Stevens Institute of Technology

2014 Annual Security and Fire Safety Report
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From the Chief of Police

Welcome and thank you for taking the time to view the 2014 Annual Security and Fire Safety Report for Stevens Institute of Technology.

The Stevens Institute of Technology Campus Police Department is committed to providing a safe and secure environment for students, faculty, staff and visitors. Providing a safe environment to our students while they enjoy their college experience and all of the wonderful opportunities that go along with college campus living is our top priority. The Stevens Police Department is manned 24/7 and trained to handle all types of situations from the routine call 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 18 armed Police Officers is complimented by 2 uniformed Public Safety Officers and 2 dispatchers who assist in providing professional security services to the Stevens community. As the current President of the Hudson County Chiefs of Police Association (2014-2016), 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.

The Stevens Institute of Technology campus is 58 acres and 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 through 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 which may represent a serious or continuing threat to our community should occur. Preventing, preparing for, responding to and recovering from serious emergency situations are our number one priority.

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 / Director of Public Safety
Stevens Resources and Campus Police Partners

For Emergencies

Campus Police 201-216-3911
Off Campus Emergency 911

Health Care Resources

During Office hours, Stevens Health Services 201-216-5678
During Office Hours, Student Counseling & Disability Services 201-216-5177

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

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

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. The statistics must be gathered from campus police or security, local law enforcement, and other 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 these locations 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 the campus police or the campus security department and is reported to the campus police or security department;” and
- record in a public fire log a record of any fire that occurred in an on-campus student housing facility.

The Stevens Police Department is responsible for preparing and distributing this Report. The information contained within the Report includes statistical information gathered for the previous calendar year. We work with many other departments at Stevens, such as the Office of Student Development, the Dean for Student Life and the Dean for Residence Life to compile the information contained in the Report. We also work with outside law enforcement agencies who have jurisdictional authority in areas off-campus.

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 the Stevens Police Department at 201.216.5105 or email tgriffin@stevens.edu.
Stevens Police Department

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.

Law Enforcement Authority and Interagency Cooperation Policy

The Stevens Police Department is manned 24/7 and trained to handle all types of situations from routine calls for assistances to more 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 18 armed Police Officers is complimented by two uniformed Public Safety Officers and two dispatchers who assist in providing professional security services to the Stevens community. Stevens Police Officers have the authority of commissioned police officers with full power of arrest in accordance with New Jersey law.

Interagency Cooperation

Stevens Campus Police 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 Hudson County Prosecutor’s Office, the Hudson County Chiefs of Police Association, the New Jersey State Police, and other local, county, state and federal law enforcement agencies. We rely on these working relationships for support on many levels. This cooperation allows for the sharing and dissemination of critical information among all of the agencies in order to maintain an informed and safe community.

Hudson County Rapid Deployment Force

The Stevens Police Department has seven members 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**

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 policy. Stevens depends on its faculty, academic professionals, 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.

Except for confidential communications made to psychological counselors or physicians, all Stevens employees are instructed to report any suspected crimes. Certain Stevens administrators have a separate and additional responsibility under federal law to inform Stevens Campus Police of specified crimes witnessed by them or reported to them. These administrators are known as Campus Security Authorities (CSA). 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 officials who meet these criteria and has informed them of their responsibilities.

Stevens Campus Police is responsible for investigating all criminal matters that occur on Stevens on-campus properties and affiliated Greek Houses. Criminal matters that occur in non-campus facilities or housing or on public property in areas that are geographically affiliated with Stevens are handled by the relevant local police department. Crime statistics that occur in both non-campus and public property areas are shared with Stevens by the local police and included in this Report for the most recent year (but not prior years).

**Contacting Stevens Campus Police**

Complaints of suspected or actual criminal activity should be reported to Campus Police at 201-216-5105. Questions about activity and whether certain actions may be criminal should also be directed to the Campus Police.

The primary concern of Campus Police will be the safety of the victim. Reporting the incident to the 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 the department (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.
No Retaliation

Stevens complies with all applicable laws that prohibit retaliatory action against members of the Stevens community who disclose or report potential violations of law to public bodies; the full policy is available at: http://www.stevens.edu/provost/sites/provost/files/Whistle-Blower_Policy_10dec2010_0.pdf

Policy on Confidential Reporting of Crime

Stevens has several methods for individuals to report crimes and other serious incidents, including the ability to report on a confidential basis for inclusion in the annual disclosure of crime statistics:

Anonymous reporting of crime - 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. A person can also choose to write a letter or note instead of filling out the form. Stevens Campus Police have placed drop-boxes at three locations where these forms can be submitted. These boxes are located at the Howe Center Desk located in the lobby, the Student Health Center and the Student Counseling Center. Campus Police routinely check the boxes for new submissions and act accordingly.

Confidential reports that provide sufficient detailed information for classification of the offense by law enforcement officials will be included in Stevens’ crime statistics.

Security and Access to Campus Facilities, Including Campus Residences

Stevens encourages an open campus environment with limited constraints to ensure the reasonable protection of all members of the community.

An automated card access control system is installed on the exterior doors in many academic, housing and administrative buildings. All on-campus housing facilities require swipe card access 24/7. For academic and administrative buildings swipe access is on a timer which limits the accessibility 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 and faculty. Guests and other visitors may visit residence halls provided they have been authorized by a member of the community. Unauthorized guests are not permitted in the residence halls. Doors to student residence areas are locked 24 hours a day.
Security Considerations in the Maintenance of Campus Facilities

Stevens is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. Campus Police will report unsafe conditions found on campus during regularly assigned patrols. Stevens encourages community members to report any instances of inadequate lighting to the Physical Plant Department at 201-216-5275. Any community member who has a concern about physical security should contact Stevens Campus Police at 201-216-5105.

Emergency Preparedness and Communication

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 and/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 life and safety of the Stevens community and its constituents. The ERP is designed for major emergencies and should be 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, if necessary, outside agencies.

The ERP provides a comprehensive approach: first responders initiate recovery efforts and coordinate operational functions at the scene of the emergency while at the same time Stevens’ executive management team is assembled and begins to define strategies to respond to the emergency, communicate with the community (both internally and externally), ensure that resources are available and organize the overall response to secure the campus and its constituents and maintain business continuity.

Stevens continues to assess and make improvements to increase its readiness and ability to handle emergency situations. Communication during an emergency is critical and Stevens has a broad-based approach to communicating with students, faculty, and staff, including email, text messaging, social media, websites, and radio. While Hoboken has been one of the safest cities in the region, Stevens recognizes the need to prepare for a broad range of potential threats. Stevens’ Emergency Management Team consists of administrative staff with expertise in responding to emergency situations as well as trained first responders. Together, they are responsible for the ERP and carrying out exercises in order to prepare for varying types of disasters.

Emergency Warning Siren

The need to communicate emergency instructions during a crisis situation 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 wide-spread 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.

**Timely Warning Notices**

Stevens Campus Police will issue a timely warning notice to the Stevens community in the event that a situation arises on campus or in another location where Stevens conducts regular activities that in the judgment of the Chief of Campus Police constitutes an ongoing or continuing threat to Stevens faculty, staff or students. The warning will be issued through the Stevens e-mail system to students, faculty and staff.

