value of Property Damage by Fire
N/A	N/A	N/A	N/A	N/A	N/A	N/A

### Emergency Evacuation Procedures

Evacuation drills are coordinated by the office of Residential & Dining Services (RDS), Campus Police, and Environmental Health and Safety (EHS) as required under the New Jersey State Fire Code. Generally, the emergency response and evacuation procedures are announced and tested four times annually for Stevens-owned student housing and once annually for all the administrative buildings. Students, faculty, and staff learn the locations of the emergency exits and receive guidance about the direction they should travel when exiting each facility for a building evacuation and guidance about where they should assemble. RDS does not inform residents in advance about the designated locations for evacuations in accordance with New Jersey Fire Code. In both cases, on-site staff from both Campus Police and EHS will communicate information to students regarding the developing situation and evacuation protocols.

The purpose of the evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Stevens, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. The process also provides Stevens an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored by Campus Police, EHS and the University's fire alarm vendor to evaluate egress and behavioral patterns and ensure fire alarm systems are functioning properly. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately.

Recommendations for improvements also are submitted to the appropriate departments and offices for consideration of its emergency response and evacuation procedures.

### Fire Protection Equipment

All of Stevens' on-campus and off-campus student housing facilities are fully sprinklered and equipped with automatic fire detection and alarm systems. The equipment is continuously monitored by a private monitoring company and Stevens personnel.

### Fire Safety Inspections

The Stevens Fire Safety Coordinator, Facilities Management staff and the Hoboken Fire Department inspect every building once a year. Residential and Dining Services and Residential Education staff conduct room inspections on a regular basis throughout the academic year to ensure students are complying with fire safety policies.

# FIRE SAFETY POLICIES & PROGRAMS

## Fire Safety in Stevens Housing

Tampering with fire safety equipment, fire alarms, sprinklers or sensors is prohibited. This includes willfully de-activating alarm devices or smoke sensors. Displaying fire exit signs in a student room will result in a fine. Evacuation of the building, whenever a fire alarm is sounded, is for the protection of all residents. Accidental activation of the fire alarms due to negligence is a violation of Stevens fire safety code. Any violation of fire rules and regulations may result in the loss of resident privileges as well as a fine.

Residents are required to maintain reasonable standards of cleanliness to avoid fire hazards and must not obstruct sidewalks, entrances, passages, fire escapes, elevators, lobbies, stairways, corridors, or halls with personal property.

The following items are prohibited in the residence halls and will be confiscated:

- Combustibles and other flammable items
- Flammable decorations, including live Christmas trees
- Natural or artificial evergreens
- Accumulations of paper
- Electric heaters, air conditioners, hot plate burners
- Halogen lighting equipment
- Flammable liquids (lighter fluids), tires
- Candles (with or without wicks), incense, outdoor grills, or any other type of open flame or open coil device
- Explosives, fireworks, firearms, or ammunition

Pets excluding fish in a 10-gallon tank or less are not permitted. The use and/or possession of weapons (knives, swords, paintball guns, firearms, etc.), explosives or fireworks, are prohibited and will be confiscated by campus police. No objects of any kind may be placed on the outside window ledges.

Students found in possession of prohibited items or who fail to evacuate during a drill or emergency are subject to disciplinary action and referral to a fire safety education workshop.

## Electrical Items

Electric kitchen applications, particularly those with heating elements such as toasters, toaster ovens, hot pots, coffee makers (with the exception of pod coffee makers) and George Foreman grills are prohibited and may not be stored in Stevens housing. Only one microwave (700 watts or less) and one refrigerator (4.0 cubic feet or less) are permitted in each room. All multiple-outlet power strips or extension cords must contain a built-in circuit breaker or fuse. Electrical projects, test equipment, and other electrical devices are not permitted if they exceed reasonable limitations. The use of flood lights, space heaters and string lights are not permitted.

## Health and Safety

The Office of Residential and Dining Services and the Office of Residential Education reserve the right to inspect all student rooms. Health and Safety inspections occur every semester and are designed to address health and safety violations within a room, apartment, or common area. Residents will be notified of any violations and, if applicable, will be responsible for policy violations and sanctions. Prohibited items are not permitted in student rooms or common areas. Residents are responsible for keeping their rooms in a sanitary condition consistent with good safety and hygiene.