**Campus Alert System**

In the event of an emergency involving an imminent threat on campus, Stevens Campus Police will use the Stevens Campus Alert System to notify the campus community and provide instructions via text. Students, faculty and staff are encouraged to register online to receive real-time text notifications of these emergency events at the link [www.stevens.edu/everbridge](http://www.stevens.edu/everbridge). The Campus Alert System is tested campus wide at least twice each year.

**Daily Crime Log Policy**

Stevens Campus Police maintains crime and fire logs at the Stevens Police Headquarters located at the Gatehouse on the southern end of campus, and these logs are open for public review. These logs are continuously updated and are available for inspection during business hours.

**Notification of Missing Student Policy**

Stevens has implemented a Missing Student Policy to respond to reports of a missing student. Students are under no obligation to notify Stevens of time spent away from their residences; however, a student is defined as “missing” when his/her absence for a period of 24 hours is inconsistent with his/her 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 will be responsible for investigating each report of a missing student and for determining whether the student is missing in accordance with this 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 by completing the online form available at the Office of Student Life’s website as follows: [https://orgsync.com/41943/forms/118887](https://orgsync.com/41943/forms/118887) or by designating a confidential contact for this purpose 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 Dean of Students will:
- Notify the student’s confidential contact (if one is designated) that the student is missing no 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 an emancipated individual, notify a custodial parent or guardian of the missing student no 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.

Crime Prevention Education and Awareness

Stevens Campus Police stresses the importance of crime prevention. Our officers participate in several important student oriented safety programs. Crime prevention lectures on personal safety, fire safety, firearms awareness, drunk-driving and the safeguarding of personal property are presented to campus organizations and students groups throughout the year. During orientation sessions, sessions are offered on crime, fire prevention and drug and alcohol awareness. Stevens Campus Police routinely publishes useful crime prevention tips to the entire Stevens community and conducts informal lectures on residential safety and many other safety related topics to the many Greek House communities, student clubs and organizations at Stevens.

Shuttle Bus Service

Stevens provides bus shuttles that service the off-campus residential community. During the Fall and Spring semesters, the shuttles operate from 5:30AM to 2:30AM, Monday through Friday, 7:30AM to 2:30am Saturdays and 12:00PM to 2:30AM Sundays. There is reduced service over break periods and during the summer semesters. The full schedules are posted online at: http://www.stevens.edu/sit/residence-life/shuttles.

In addition to the shuttle service for students residing off campus, Stevens employs two additional shuttle lines to meet the needs of commuting students, faculty and staff. These shuttles are in service from 7:30am to 11:30am and 4:30pm to midnight, Monday to Friday during the Fall and Spring semesters. They run continuously every 15 to 20 minutes between campus and the Hoboken PATH/New Jersey Transit Lackawanna Station or the 8th St Light Rail Station. The schedules for these shuttles are posted at http://www.stevens.edu/sit/residence-life/shuttles.

Escorts to Off-Campus Housing

During evening hours when the Stevens shuttles are not running, Stevens Campus Police will provide an escort ride to students who live off campus as they travel from campus to their residence. Stevens Campus Police are also available for escort services anytime a student feels that an unsafe condition exists.
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. Members of the Stevens community charged with possession of a firearm or weapon on the campus will be held accountable through the criminal justice system as well as through the appropriate disciplinary procedures of Stevens. 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 in order to obtain permission to carry a firearm on campus.

Code of Conduct

Stevens is dedicated to providing an environment that reflects its core values of honor, academic integrity, trust, and mutual respect. The conduct of Stevens’ undergraduate and graduate students is expected to reflect these values.

The Student Code of Conduct provides guidance concerning the kinds of expressions that are consistent with Stevens mission and values, and promote interactions and behaviors 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.

While providing a safe and supportive environment, Stevens complies with State and Federal laws and regulations, and also affords each student the opportunity to exercise certain liberties. In turn students are expected to function as responsible and productive members of the Stevens community – these mutual expectations foster a productive and resourceful learning community.

Drug and Alcohol Beverage Policies

The abuse of drugs and alcohol is a grave danger 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, our desire for an efficient and effective workforce, and our intent to comply with applicable federal, state, and local laws regarding substance abuse, Stevens has formulated the following policy on drugs and alcohol.

Stevens is committed to a drug-free environment. The possession, sale, use, or distribution of illegal drugs or narcotics 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 or narcotics will be reported immediately to Campus Police and will be disciplined based on Stevens’ judicial procedures as administered by the Office of Residence Life and the Dean of Students. Sanctions may include removal from Stevens housing, suspension or dismissal from Stevens.
Alcoholic beverages cannot be brought into or consumed on Stevens’ premises, except in connection with authorized Stevens’ events and in accordance with stated Stevens policies. No alcohol may be served at any Stevens function without the prior approval of the University Events office. 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 including “beer pong” and “water pong.” 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. No glass collections, bottle collections, beer cans, alcohol or drug paraphernalia – including posters – are allowed in Stevens’ residential housing. Finally, to discourage excessive consumption, large quantities of beer, wine or hard liquor are prohibited in student rooms. No individual student may possess in their room more than six (6) 12 oz. bottles/cans of beer or .75 liter of wine or .75 liter of spirits at one time, provided the authorized occupants of the room are 21 and over.

Stevens strictly enforces these policies. Violators are subject to sanctions up to and including dismissal, and/or arrest and prosecution.

**Alcohol and Drug Education Programs**

All new students are required to participate in Alcohol.edu online education program prior to arriving on campus. During orientation, new students attend an additional educational session on alcohol and drug abuse.

All new members of fraternities and sororities are required to attend a new member education series which includes education regarding responsible use of alcohol, the dangers of alcohol and drug abuse and the requirements of Stevens’ policies.

Alcohol Awareness Week takes place during October of each academic year and includes an array of programs presented by the Office of Student Life, Fraternity and Sorority Life, and the Counseling Center.

Written materials regarding alcohol and drug use as well as information regarding resources available in the local community are available in the Office of Student Counseling and Disability Services,

**Title IX: Stevens Policy on Gender-Based and Sexual Misconduct, Relationship Violence and Stalking**

Stevens is committed to maintaining a safe learning, living and working environment, to educating its community members on issues of sexual assault, sexual harassment, sexual exploitation (together, “sexual misconduct”), relationship violence and stalking, and to pursuing disciplinary action against those who commit misconduct or retaliate against individuals who make a good faith report of such conduct. Students or employees who are determined by
Stevens to have committed an act of sexual misconduct, relationship violence, stalking or retaliation in violation of Stevens’ policies are subject to sanction, up to and including separation from the University.

Stevens’ Policy on Gender-Based and Sexual Misconduct is set forth in its entirety in Appendix A to this Report.

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

**Kristie Damell**  
Associate Director of Student Life and Title IX Coordinator  
10th Floor of the Howe Center  
Phone: 201-216-5679  
E-mail: Kristie.Damell@stevens.edu

In addition, Stevens has appointed a deputy Title IX Coordinator who may also be contacted:

**Mark Samolewicz**  
Vice President for Human Resources and Deputy Title IX Coordinator  
7th Floor of the Howe Center  
Phone: 201-216-5218  
E-mail: Mark.Samolewicz@stevens.edu

Stevens’ Title IX website provides victims of sexual assault with easy access to on and off campus resources and provides general information for individuals seeking guidance about Title IX. This website can be accessed [http://ugstudentlife.stevens.edu/titleIX](http://ugstudentlife.stevens.edu/titleIX). In addition, Stevens provides training and programs designed to educate and inform the community about Stevens’ Policy on Gender-Based and Sexual Misconduct and the Stevens’ response to incidents reported under the Policy. These include:

- During new student orientation each year, students are provided with information and training regarding sexual violence and prevention.

- “New Student Awareness Theatre” is conducted each Fall. This is a dramatic presentation of important issues that first year students may encounter including drugs and alcohol, sexual violence, etc. The presentation is followed by a question and answer discussion.

- “The Know More Campaign” provides the Stevens community with information regarding Title IX and campus resources which support positive health and wellness behavior.

- Title IX and Bystander Training is presented annually to all resident assistants, orientation leaders, fraternity and sorority leaders, and peer health mentors.
- Each Spring, the Stevens community holds a Take Back the Night event.

- Each year, Stevens conducts programming and events to recognize Sexual Assault Awareness Month

- Each year, the Stevens community “Wears Purple to Support the Prevention of Violence Against Women” national initiative. Many community members personally pledge to stand up against violence against women.

- Student affairs staff, student residence life personnel and athletics staff are required to attend in-person Title IX training.

- All Stevens employees are required to complete an online Title IX training program.

**Responding to Sexual Misconduct**

Stevens treats allegations of sexual misconduct very seriously and has a system in place to assist survivors in obtaining medical treatment, counseling and police assistance. In addition, various forms of accommodations may be made to protect victims including changes in housing, “no contact” orders, and other types of residential and academic assistance. Stevens is committed to treating survivors with care, compassion, and respect.

**Reporting Sexual Misconduct**

The safety and well-being of survivors are of paramount importance. Stevens strongly encourages survivors 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 the Stevens Police Department.

**Stevens and Community Resources**

- Title IX Coordinator, Howe Center, 201-216-5679
- Stevens Police Department Gatehouse, 201-216-5105
- Office of Residence Life, 7th floor Howe Center, 201-216-5128
- The Dean of Students, 10th floor Howe Center, 201-216-5699
- The Stevens Health Center, 1st floor, Jacobus Hall, 201-216-5678
- The Stevens Counseling Center, 7th floor, Howe Center, 201-216-5177
- Hoboken Police Department, 201-420-2100
Actions for Survivors of Sexual Assault

To get immediate medical treatment, call 201.216.3911 or 911. It is important that a person who has been recently assaulted receive prompt medical attention to ensure that he/she is 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 may also include the collection of physical evidence for use in prosecution, if the survivor so chooses. Such evidence may increase the chances of successful prosecution, and its collection is therefore strongly encouraged. For this reason, survivors 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 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 a survivor may be unsure about reporting the incident to the police, many times, survivors 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, students should contact the Stevens Police Department or:

Hudson County Coordinator:
Farkanda Farooqi, RN, FN-CSA
Contact Information:
201-232-6412
farooqi@hcpo.org

Hudson County Prosecutor’s Office
Special Victims Unit, 555 Duncan Avenue
Jersey City, NJ 07305
201-915-1234

SART Sites:
Hoboken University Medical Center
308 Willow Ave
Hoboken, NJ 07030
201-418-1000

Christ Hospital, Jersey City, NJ
176 Palisade Ave
Jersey City, NJ 07306
201-795-8200
Campus Sex Crime Prevention Act; Sexual Offender Policy

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 web site for New Jersey is http://www.nsopw.gov. Information regarding registered sex offenders also may be obtained from the Stevens Campus Police.

Stevens Campus Police Statistical Report

Crime Statistics Reporting

Stevens Campus Police collects crime statistics through a number of methods. Crimes that occur on-campus are gathered by Stevens’ Campus Police through a review of calls to Campus Police for service, coordination with other campus security officers and through analysis of the Uniform Crime Report (UCR). For the year 2013, crimes that occurred at off-campus housing facilities or on public-property immediately adjacent to the campus have been reported to Stevens by the Hoboken Police Department. Prior to 2013, such data was not available to Stevens and is not included in this Report. 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 or through the New Jersey State Police. Statistics gathered as a result of these combined efforts are included in the 2013 Crime Statistics.

Reporting Area

This Campus Security report contains statistics collected and reported on certain properties as described below:

On-Campus Property

Properties considered to be on-campus include those buildings and properties which are owned or controlled by Stevens, are within the same reasonably contiguous geographic area, and are used by Stevens in direct support of, or in a manner related to, Stevens’ educational purposes. On-campus properties include all on-campus residence halls and Greek houses owned by Stevens.

On-campus properties would include any buildings or properties which are owned by Stevens and used by Stevens’ students and to support Stevens’ purposes but which are controlled by another person; there are no such buildings or properties within this category at this time.

Non-Campus Property

Non-campus properties include properties that are owned or controlled by Stevens and primarily used for Stevens’ purposes, but are not located in the immediate on-campus area. All off-campus housing leased by Stevens to house its students is included within this category. Non-
campus properties also include buildings or properties that are owned or controlled by a Stevens’ student organization such as Greek houses which are owned by the relevant fraternity or sorority, as well as athletic facilities which are frequently used by Stevens pursuant to a written agreement.

**Public Property**

Public property within or immediately adjacent to and accessible from Stevens’ campus is included in this Report. Public property includes the sidewalk, street and opposite sidewalk immediately adjacent to Stevens’ properties, but does not include public property beyond the second sidewalk. Only those public properties that are adjacent to on-campus properties are included.

### 2013 Crime Statistics

<table>
<thead>
<tr>
<th>Type of offense</th>
<th>On campus</th>
<th>Residential facility</th>
<th>Non-campus building or property</th>
<th>Public property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criminal Homicide</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murder/Non-negligent manslaughter</td>
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1. This section only includes sex offenses reported to Stevens officials, not those reported to confidential resources.
2. Includes sex offenses reported to other campus officers as well as third-party reports and anonymous reports.
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### Arrests and Disciplinary Actions

#### Arrests - On Campus

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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. Stevens publishes this information as part of the Annual Campus Security and Fire Safety Report every year.

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.

Fire 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. Fire 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, 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 that 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.
## Annual Fire Statistics

Fire Safety report for Residence Halls

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2013 Actual Fires—Campus Housing

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Fire Protection Equipment

All of Stevens’ student housing facilities are equipped with automatic fire detection and alarm systems. The equipment is maintained and monitored by a private company and Stevens’ personnel.

Fire Safety Inspections

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

Fire Safety Policies for On-Campus Student Housing

Smoking

Smoking is prohibited in all areas of all University residence halls. Smoking devices, including, but not limited to, pipes, bongs, and hookahs, are not permitted in the residence halls.

Open Flame

Candles, incense, outdoor grills, or any other type of open flame or open coil device are prohibited in all University residence halls.