## Residence Hall Furniture

Only Stevens-provided furniture is allowed in the residence halls (on-campus or off-campus leased apartments). Oversized furniture, including additional big closets, storage, and large musical instruments, are not permitted in individual student rooms, or stored in common spaces without permission from the Office of Residential and Dining Services. Stevens issued furniture must remain within the assigned room. Students are responsible for the furniture in their assigned room, and each student will be charged for damaged or missing furniture. Furnishings may not be removed from lounges or other public areas of the university. Waterbeds are not permitted. Mattresses must be kept on the bed frame. The Office of Residential and Dining Services will not provide additional furnishings or store Stevens-issued furniture.

## Smoking

Due to New Jersey state law, smoking is not permitted in Stevens housing. Smoking is prohibited in Stevens housing. Cigarettes, e-cigarettes, cigars, hookahs, and bongs are prohibited. These items and other paraphernalia are not allowed to be used or stored within Stevens housing.

## Programs for Fire Safety Education and Training

- Stevens believes it is extremely important that faculty, staff, students, and visitors familiarize themselves with all applicable fire safety procedures in campus buildings. Students are educated on the fire safety procedures for their residence halls and fire safety procedures for campus within the first ten days of each semester. Stevens Environmental Health and Safety Department collaborates with campus partners to provide fire safety training programs for the Stevens community, including the following:
- The Stevens Fire Safety Coordinator trains Resident Assistants in fire safety before the Fall semester
- Resident Assistants provide fire safety training for residents under their supervision
- Residents are given a fire safety talk by the Fire Safety Coordinator at the end of each evacuation drill
- The Stevens Fire Safety Coordinator performs training for the entire freshman class in fire safety practices during New Student Orientation
- Fire Safety Training is given in each fraternity and sorority house during the Fall Semester. Every session is customized to each home since each home has different physical features, fire escape systems, and fire safety systems. Greek House Residents are educated on the fire safety systems as well as any other fire safety concerns related to their specific house. At the end of each session the students return to their room and a controlled blindfolded evacuation drill is performed. The residents are instructed to take their time and count the doors and doorways to the exit. Students and campus personnel are on the stairs at control points for safety. This exercise demonstrates the challenges of evacuating during an actual fire event when vision may be limited.

- In collaboration with the Stevens Police Department, EH&S provides our student athletes with travel safety information which includes fire and security best practices while traveling and staying in hotels away from campus
- Stevens EH&S conducts annual fire safety training sessions for Stevens Police, Facilities as well as a fire safety orientation for outside vendors

Residents who fail to comply fully with applicable fire safety procedures or who otherwise violate rules and regulations related to fire safety, and students who fail to abide by building emergency evacuation procedures are subject to disciplinary action through the student conduct process.

Stevens employs one hundred and eighty (180) “safe T sensor” devices throughout campus in an effort to prevent fires and reduce nuisance alarms on campus. These devices were installed throughout campus, including in every residence hall and fraternity/sorority house kitchen. The device has a small smoke alarm that attaches to the outside vent of a microwave oven and a ground fault outlet that plugs into the oven. In the event of a minor smoke condition, the detector trips the ground fault switch, effectively shutting off the microwave. Stevens has not had any alarms in the areas with devices since their installation. Stevens has also installed Smart Burners in 6 apartments that have electric stoves. The Smart Burner controls the high-end temperature of the stovetop below the auto-ignition point of cooking oils and most common household materials by shutting off the stove element when the temperature reaches above 350°C/662°F. When the element has cooled below that threshold the stove element turns on again.

### **Procedures to Follow in Case of a Fire**

All persons occupying a University building must, without hesitation or prompting, vacate a University building or facility at the sound of a fire alarm or verbal instructions of Campus Police or other University personnel to evacuate. Upon vacating the building, all persons are required to remain at a safe distance or take other specific action as determined by police or the University Fire Safety Coordinator. Once evacuated, the building shall remain under the control of responding fire and emergency response officials until determined to be safe, at which time occupants will be permitted to reenter the building or directed to take other action.

In the event that a student or employee detects a fire or smoke condition, they should activate one of the building fire alarm pull stations which will immediately contact the Hoboken Fire Department and Stevens Police. If they are outside of the building or the fire is outside the building, they should call 201-216-3911 to contact Stevens Police who will notify the Hoboken Fire Department immediately via portable radio.