Programs for Fire Safety Education and Training Programs

Stevens believes it is extremely important that residents familiarize themselves and their guests with all applicable fire safety procedures in their assigned building. 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, in collaboration with Residence Life and Student Life, has developed a robust training program to educate residents about fire safety, including the following:
• The Stevens Fire Safety Coordinator trains Resident Advisors in fire safety before the Fall semester
• The Hoboken Fire Department demonstrates how to utilize a fire extinguisher and allows students to demonstrate their knowledge using a fire extinguisher simulator
• 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 fire drill
• The Stevens Fire Safety Coordinator performs a training for the entire freshman class in fire safety practices during Freshman Public Safety Orientation
• Fire Safety articles appear regularly in the student newspaper (The Stute)
• A Fire Safety Training is given in each Greek House (Fraternity and Sorority) 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.

Residents who fail to comply fully with applicable fire safety procedures or who otherwise violate rules and regulations related to fire safety are subject to disciplinary action. Students who fail to abide by building emergency evacuation procedures are subject to disciplinary action.

Collaboration with Hoboken Fire Department (HFD)

Stevens values its relationship with its 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 Greek Houses) to HFD which include building floor plans. These plans assist Fire Fighters in locating building access points and shut offs 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 Greek Housing and Residence Halls. These tours familiarize fire fighters with building layouts, fire hose connection locations, and other fire safety systems that may be utilized during a response.

Fire Safety Policies in Residences

In general, residents are expected 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:

• Flammable decorations
• Natural or artificial evergreens
• Electric heaters, personal air conditioners, hot plate burners
• Halogen lighting equipment
• Candles, incense, outdoor grills, or any other type of open flame or open coil device
• Explosives, fireworks, firearms, or ammunition

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.

Stevens On-Campus Housing

<table>
<thead>
<tr>
<th>Building Name</th>
<th>Monitored Fire Panel</th>
<th>Fully Sprinklered</th>
<th>Smoke Alarms</th>
<th>CO Detectors</th>
<th>Fire Drills Annually</th>
<th>Evacuation Maps</th>
<th>Fire Extinguishers</th>
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Appendix A

Policy on Gender-Based and Sexual Misconduct Including Discrimination, Sexual Violence, Sexual Harassment, Relationship Violence, Stalking, and other forms of Gender-Based or Sexual Misconduct

Approval Authority: Administrative Council Responsible Executive: Vice President for Enrollment Management and Student Affairs

Responsible Offices: The Office of Student Affairs and the Office of Human Resources
Effective Date: November 19, 2013

I. GENERAL POLICY STATEMENT:

Stevens Institute of Technology (“Stevens” or the “University”) 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 learning environment that is free of gender-based and sexual misconduct, including sexual violence, sexual harassment, relationship violence, and stalking.

This Policy has been drafted to comply with the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §§ 1681 et seq. and its implementing regulations, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in educational programs or activities receiving federal financial assistance. Sex discrimination under Title IX includes sexual harassment and sexual violence.

This Policy protects and applies to all students, faculty and staff at Stevens, as well as third-parties. It applies to conduct occurring on Stevens’ property or at University-sanctioned events or programs that take place off campus, including study abroad, internship programs and cooperative educational programs. This Policy also applies to off-campus conduct that has an impact on a member of the Stevens’ community and implicates Stevens’ obligations under Title IX.

All members of the Stevens community are responsible for compliance with this Policy and are encouraged to immediately report misconduct covered by this Policy to the Title IX Coordinator or Deputy Title IX Coordinator whether it takes place on or off-campus. In addition, all faculty members and all staff members listed at Section V.B. of this Policy are required to immediately

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3 Discrimination, sexual violence, sexual harassment, sexual exploitation, stalking, and relationship violence are specifically defined within this Policy. In general, sexual misconduct is a broad term that refers to all of the prohibited behaviors under this Policy.

4 For the purposes of this Policy, the “Stevens community” or “campus community” is a broad term that refers to all employees, students, visitors, volunteers, contractors and others who spend time on campus or who participate in University-sanctioned events and programs off-campus.
report allegations of misconduct to the Title IX Coordinator or Deputy Title IX Coordinator, regardless of whether the Complainant\(^5\) intends to make a report.

The University will seek to maintain the privacy of all persons involved with reporting, investigating and resolving complaints under this Policy. Confidential assistance may be obtained only by speaking with professionals who are mandated by law to protect confidentiality. On campus, these professionals include the counselors at Student Counseling and Disability Services and any physician at the Student Health Center. Information shared with these confidential resources will not be shared with the University without consent, unless there are special circumstances such as an imminent risk of harm to self or others or suspected abuse of a minor under the age of 18. Additional information regarding confidentiality and privacy is provided in Section III of this Policy.

A Complainant has the option to report incidents of misconduct to local law enforcement authorities and the University will assist Complainants in doing so. The University has an independent duty to conduct a prompt review of an allegation of misconduct, notwithstanding the existence of any pending criminal investigation. Retaliation against anyone involved in filing a report, participating in the report or investigation process, or otherwise providing information regarding allegations of misconduct is prohibited by this Policy and will not be tolerated. Any retaliation occurring at any time during or after the complaint process should be reported and will be investigated by the University under the same processes and standards outlined in this Policy. Anyone found to have engaged in retaliation shall be subject to discipline, including potential dismissal from University employment or matriculation.

The University has established a “Title IX Coordinator” role with centralized oversight responsibility for Title IX matters at Stevens, including the coordination of the University’s response to reports. Dr. Kristie Damell is the Title IX Coordinator and has ultimate responsibility for Title IX matters generally and primary responsibility for overseeing complaints and reports relating to Stevens’ students. Mark Samolewicz is the Deputy Title IX Coordinator and will be the primary person responsible for overseeing complaints and reports relating to employees. Dr. Damell and Mr. Samolewicz are also responsible for the coordination of educational programs for students, faculty, and staff to promote awareness and prevention of gender-based and sexual misconduct.

**Dr. Kristie Damell**  
Associate Director of Student Life and Title IX Coordinator  
10th Floor of the Howe Center  
Phone: 201-216-5679  
E-mail: Kristie.Damell@stevens.edu

**Mark Samolewicz**  
Vice President for Human Resources and Deputy Title IX Coordinator

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\(^5\) For the purposes of this Policy, the “Stevens community” or “campus community” is a broad term that refers to all employees, students, visitors, volunteers, contractors and others who spend time on campus or who participate in University-sanctioned events and programs off-campus.
This Policy supersedes all other student and employee policies with respect to discrimination on the basis of sex, gender identity or expression, affectional or sexual orientation; sexual violence; sexual harassment; relationship violence; stalking; and other forms of gender-based or sexual misconduct. In the event that a set of facts involves an allegation of misconduct covered by this Policy and conduct covered by other University policies, the entire matter will be reviewed under this Policy.

While this Policy is tailored to gender-based and sexual misconduct, Stevens also maintains policies prohibiting discrimination and harassment on the basis of other legally-protected characteristics including, without limitation, the Discrimination and Harassment Policy which is available on Stevens’ website at: http://www.stevens.edu/provost/sites/default/files/Discrimination_and_Harassment_Policy_9mar2010p.pdf

This Policy will apply to any report received by the University after the effective date of this Policy, regardless of when the misconduct is alleged to have occurred.

II. DEFINITIONS:

This Policy prohibits a broad range of behaviors, all of which may be classified as misconduct. Gender-based and sexual 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.

In determining whether the alleged conduct constitutes misconduct under this Policy, consideration will be given to the totality of circumstances involved in the incident, including the nature of the conduct and the context in which the alleged incident occurred. Misconduct which violates this Policy includes the behaviors described below:

A. 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.

B. 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.

C. Sexual Harassment: Unwelcome conduct of a sexual nature or on the basis of sex. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal,
non-verbal or physical conduct on the basis of sex or of a sexual nature including acts of sexual violence. In most cases, to constitute sexual harassment the incident, behavior or conduct will involve:

- 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 these behaviors 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
- These behaviors are sufficiently severe, persistent, or pervasive to have the effect of unreasonably interfering with an individual’s educational experience, working conditions or campus living conditions by creating an intimidating, hostile or offensive environment.

A single instance of sexual violence may be sufficiently severe to constitute sexual harassment. Examples of sexual harassment 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 this Policy.

D. 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.

E. 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 this Policy.

F. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others’ safety or to suffer substantial emotional distress. Stalking may include 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 to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion. All allegations of stalking are covered by this Policy regardless of whether the stalking is sexual or gender-based.

G. 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 this Policy may also constitute relationship violence. Domestic violence and dating violence are forms of relationship violence and are defined below:

1. Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person 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.

2. 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 also may qualify as “Domestic Violence” under New Jersey law.)

H. Retaliation: Acts or attempts to retaliate or seek retribution against a Complainant, Respondent, or any individual or group of individuals involved in a complaint, investigation and/or resolution of an allegation of misconduct under this Policy. Retaliation can be committed by any individual or group of individuals (not just a Respondent or Complainant). Retaliation
may take many forms including, without limitation, threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others.

I. Related Definitions

1. **Consent**: The voluntary, uncoerced agreement through words and 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 should 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 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.

2. **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. 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 misconduct. In evaluating sexual misconduct allegations, 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, consumption of alcohol or other drugs alone 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. 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.

3. **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.

4. **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.

**J. Other Forms of Misconduct**: Other forms of gender-based or sexual misconduct are also covered by this Policy. Examples of such misconduct may include, but are not limited to, actions that are degrading and/or abusive.

**K. Electronic Communications and Social Media**: Electronic communications and social media may be conduits for misconduct covered by this Policy. Discrimination, harassment, threats of violence, or stalking occurring over electronic communications and social media are prohibited by this Policy whether or not they utilize Stevens’ electronic equipment, servers, or e-mail resources.

**L. Relationships between Stevens’ Students and Stevens’ Employees**: The University has a Non-Fraternization Policy, which **prohibits** amorous or sexual relationships between Stevens’ employees and any student under their supervision (graduate or undergraduate), as well as any amorous or sexual relationship between an employee and an undergraduate student, regardless of
whether a supervisory relationship exists. Stevens also strongly discourages employees from engaging in amorous or sexual relationships with graduate students even where there is no supervisory relationship. This policy is available at http://www.stevens.edu/provost/sites/default/files/NonFraternization_Policy_6feb2012p.pdf

III. STATEMENT REGARDING PRIVACY AND CONFIDENTIALITY:

The University is committed to protecting the privacy of all individuals involved in a report of misconduct under this Policy consistent with the need for a thorough review by the University of the allegation. All employees who are involved in the University’s Title IX response, including investigators and adjudicators, receive specific training and guidance about safeguarding private information. Privacy and confidentiality have distinct meanings under this Policy.

Privacy: 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 confidentiality, these individuals will be instructed by the University to be discreet and respect the privacy of all individuals involved in the process.

Confidentiality: Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the permission of the individual. Those campus and community professionals who are able to preserve the confidentiality of communications include physicians, mental health providers, ordained clergy, and rape crisis counselors. These individuals will not breach confidentiality unless special circumstances exist such as an imminent risk of harm to the individual or others or suspected abuse of a minor under the age of 18.

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 the counselors at Student Counseling and Disability Services or any physician at the Student Health Center. Please see Sections IV B and C below for additional information regarding confidential resources. Any University employee who is not designated as a confidential resource under this Policy is required to share a report of misconduct covered by this Policy with the Title IX Coordinator or Deputy Title IX Coordinator. The Title IX Coordinator and Deputy Coordinator are not confidential resources.

Where a Complainant makes a report to a Stevens’ employee who is not designated as a confidential resource under this Policy, but requests that a name or other identifiable information not be shared with the Respondent or that no formal action be taken, the University will balance this request with its dual obligation to provide a safe and non-discriminatory environment for all Stevens’ community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a Respondent. In
making this determination, the University will consider, among other factors, whether the
Complainant has requested confidentiality, whether the Complainant wants to participate in an
investigation, the severity and impact of the alleged misconduct, the respective ages of the
parties, whether the Complainant is a minor under the age of 18, whether the Respondent has
admitted to the misconduct, whether the Respondent has a pattern of committing such
misconduct, the existence of independent evidence, and the extent of prior remedial methods
taken with the Respondent.

The University will take all reasonable steps to investigate and respond to the complaint
consistent with the request for confidentiality or request not to pursue an investigation or
disciplinary action, but its ability to do so may be limited based on the nature of the request by
the Complainant. The University will assess any barriers to proceeding, including retaliation, and
will inform the Complainant that Title IX prohibits retaliation and the University will take strong
responsive action to protect the Complainant. Where the University is unable to take action
consistent with a request of the Complainant, the University’s chosen course of action will be
communicated to the Complainant.

If a report of misconduct discloses a serious and immediate 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 law. The timely notification will not include any identifying
information about the Complainant. The University may also share non-identifying information
about reports received in aggregate form, including data about outcomes and sanctions. At no
time will the University release the name of the Complainant to the general public without the
express consent of the Complainant or as otherwise permitted or required by law.

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

IV. RESOURCES:

The University is committed to treating all members of the community with dignity, care and
respect. Any individual affected by behaviors prohibited by this Policy, whether as a
Complainant, a Respondent or a third party, will have access to support and counseling services
through the University. The University recognizes that deciding whether to make a report and
choosing how to proceed can be difficult decisions. The University encourages any individual
who has questions or concerns to seek the support of campus and community resources. These
professionals can provide information about available resources and procedural options and
assistance to either party in addressing a matter covered by this Policy.

A. Emergency Response:

1. Stevens Campus Police have resources available to help students and employees. Campus
Police are located at the Gate House located at the south entrance to campus across from the
Babbio Center. The emergency number is 201-216-3911.
2. The Hoboken Police Department is located at 106 Hudson Street in Hoboken and can be reached by dialing 911 in an emergency.

B. Student Health and Emotional Well-Being:

1. Student Health Center: Stevens has an on-campus Student Health Center located on the 1st Floor of Jacobus Hall. The Student Health Center also facilitates connecting students with off-campus medical providers. Additional information about such medical services is available on the Health Center webpage: http://www.stevens.edu/health/info.htm. (Physicians are a confidential resource)

2. Student Counseling Services: Stevens has an office of Student Counseling and Disability Services, located on the 7th floor of the Howe Center, which provides on-campus personal counseling services to students. This office also facilitates connecting students with off-campus therapists. Additional information about counseling services is available on the following webpage: http://www.stevens.edu/sit/counseling. (Counselors are a confidential resource)

3. The Hoboken University Medical Center is located at 308 Willow Avenue in Hoboken and can provide urgent medical services. (Physicians are a confidential resource)

4. External Abuse Resources and Hotline Services: The Student Health Center and Student Counseling and Disability Services webpages provide links to various confidential abuse resources and hotline services, including the Hudson County Rape Crisis Center Hotline, the Hudson County Sex Crime Unit and domestic violence hotlines.