If a student or employee is aware that a fire occurred and may not have been reported, they should immediately contact Stevens Police at 201-216-3911.

### **Collaboration with Hoboken Fire Department (HFD)**

Stevens values its relationship with local emergency responders. In an effort to improve communication and response, Stevens Environmental Health and Safety has developed Pre-Fire Plans. The Fire Safety Coordinator has distributed pre-fire plans for campus buildings (including Stevens-owned fraternity and sorority houses) to HFD which include building floor plans. These plans assist Fire Fighters in locating building access points and shutoffs for utilities and sprinklers, in order to provide an efficient and effective response. The Stevens Fire Safety Coordinator arranges building tours for HFD of all fraternity and sorority housing and residence halls. These tours familiarize firefighters with building layouts, fire hose connection locations, and other fire safety systems that may be utilized during a response.

## **Recent and Planned Improvements in Fire Safety Program**

Stevens updated the student and employee handbooks to include a prohibition on the storage of bicycles and scooters inside campus buildings. Storage of these items may impede occupant evacuation during an emergency.

# STEVENS HOUSING FIRE SAFETY CHECKLIST

Name of Facility	Monitored Fire Panel	Fully Sprinklered	Smoke Alarms	CO	Fire Drills Annually	Evacuation Maps	Fire Extinguishers
Davis Hall	YES	YES	YES	YES	4	YES	YES
Humphreys Hall	YES	YES	YES	YES	4	YES	YES
Jonas Hall	YES	YES	YES	YES	4	YES	YES
Palmer Hall	YES	YES	YES	YES	4	YES	YES
Castle Point Hall	YES	YES	YES	YES	4	YES	YES
River Terrace Suites	YES	YES	YES	YES	4	YES	YES
Lore-El Center	YES	YES	YES	YES	4	YES	YES
800 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
804 Castle Point Terrace*	YES	YES	YES	YES	0	YES	YES
805 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
806 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
808 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
809 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
812 Castle Point Terrace*	YES	YES	YES	YES	0	YES	YES
831 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
835 Castle Point Terrace	YES	YES	YES	YES	4	YES	YES
903 Castle Point Terrace*	YES	YES	YES	YES	0	YES	YES
528-530 Hudson St.*	YES	YES	YES	YES	0	YES	YES
801 Hudson St.*	YES	YES	YES	YES	0	YES	YES
837 Hudson St.*	YES	YES	YES	YES	0	YES	YES
1201 Hudson St.**	YES	YES	YES	YES	0	YES	YES
110 Washington St.**	YES	YES	YES	YES	0	YES	YES
538 Washington St.**	YES	YES	YES	YES	0	YES	YES
1036 Park Ave.	YES	YES	YES	YES	4	YES	YES
1333 Hudson St.**	YES	YES	YES	YES	0	YES	YES
1 Independence Court**	YES	YES	YES	YES	0	YES	YES
800 Madison St.**	YES	YES	YES	YES	0	YES	YES

\* Privately-owned Greek House

\*\* Stevens Leased Housing

# APPENDIX A: DEFINITIONS OF REPORTABLE CRIMES UNDER THE CLERY ACT

The following are definitions of crimes that are reportable under the Clery Act reporting requirements.

## **Murder and non-negligent manslaughter**

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

## **Negligent manslaughter**

The killing of another person through gross negligence.

## **Robbery**

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

## **Aggravated assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a 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 that could and probably would result in serious personal injury if the crime were successfully completed.)

## **Burglary**

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

## **Motor vehicle theft**

The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.

## **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.

## **Liquor law violations**

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing or possession of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

## **Drug abuse violations**

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

## **Weapon law violations**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

## **Offense Definitions Relating to Hate/Bias-Related Crime**

A **hate crime** is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. **Bias** is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

In addition to the offenses mentioned above, there are also four additional criminal offenses related to Hate Crimes, they are: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. The following are definitions of Hate/Bias crimes that are reportable under the Clery Reporting Requirements:

### **Larceny**

Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

### **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.

### **Intimidation**

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

### **Destruction/damage/vandalism of property**

Is 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.

# APPENDIX B: DEFINITIONS OF SEXUAL MISCONDUCT AND RELATED TERMS UNDER THE CLERY ACT

The following definitions come from the FBI's Uniform Crime Reporting Program and the Violence Against Women Reauthorization Act of 2013, S.47, 113th Cong. (2013).