C. Employee Health and Emotional Well-Being:

1. The Hoboken University Medical Center is located at 308 Willow Avenue in Hoboken and can provide urgent medical services. (Physicians are a confidential resource)

2. Employee Assistance Program ("EAP"): CIGNA's "Life Assistance Program" is available to Stevens' employees and consists of a variety of counseling and support services, as well as other resources and referral services. All services are available 24 hours a day, 365 days per year. The Program may be reached at 1-800-538-3543 or via the web at www.cignabehavioral.com/cgi. (confidential resource)

D. Title IX Coordinator: In addition to the confidential resources listed above, the University’s Title IX Coordinator and Deputy Title IX Coordinator are trained to support individuals affected by gender-based or sexual misconduct. While not bound by confidentiality, these resources will maintain the privacy of an individual's information within the limited circle of those involved in the Title IX resolution process. Dr. Kristie Damell is the Title IX Coordinator and has ultimate responsibility for Title IX matters generally and primary responsibility for overseeing complaints and reports relating to Stevens’ students. Mark Samolewicz is the Deputy Title IX Coordinator and will be the primary person responsible for overseeing complaints and reports relating to employees. Dr. Damell and Mr. Samolewicz are also responsible for the coordination of educational programs for students, faculty, and staff to promote awareness and prevention of
gender-based and sexual misconduct. If you are unsure which person to contact based upon the facts involved in a particular situation or if you have general inquiries about the application of Title IX, please feel free to contact either Dr. Damell or Mr. Samolewicz to discuss the situation.

Kristie Damell  
Associate Director of Student Life and Title IX Coordinator  
10th Floor of the Howe Center  
Phone: 201-216-5679  
E-mail: Kristie.Damell@stevens.edu

Mark Samolewicz  
Vice President for Human Resources and Deputy Title IX Coordinator  
7th Floor of the Howe Center  
Phone: 201-216-5218  
E-mail: Mark.Samolewicz@stevens.edu

V. REPORTING AND RELATED CONSIDERATIONS:

A. Reporting Considerations:

1. Timeliness of Report: Complainants and others are encouraged to report misconduct covered by this Policy 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.

2. Rules Violations Should Not Deter Reporting: Stevens’ primary concern is safety. Complainants and bystanders should report incidents covered by this Policy regardless of whether rules violations may have been involved. Use of alcohol or drugs never makes a Complainant at fault for sexual violence and should not deter reporting by Complainants, bystanders, or other knowledgeable parties. To encourage reporting, an individual who reports misconduct covered by this Policy, either as a Complainant or a third-party witness, will not be subject to disciplinary action by the University for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or drug use.

3. 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 third party may also be the subject of retaliation by another individual, including the Complainant. Retaliation against anyone involved in filing a report, participating in the report or investigation process, or otherwise providing information regarding allegations of misconduct is prohibited by this Policy and will not be tolerated. Any retaliation occurring at any time during or after the complaint process should be reported and will be investigated by the University under the same processes and standards outlined in this Policy. Anyone found to have engaged in retaliation shall be subject to discipline, including potential dismissal from University employment or expulsion.
4. False Reporting: A charge of sexual or gender-based misconduct may have severe consequences. A Complainant who makes a report that is later found to have been intentionally false or made maliciously without regard for the truth will be subject to disciplinary action. This provision does not apply to reports made in good faith, even if the facts alleged in the report are not substantiated by an investigation. Similarly, a Respondent or witness who is later proven to have intentionally given false information during the course of an investigation may be subject to disciplinary action.

5. Reports Involving Minors: Under New Jersey law, every person is a mandatory reporter of child abuse. Any member of the Stevens community who has reasonable cause to suspect abuse of a minor under the age of 18 must make a report to the Title IX Coordinator, Deputy Title IX Coordinator or Campus Police, who will facilitate a report to local law enforcement and the New Jersey Department of Children and Families.

6. Preservation of Evidence: A Complainant is advised to seek medical treatment and preserve physical evidence following an incident of misconduct even if s/he has not decided whether s/he wishes to pursue any action against a perpetrator of the misconduct. This will help to ensure that a Complainant receives proper care and preserves his/her opportunity to support a disciplinary or criminal action at a later time. Stevens’ medical personnel, Campus Police and the Hoboken University Medical Center can assist Complainants in preserving evidence.

B. Reporting at Stevens: Complainants or anyone else who is aware of the occurrence of an incident covered by this Policy are encouraged to report the incident as soon as possible, to the Stevens’ Title IX Coordinators and/or to Stevens’ Campus Police.

i. Obligation to Report by Certain University Employees: All faculty members and any staff member who is (a) a member of Stevens’ Campus Police or otherwise has a responsibility for campus security; (b) charged with significant responsibility for student affairs and/or campus activities or programs, including but not limited to student housing, student discipline, athletics, extra-curricular activities, Greek life, or student employment; (c) a member of the Human Resources department; or (d) in a supervisory or managerial role with respect to students or employees and is informed of an allegation of misconduct covered by this Policy is, in each case, required to immediately file a report with the Title IX Coordinator or Deputy Title IX Coordinator. Certain University employees who serve in a privileged professional capacity (i.e., physicians, mental health counselors and others who are statutorily prohibited from reporting) are excluded from this requirement, except where reporting is required by law.

ii. Campus Reporting Options:

a. Title IX Coordinator and Deputy:

Dr. Kristie Damell
Associate Director of Student Life and Title IX Coordinator
10th Floor of the Howe Center
Phone: 201-216-5679
E-mail: Kristie.Damell@stevens.edu
b. Stevens Campus Police: Reports can also be made directly to Stevens’ Campus Police. Campus Police can be reached at 201-216-5105 or at the Gate House located at the south entrance to campus across from the Babbio Center. The emergency number is 201-216-3911.

c. Anonymous Reporting: Anonymous reports or requests for resources may be made through the University’s EthicsPoint Compliance Hotline at 855-277-4065 or online through https://secure.ethicspoint.com/domain/media/en/gui/31028/index.html. EthicsPoint allows the University to request information from a reporter and provide updates to the reporter on an anonymous basis. Reports made via EthicsPoint will be forwarded to the Title IX Coordinator. EthicsPoint is not an emergency service. For emergency service, reporters should call Stevens’ Campus Police or local law enforcement authorities.

iii. Study Abroad: Students on study abroad experiences should report misconduct covered by this Policy to the Stevens Title IX Coordinator or, if necessary, via EthicsPoint.

C. Reporting to Off-Campus Police:

1. A Complainant has the option to report the incident to the appropriate local law enforcement authorities and the University will assist the Complainant in doing so. A Complainant who wishes to report an incident to local law enforcement may seek assistance from the Title IX Coordinator, Deputy Title IX Coordinator, or Campus Police. A Complainant may also elect to decline to notify law enforcement.

2. In cases involving potential criminal conduct, Stevens will determine, consistent with its obligations under federal, state and local law, whether appropriate law enforcement or other authorities should be notified.

D. Inquiries or Complaints about the Application of Title IX: Inquiries or complaints about the application of Title IX may be directed to Stevens’ Title IX Coordinator, Deputy Title IX Coordinator, and/or to the United States Department of Education’s Office for Civil Rights.

New York Office
Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
Email: OCR.NewYork@ed.gov
E. Intersection with Other Laws and Law Enforcement: All Stevens community members have a responsibility to adhere to University policies and local, state and federal law. Behavior that violates this Policy may also violate the laws of the locality in which the incident occurred.

1. Law Enforcement Investigation Does Not Relieve University’s Title IX Obligations: A criminal investigation into an allegation of misconduct does not relieve or substitute for the University’s duty to conduct its own prompt review of a complaint. Accordingly, the University will not wait for the conclusion of a criminal investigation or proceeding to begin its own investigation and resolution of an alleged violation. Furthermore, because the standards for criminal proceedings differ from those used in University disciplinary actions, conduct that may not be subject to criminal action may still be addressed through the University’s disciplinary process. A finding of “not guilty” in a criminal matter does not necessarily preclude a finding of responsibility for violating this Policy. At the request of law enforcement, Stevens may agree to defer its fact-gathering until after the initial stages of a criminal investigation. Stevens will nevertheless communicate with the Complainant regarding Title IX resources and procedural options, and the implementation of interim measures to ensure safety and well-being. Stevens will promptly resume its fact-gathering as soon as law enforcement has completed its initial investigation.

2. New Jersey Law: The NJ Law Against Discrimination prohibits discrimination on the basis of sex, gender identity or expression, and affectional or sexual orientation. In addition, sexual and/or relationship violence is a crime. Sexual offenses are described in the New Jersey Criminal Code and may be found at Title 2C, Chapter 14. Assault and stalking may be found at Title 2C, Chapter 12. New Jersey’s Prevention of Domestic Violence Act (which also covers dating violence) is available at Title 2C, Chapter 25.

3. Study Abroad: Students who are studying abroad should be aware that they are subject to this Policy as well as the laws of the host country, which define what constitutes sexual violence or other offenses.

VI. INVESTIGATION AND RESOLUTION OF A COMPLAINT:

A. Prompt and Impartial Investigation and Response: Any reported conduct that may be in violation of this Policy will be investigated and addressed in a timely manner by trained individuals who are free from any conflicts of interest which may affect their judgment in the application of the Policy. Upon receiving a report, Stevens will commence an investigation within 10 working days. The University may elect to designate an investigator from outside of the University community. The investigator will conduct a prompt, thorough and impartial initial investigation of the complaint in the manner s/he deems necessary. The parties to the complaint each will have an opportunity to be heard and present witnesses and other evidence and will be kept informed of the status of the investigation as deemed appropriate. While the length of an investigation will depend on a variety of factors including the nature and scope of the allegations, the number of parties and witnesses and the availability of parties and witnesses, the University will seek to conclude the investigation within 25 working days of receipt of the report. The University will seek to resolve the complaint, including any appeals, within 60 working days of the report.
B. Extension of Timelines: The University may determine that circumstances warrant extending the timelines for investigation and resolution of a report. Such circumstances may include the unavailability of a party or key witnesses due to holidays or other breaks. In such cases, the University will notify parties of the status of the report and the revised timelines for its investigation and/or resolution.

C. Standard of Review: The standard of review that the University will use when reviewing a 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, that the Respondent is responsible for the alleged violation(s).

D. Prior Sexual History and/or Pattern Evidence:

1. Prior Sexual History of a Complainant: In general, a Complainant’s prior sexual history is not relevant and will not be admitted as evidence in an investigation. Where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges consent, 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 this Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the complainant with other individuals is typically not relevant and will not be permitted.

2. Pattern Evidence by a Respondent: 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.

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. Where a sufficient informational foundation exists, the investigator will assess the relevance, form, and reliability of the information and determine if it is appropriate for inclusion in the report.

E. Participants in the Process: Attorneys are not permitted to attend any investigative interviews or other meetings or proceedings under this Policy. If desired, parties may elect to have one silent observer present during investigative interviews; however, this observer may not participate. The observer’s function is solely to provide support. The observer must be a current member of the University’s faculty or staff or a student where the supported party is also a student; however the observer may not be someone who has a current formal role (e.g., advisor, coach, instructor, supervisor) with either the Complainant or Respondent and may not be someone who is otherwise a witness in the investigation. Adversarial hearings, including confrontation, cross-examination by the parties, and advocacy by attorneys or other advocates, are neither appropriate nor permitted during the investigation or resolution process.
F. 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 this Policy and refuses to cooperate in an investigation is subject to discipline up to and including termination of employment.

G. Interim Steps: Where appropriate, prior to or during the investigation, interim steps may be taken to protect the safety and well-being of members of the University community. Depending on whether the situation involves students or employees, such steps may include, but are not limited to the following: restricted access to campus facilities, reassignment in University housing, academic modifications, academic support services, job modifications, no-contact orders, counseling, interim suspension or leave, or other interim disciplinary measures.

H. Resolution of a Complaint:

1. Title IX Assessment: In every report of misconduct under this Policy, the Title IX Coordinator will make a prompt assessment of the existence of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps may include interim protective measures to provide for the safety of individuals and the campus community.

2. Informal Resolution: With the consent of the Complainant and the Respondent, and if the University deems the circumstances to warrant doing so, a matter may be resolved through non-disciplinary interventions (e.g., education, counseling, mediation, changes in housing and/or academic accommodations, administrative actions). Either party has the right, however, to end this type of process at any time and begin a formal proceeding. Mediation will not be used to resolve complaints of sexual violence.

3. Formal Resolution: Should an informal resolution be inappropriate or unattainable, the matter will be reviewed under the following process:
   a. The investigator will conduct interview(s) with parties and witnesses;
   b. The investigator will review party and witness statements and other evidence presented;
   c. The investigator will issue a written report to the parties summarizing the witness statements and other evidence presented without rendering any conclusions so that opposing parties have an opportunity to respond to the evidence collected, including correcting factual errors;
   d. Parties have an opportunity to correct and/or respond to the evidence set forth in the report;
   e. The investigator will review any party responses and make a determination whether University policies have been violated according to the “preponderance of the evidence” standard described above;
   f. The investigator will issue written findings to the parties which include the investigator’s determination as to whether University policies have been violated;
   g. If there has been a finding of responsibility on the part of the Respondent, each party will have an opportunity to provide an impact statement that will be considered by the
University administrator who will determine the appropriate disciplinary sanctions. The University administrator may also elect to meet with the parties;
h. If there has been a finding of responsibility on the part of the Respondent, the relevant University administrator will determine the disciplinary sanctions and/or other remedies.
i. As a general matter, the relevant University administrator who will determine appropriate sanctions will be (i) the Assistant Vice President for Student Affairs or another designee of the Vice President for Enrollment Management and Student Affairs for matters involving student Respondents and (ii) the Senior Director of Human Resources or another designee of the Vice President of Human Resources for matters involving faculty or staff Respondents.

4. Disciplinary Sanctions: The specific sanctions imposed by the University may differ depending on the circumstances of the matter being addressed. In general, however, sanctions imposed upon Respondents determined to have violated this Policy are at the discretion of the University. Sanctions imposed upon students can include a range of sanctions including, but not limited to, 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. Sanctions imposed on employees can include a range of sanctions including, but not limited to, 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.