## **Sexual assault.**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

## **Rape**

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

## **Fondling**

Fondling is defined as the touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

## **Incest**

Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Statutory rape is defined as sexual intercourse with a person who is under the statutory age of consent.

## **Domestic violence.**

A felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against whom an adult or youth victim is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## **Dating violence.**

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

1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
2. 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.

**Stalking.**

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a. Fear for the person's safety or the safety of others; or
  - b. Suffer substantial emotional distress.
2. For the purposes of this definition—
  - a. Course of conduct means two or more acts, including, but not limited to, acts that the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

# APPENDIX C: DEFINITIONS OF SEXUAL ASSAULT AND RELATED TERMS UNDER NEW JERSEY LAW

The following definitions come from 2013 New Jersey Revised Statutes: Title 2C, the New Jersey Code of Criminal Justice.

## Sexual Assault

1. An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:
2. The victim is less than 13 years old;
3. 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;
4. The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated sexual on another, burglary, arson, or criminal escape;
5. 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;
6. The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
7. The actor uses physical force or coercion, and severe personal injury is sustained by the victim;
8. The victim is one whom the actor knew or should have known was physically helpless or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.
9. *Aggravated sexual assault is a crime of the first degree.*

An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old, and the actor is at least four years older than the victim.

An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

1. The actor uses physical force or coercion, but the victim does not sustain severe personal injury;
2. The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status;
3. The victim is at least 16 but less than 18 years old and:
  - a. The actor is related to the victim by blood or affinity to the third degree; or
  - b. The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or

- c. The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- 4. The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.
- 5. *Sexual assault is a crime of the first degree.*

### **Domestic Violence and Dating Violence**

Under New Jersey law, when certain criminal offenses are committed in the context of certain personal relationships, including a current or former **dating relationship**, they may be termed a domestic violence offense.

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

1. Homicide N.J.S.2C:11-1 et seq.
2. Assault N.J.S.2C:12-1
3. Terroristic threats N.J.S.2C:12-3
4. Kidnapping N.J.S.2C:13-1
5. Criminal restraint N.J.S.2C:13-2
6. False imprisonment N.J.S.2C:13-3
7. Sexual assault N.J.S.2C:14-2
8. Criminal sexual contact N.J.S.2C:14-3
9. Lewdness N.J.S.2C:14-4
10. Criminal mischief N.J.S.2C:17-3
11. Burglary N.J.S.2C:18-2
12. Criminal trespass N.J.S.2C:18-3
13. Harassment N.J.S.2C:33-4
14. Stalking P.L.1992, c. 209 (C.2C:12-10)
15. Criminal coercion N.J.S.2C:13-5
16. Robbery N.J.S.2C:15-1
17. Contempt of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly persons offense
18. Any other crime involving risk of death or serious bodily injury to a person protected under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c. 261 (C.2C:25-17 et al.)
19. (19) Cyber-harassment P.L.2013, c. 272 (C.2C:33-4.1)
20. When one or more of these acts is inflicted by an unemancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c. 77 (C.2A:4A-30).
  - a. "Law enforcement agency" means a department, division, bureau, commission, board, or other authority of the State or of any political subdivision thereof which employs law enforcement officers.
  - b. "Law enforcement officer" means a person whose public duties include the power to act as an officer for the detection, apprehension, arrest, and conviction of offenders against the laws of this State.
  - c. "Victim of domestic violence" means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to

domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. “Victim of domestic violence” also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. “Victim of domestic violence” also includes any person who has been subjected to domestic violence by a person with whom the victim has had a **dating relationship**.

- d. “Emancipated minor” means a person who is under 18 years of age but who has been married, has entered military service, has a child or is pregnant or has been previously declared by a court or an administrative agency to be emancipated.

## Stalking

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, communicating to or about, a person, or interfering with a person’s property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.
2. “Repeatedly” means on two or more occasions.
3. “Emotional distress” means significant mental suffering or distress.
4. “Cause a reasonable person to fear” means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.
  - a. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.
  - b. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.
  - c. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.
  - d. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state, or the United States.
  - e. This act shall not apply to conduct which occurs during organized group picketing.

## Consent

In New Jersey, the age of consent is 16, but individuals who are at least 13 years of age can legally engage in sexual activities if the defendant is less than 4 years older than the victim.