5. Other Remedies: Where appropriate, Stevens will take steps to prevent the recurrence of any discrimination, violence, harassment or other misconduct and to correct the effects on the Complainant and others. 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.

6. Notification to Parties: Stevens will notify each party in writing of the outcome of the complaint. “Outcome” refers to the University’s determination of whether the alleged misconduct occurred, not necessarily the sanction imposed on the Respondent. The Respondent will be informed of any sanctions, the date by which any requirements must be satisfied, and the consequences of failure to satisfy the requirements. The University will disclose to a Complainant information about a sanction imposed upon a Respondent where the sanction directly relates to the Complainant (e.g., imposition of a no-contact order).

7. Appeals:

a. Grounds for Appeal: Dissatisfaction with the outcome is not grounds for appeal. The limited grounds for appeal are as follows: (1) new evidence is available that could affect the adjudication that was unavailable at the time of the adjudication; (2) procedural error(s) that had a material impact on the fairness of the investigation or adjudication; and (3) the sanctions imposed were grossly disproportionate to the violation committed.

b. Appeal Procedures where the Respondent is a Stevens’ Student:
i. Either the Complainant or Respondent may appeal the findings (as provided in (a) above), disciplinary decision and/or the resulting sanction(s) to the Vice President for Enrollment Management and Student Affairs. The person appealing the findings, disciplinary decision and/or sanction(s) must submit a letter of appeal in writing to the Vice President for Enrollment Management and Student Affairs within five working days of receiving the disciplinary decision and sanction(s).

ii. The Vice President for Enrollment Management and Student Affairs will review the disciplinary file and the appeal letter and may elect to meet with the parties.

iii. Within 15 working days of receipt of the appeal, the Vice President for Enrollment Management and Student Affairs will render a decision using the preponderance of the evidence standard and will inform the parties of the decision in writing.

iv. The options available to the Vice President for Enrollment Management and Student Affairs are to: (a) affirm the findings, disciplinary decision and/or sanction(s); (2) modify the findings, disciplinary decision and/or sanction(s); or (3) in the event of significant new evidence, order a new adjudication process based on the totality of the evidence.

v. The decision by the Vice President for Enrollment Management and Student Affairs is final. No further appeals are available. A copy of the appellant’s letter will be placed in the parties’ files.

c. Appeals Procedures where the Respondent is a Stevens’ Employee:

A Complainant or Respondent may file a written request for reconsideration of an adjudication in which the Respondent is an employee to the Vice President for Human Resources within five working days of notification of the outcome of the complaint. The Vice President for Human Resources will review the matter and the appeal letter and may elect to meet with the parties. Within 15 working days of receipt of the appeal, the Vice President for Human Resources will render a decision and inform the parties in writing. The decision by the Vice President for Human Resources shall be final except that, following such decision of the Vice President for Human Resources, certain specified employees may take the additional actions provided below. A copy of the appellant's letter will be placed in the parties' files.

   i. Tenured and Tenure-Track Faculty who have received a proposed sanction of dismissal or suspension without pay are entitled to request that the charges be reviewed according to the procedures set forth in Section 3.7.2 of the Faculty Handbook. This additional review process is not for the purpose of re-evaluating whether the misconduct occurred but rather for determining whether the finding of misconduct justifies the discipline imposed.

   ii. Bargaining Unit Employees may resort to the grievance procedures of the applicable collective bargaining agreement. This additional review process is not for the purpose of re-evaluating whether the misconduct occurred but rather for determining whether the finding of misconduct justifies the discipline imposed.

8. Student Employees: In the event that the Respondent is both a student and a Stevens’ employee, the complaint will be processed according to the student procedures contained in this Policy.
9. Resolution Where the Respondent is Neither a Stevens Student Nor Employee:
Complaints against individuals who are not members of the Stevens’ community (e.g., contractors, vendors, or other visitors to Stevens’ campus) will be investigated and Stevens will take steps to remedy the misconduct and support the Complainant in reporting the misconduct externally. While Stevens’ ability to impose sanctions against a person who is neither a student nor an employee may be limited, such 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 discrimination, violence, harassment or other misconduct and to correct the effects on the Complainant and others.

I. Records: The Title IX Coordinator will retain records of all reports, allegations and complaints, regardless of how the matter is resolved. A complaint against a student which is resolved by the Title IX Coordinator or Deputy Title IX Coordinator’s assessment or informal resolution will not be part of a student's conduct file or academic record. Affirmative findings of responsibility in matters resolved through formal resolution will be part of a student's conduct record. Such records shall be used in reviewing any further conduct or in developing sanctions. The University reserves the right to include any records regarding complaints against non-student employees in the employee’s personnel file.

J. Expectations of Parties: Participants in proceedings under this Policy should expect the following:

1. The right to be treated with respect, dignity, and sensitivity throughout the process.

2. If the party is a student, the ability to seek support services at or through the University (e.g., on- and off-campus counseling, mental health or other student services for victims of misconduct covered by this Policy). If the party is an employee, the ability to use Stevens’ employee support programs.

3. If the party is a student, the right to protection under the Family Educational Rights and Privacy Act (“FERPA”), a federal law that protects the privacy of student education records.

4. The right to file a complaint on campus and to avail oneself of the process for doing so including, but not limited to, the following: an adequate, reliable, prompt and impartial investigation of complaints; an equal opportunity to present relevant witnesses and other evidence; and an equal opportunity to file an appeal.

5. The right to file a complaint with the appropriate local law enforcement authorities and to obtain assistance from the University in doing so.

6. If the party is a student, the right to request and receive a housing or academic modification if such a modification is reasonably available.

7. The right to be notified of the outcome of the complaint.
F. CONCLUSION

Stevens is committed to equality of opportunity and maintaining a safe learning environment that is free of gender-based and sexual misconduct including sexual violence, sexual harassment, relationship violence and stalking. All members of the Stevens community are responsible for compliance with this Policy and are encouraged to report misconduct covered by this Policy whether it takes place on or off-campus. In addition, all faculty members and all staff members listed at Section V.B. of this Policy are required to immediately report allegations of misconduct to the Title IX Coordinator or Deputy Title IX Coordinator, regardless of whether the Complainant intends to make a report. This Policy supersedes all other student and employee policies with respect to sex discrimination, gender-based discrimination, affectional and sexual orientation discrimination, sexual violence, sexual harassment, relationship violence, stalking and other forms of gender-based or sexual misconduct. Inquiries or complaints about the application of Title IX may be directed to Stevens’ Title IX Coordinator, Deputy Title IX Coordinator, and/or to the United States Department of Education’s Office for Civil Rights (“OCR”). The contact information for the OCR may be found at Section V.D of this Policy.
Appendix B

Definitions of Reportable Crimes in the Campus Security Act

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

**Sexual assault**
An offense that meets the definition of any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, rape or attempted rape. It includes sexual acts against people who are unable to consent either due to age or incapable of giving consent.

**Rape**
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**
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**
Defined as non-forceable sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory rape**
Defined as non-forceable sexual intercourse with a person who is under the statutory age of consent.

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

**Aggravated assault**
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by 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.

**Domestic violence**
Includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating violence**
Means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type and frequency of interaction.

**Stalking**
Means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others’ safety, or to suffer substantial emotional distress.

**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.