# **APPENDIX D: DEFINITIONS OF TITLE IX MISCONDUCT AND RELATED TERMS IN THE STEVENS TITLE IX POLICY**

## **Complainant**

An individual who is alleged to have been the subject of conduct that could constitute Title IX Misconduct.

## **Confidential Resource**

An individual who maintains a legally-protected or privileged relationship with a patient or client, including professional mental health counselors, medical professionals, rape crisis counselors, and ordained clergy. On campus, Confidential Resources include the counselors at Student Counseling and Disability Services or any physician, nurse, physician assistant or nurse assistant at the Student Health Center or otherwise employed or engaged by the University (in the context of a doctor-patient relationship).

## **Education Program or Activity(ies)**

All of the University's operations, including locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the conduct occurs, and any building owned or controlled by a student organization that is officially recognized by the University (e.g., a fraternity or sorority recognized by the University).

## **Formal Complaint**

A document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Misconduct against a Respondent and requesting that Stevens investigate the allegation of Title IX Misconduct. At the time of filing of a Formal Complaint, a Complainant must be participating in or attempting to participate in a University Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. The Formal Complaint must contain the Complainant's physical or digital signature, or otherwise indicate that the Complainant is filling the Formal Complaint.

## **Hearing Officer**

A fair and impartial decision-maker responsible for making a determination whether the Respondent engaged in conduct that violated the Title IX Policy. The Hearing Officer may be a campus administrator or an external professional. The Hearing Officer will be impartial and free from conflict of interest or bias.

## **Investigator**

A neutral and objective individual who is trained to conduct a prompt, thorough, fair, and impartial investigation. The Investigator may be a campus administrator or an external professional. The Investigator will be impartial and free from conflict of interest or bias.

## **Respondent**

An individual who has been accused of Title IX Misconduct.

## **Responsible Employees**

The following employees of Stevens shall be considered Responsible Employees:

- a. each member of Stevens' Campus Police;
- b. the Title IX Coordinator and the Deputy Title IX Coordinators;
- c. the Provost and Vice President for Academic Affairs, the Vice President for Enrollment Management and Student Affairs, and the Vice President for Human Resources;
- d. the Dean of Students;
- e. the Assistant Vice President for Student Affairs; and
- f. the Associate Provost for Academic Innovation and Faculty Affairs.

## **Sanctioning Officer**

A fair and impartial decision-maker responsible for determining the sanction following a finding of responsibility by a Hearing Officer. The Sanctioning Officer will be impartial and free from conflict of interest or bias.

## **Supportive Measures**

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's Education Program or Activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the education environment, or deter sexual harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

## **Title IX Misconduct**

An umbrella term that includes Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Retaliation. Title IX Misconduct can be committed by individuals of any sex and can occur between individuals of the same sex or different sexes. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships. Title IX Misconduct is prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the parties. Title IX Misconduct occurring over electronic communications and social media are prohibited by the Policy whether or not they utilize Stevens' electronic equipment, servers, or e-mail resources. Title IX Misconduct which violates the Title IX Policy includes the behaviors described below

### **1. Sexual Harassment**

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- a. A Stevens employee conditioning the provision of an aid, benefit, or service of the University on an individual's participating in unwelcome sexual conduct; or
- b. Unwelcome conduct of a sexual nature determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Stevens' Education Program or Activities;

- c. Sexual Assault, Dating Violence, Domestic Violence, Stalking or Retaliation, in each case as defined below.

## 2. Sexual Assault

Sexual assault occurs when a person has or attempts to have sexual contact with another person without consent or where the person cannot consent because of age or temporary or permanent mental incapacity (see below for definitions of consent and incapacitation). Sexual Assault also includes having or attempting to have sexual contact between persons who are related to each other within the degrees where marriage is prohibited by law, and statutory sexual assault (in each case, as prohibited by New Jersey state law based on the age of the parties). Sexual contact includes:

- a. sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight; or
- b. sexual touching of private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate parts of a person's body for the purpose of sexual gratification; or
- c. attempts to commit sexual assault.

## 3. Dating Violence

Dating violence includes any act of violence committed by a person:

- a. Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
- b. Where the existence of such a relationship shall be determined based on consideration of the following factors:
  - i. The length of the relationship;
  - ii. The type of relationship; and
  - iii. The frequency of interaction between the persons involved in the relationship.

## 4. Domestic Violence

Domestic Violence includes any act of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under New Jersey state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under New Jersey state law.

## 5. Stalking

Stalking occurs when a person engages in a course of conduct (as further defined below) directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

## 6. Retaliation

Any adverse action, intimidation, threat, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or Formal Complaint of Title IX Misconduct, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding or hearing under the Title IX Policy. Retaliation can be committed by any individual or group of individuals.

### **Consent**

The voluntary, uncoerced agreement, through words and/or actions, freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly chooses to participate. Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when coercion is present; or when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation or where the person is incapable of giving consent due to age, intellectual limitations, or other disability. Important points regarding consent include:

1. Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
2. Consent is not implicit in a person's manner of dress.
3. Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
4. Consent to engage in sexual activity must exist from the beginning to end of each instance of sexual activity and for each form of sexual contact. Either party may withdraw or modify their consent at any time. Withdrawal of consent must be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
5. Consent to one act does not constitute consent to another act.
6. Consent to an act with one person does not constitute consent to an act with any other person.
7. Consent on a prior occasion does not constitute consent on a subsequent occasion.
8. The existence of a prior or current relationship does not, in itself, constitute consent.
9. An individual who is incapacitated is unable to give consent to sexual activity.
10. In the State of New Jersey, the age of majority is 18. Under state law, consent cannot be given by minors under the age of 13 and can only be given by a minor under the age of 16 if the other party is less than four years older than the minor.

### **Incapacitation**

Incapacitation is the state in which a person's perception or judgment is so impaired that they lack the cognitive capacity to make or act on conscious decisions. It is the inability (temporarily or permanently) to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood that the individual is incapacitated, constitutes sexual assault. In evaluating whether consent was present when there is an allegation of incapacitation, an Investigator will consider whether a Respondent should have been aware of the Complainant's incapacitation based on objectively and reasonably apparent indications of impairment

when viewed from the perspective of a sober, reasonable person in the Respondent's position.

The use of drugs or alcohol (voluntarily or involuntarily) can cause incapacitation, however, the mere consumption of alcohol or other drugs, without objective indicia of incapacitation, is insufficient to establish incapacitation. The impact of alcohol and other drugs varies from person to person; warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility. Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's decision-making ability, awareness of consequences, ability to make informed judgments, and capacity to appreciate the nature and the quality of the act.

In general, sexual contact while under the influence of alcohol or other drugs is risky behavior. It is especially important that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity. Either party may raise evidence of their own incapacitation; however, being intoxicated or impaired by drugs or alcohol is never an excuse for misconduct and does not diminish one's responsibility to obtain informed and freely given consent.

**Force:** Force is the use or threat of physical violence or intimidation to overcome a person's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Complainant resist the sexual advance or request. However, resistance by the Complainant will be viewed as a clear demonstration of the absence of consent.

**Coercion:** Coercion is the improper use of pressure to compel another person to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. Examples of coercion include threatening to disclose personal information such as the other party's sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

# APPENDIX E: DEFINITIONS OF SEXUAL ASSAULT AND RELATED TERMS IN THE STEVENS POLICY ON GENDER-BASED AND SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE AND STALKING

## Discrimination

The treatment of members of a certain sex or other protected group more or less favorably on the basis of their sex or other protected characteristic or the establishment of an institutional policy or practice that has a disparate impact on members of a certain sex or protected group.

## Sexual Violence

Sexual contact against the will or without the consent of the other person. This includes sexual contact by the use or threat of force or coercion, without effective consent, or where the other individual is incapacitated. A number of acts fall into the category of sexual violence, including acts that are forcible or non-forcible and including penetrative acts as well as sexual touching or disrobing not involving penetration.

## Sexual Harassment

Unwelcome conduct of a sexual nature or on the basis of sex, including unwelcome sexual advances, requests for sexual favors, acts of sexual violence, or other verbal, non-verbal or physical conduct, when one of the following conditions is present:

- Submission to or rejection of the conduct is either an explicit or implicit term or condition of employment, instruction, evaluation of academic work, or participation in any University academic program, activity, or benefit;
- Submission to or rejection of the conduct by an individual is used as a basis for evaluation in making academic or personnel decisions or decisions regarding participation in a University activity; or
- The conduct is sufficiently severe, persistent, or pervasive that it unreasonably
  - interferes with, limits, or denies an individual's participation in or benefit from any educational experience, working conditions or campus living conditions by creating an intimidating, hostile or offensive environment when viewed from a subjective and an objective perspective. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. For example, a single instance of sexual violence may be sufficiently severe to constitute sexual harassment. Additionally, conduct does not have to be directed at a particular person to constitute harassment. Examples of sexual harassment, if sufficiently severe, persistent, or pervasive, include, but are not limited to:
    - Pressure for sexual activity, sexual favors or a romantic or intimate relationship;
    - Unwelcome touching of a person's body, hair, or clothing;
    - Verbal abuse or hostile behavior such as insulting, teasing, mocking, degrading, or ridiculing another person or group based on gender or sex;

- Unwelcome jokes, comments or questions about gender or sex (including favorable comments about someone’s gender, body, clothing, appearance);
- Asking about a person’s sexual activities or interests;
- Repeatedly asking for a date or making other romantic or sexual advances after the person has said “no;”
- Nonverbal behavior, such as making sexual gestures with hands or through body movements;
- Displaying sexually discriminatory or explicit posters or pictures; and
- Electronic and other forms of communications including e-mail, text messaging and internet use, that violate the Title IX Policy.

### **Sexual Exploitation**

An act or acts committed through 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. An act of sexual exploitation is prohibited even though the behavior does not constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include:

- Observing another individual’s nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- Non-consensual streaming or distribution of images, photography, video, or an audio recording of sexual activity or nudity without the knowledge and consent of all parties involved;
- Prostituting another individual;
- Exposing one’s genitals in non-consensual circumstances;
- Knowingly exposing another individual to a sexually transmitted disease or virus without that individual’s knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non- consensual sexual activity.

### **Physical Violence**

A purposeful action intended to hurt another person. Examples include, but are not limited to, kicking, punching, hitting with, or throwing an object, or biting. When these acts occur in the context of relationship violence or when the behavior is perpetrated on the basis of sex, gender, or sexual orientation, the conduct will be resolved under the Title IX Policy.

### **Stalking**

Engaging in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for her, his, or others’ safety or to suffer substantial emotional distress. Stalking may include physical conduct, traditional forms of communication such as letter-writing and phone calls, and may also include cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used. All allegations of stalking are covered by the Title IX Policy regardless of whether the stalking is sexual or gender- based.

## **Relationship Violence**

Relationship violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person. Any of the other types of prohibited conduct described in the Title IX Policy may also constitute relationship violence. Domestic violence and dating violence are forms of relationship violence and are defined below:

### **Domestic Violence**

An act of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common or expects to share a child in common if one of the parties is pregnant, by a person who is a present or former household member of the victim, by a person similarly-situated to a victim under state domestic violence laws, or by any other person against a victim who is protected from that person's acts under the state domestic violence laws.

### **Dating Violence**

Violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (Dating violence qualifies as "Domestic Violence" under New Jersey law.)

### **Consent**

The voluntary, uncoerced agreement through words and/or actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when coercion is present; or when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation or where the person is incapable of giving consent due to age, intellectual limitations, or other disability. Important points regarding consent include:

- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- Consent is not implicit in a person's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Consent to engage in sexual activity must exist from the beginning to end of each instance of sexual activity and for each form of sexual contact. Either party may withdraw or modify consent at any time. Withdrawal of consent must be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
- Consent to one act does not constitute consent to another act.
- Consent to an act with one person does not constitute consent to an act with any other person.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- An individual who is incapacitated is unable to give consent to sexual activity.

- In the State of New Jersey, the age of majority is 18. Under state law, consent cannot be given by minors under the age of 13 and can only be given by a minor under the age of 16 if the other party is less than four years older than the minor.

### **Incapacitation**

Incapacitation is the state in which a person's perception or judgment is so impaired that he or she lacks the cognitive capacity to make or act on conscious decisions. It is the inability (temporarily or permanently) to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring.

### **Force**

Force is the use or threat of physical violence or intimidation to overcome a person's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Complainant resist the sexual advance or request.

However, resistance by the Complainant will be viewed as a clear demonstration of the absence of consent.

### **Coercion**

Coercion is the improper use of pressure to compel another person to initiate or continue sexual activity against his/her will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. Examples of coercion include threatening to disclose personal information such as one's sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.